# CONGRESSIONAL RECORD:

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CONTAINING

# THE PROCEEDINGS AND DEBATES

OF THE

# FIFTY-NINTH CONGRESS, SECOND SESSION.

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## VOLUME XLI.

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WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1907.

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
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VOLUME XLI, PART V.

# CONGRESSIONAL RECORD

AND

# APPENDIX,

## FIFTY-NINTH CONGRESS, SECOND SESSION.

Mr. OVERSTREET of Indiana. Mr. Speaker, I am very sorry that I can not answer the gentleman, but the time has expired.

Mr. GRIGGS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GRIGGS. Mr. Speaker, in case this motion is voted down, would it be in order to ask unanimous consent to take the Senate amendments from the Speaker's table and move to concur in certain amendments?

The SPEAKER. It is always in order to ask unanimous consent. To fully answer the gentleman, if this motion is voted down in theory, automatically it goes to the Committee on the Post-Office and Post-Roads.

Mr. GRIGGS. In theory. That is all right.

The SPEAKER. Well, actually it goes there, but unanimous consent could bring it back. The question is on suspending the rules and agreeing to the motion of the gentleman from Indiana.

Mr. GRIGGS. Mr. Speaker, I ask for the yeas and nays to save time.

The question was taken; and the yeas and nays were refused.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York.

The question was taken; and the Chair announced the ayes appeared to have it.

On a division (demanded by Mr. GRIGGS) there were—ayes 130, noes 46.

So (two-thirds having voted in favor thereof) the rules were suspended and the motion was agreed to.

The SPEAKER. The Chair announces the following conferees.

The Clerk read as follows:

Mr. OVERSTREET of Indiana, Mr. GARDNER of New Jersey, and Mr. MOON of Tennessee.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23821) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes.

SUBSIDY BILL.

Mr. GROSVENOR. Mr. Speaker, I would like to call the attention of the gentleman from New York to my statement. I ask unanimous consent that general debate on this measure may continue until 6 o'clock to-night, and to-morrow to 6 o'clock, a recess until 8 o'clock, and that to-morrow evening, beginning at 8 o'clock, general debate shall begin again and proceed until 11 o'clock to-morrow night, and that thereupon the House shall adjourn and that the rule now in existence shall carry the bill forward under its provisions.

The SPEAKER. The gentleman from Ohio asks unanimous consent that general debate, under the order, shall continue until 6 o'clock this afternoon and until 6 to-morrow, and at 6 o'clock to-morrow the committee, by unanimous consent, shall be considered as recessed until 8 o'clock to-morrow evening, and that general debate shall continue in the committee from 8 o'clock until 11 o'clock to-morrow evening.

Mr. SULZER. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

Mr. GROSVENOR. Mr. Speaker, the gentlemen on the other side, after making various concessions, had fully agreed upon this, and it seems to me the gentleman from New York ought not to interfere.

Mr. SULZER. Mr. Speaker, I withdraw the objection.

The SPEAKER. Is there objection?

Mr. GOULDEN. I would like to suggest to my colleague from Ohio to make it 5.30 this afternoon. Otherwise I am entirely agreeable to it.

Mr. SHERLEY. Mr. Speaker, reserving the right to object, as I understand the request as stated by the Chair, it would permit an adjournment of the committee at 6 o'clock to-morrow evening until 8 o'clock to-morrow night without regard to a quorum of the committee being present at that time.

The SPEAKER. A quorum of the committee is always necessary, if the point is made.

Mr. SHERLEY. I have no desire to object, but I shall insist upon a quorum being present during the deliberations of the committee.

The SPEAKER. The committee can not proceed if the point of no quorum is made.

The Chair hears no objection. The committee will resume its sitting under the order.

The committee resumed its session, Mr. CURRIER in the chair.

The CHAIRMAN. The gentleman from Illinois [Mr. RAINEY] is recognized.

Mr. KAHN. Will the gentleman yield for one question? I understood the gentleman to say that if an American ship goes to a foreign port, if it is an ocean-going ship, and is repaired in that foreign port, when she returns to this country the owners have to pay duty on the repairs made.

Mr. RAINEY. The gentleman misunderstood me. I did not say that. Every vessel enrolled and licensed, or simply licensed, that makes repairs in a foreign port must pay duty on the repairs as soon as the vessel is brought back to an American port. If a vessel engaged in our coastwise trade, licensed or licensed and enrolled, is blown from her course and is repaired in a foreign port as the result of any kind of accident, as soon as that vessel comes back to an American port the owners must pay the amount of the duty on the repairs that go into her.

Now, the trouble with the development of the merchant marine in this country is that no bill ever receives the attention of this House which attempts to repeal or modify these absurd navigation laws. The only bill that can ever get out of a committee is a bill which provides for the payment of a subsidy—which provides for taking money out of the pockets of the people and paying it over into the coffers of the rich who are able to build ships that cost a million dollars. There are 1,150 firms and individuals in this country, according to the last edition of Lloyd's Register, engaged in the business of building ships, repairing ships, or furnishing supplies for ships. And when I introduced my bill providing for free raw material for ships, one of the simplest ways of encouraging the development of the American merchant marine, I wrote to every one of these 1,150 firms and individuals, and sent them a copy of my bill, which simply provides that vessels may be built and repaired and equipped in American ports out of material admitted duty free, no matter in what trade those vessels are to be used.

I received nearly five hundred replies from firms and the individuals who are directly interested in this industry, and every one of them, except twelve or thirteen, favored this kind of legislation, and those twelve or thirteen companies, every one of them, expected to obtain a subsidy either by this kind of a bill or by some other bill, and they were therefore opposed to it.

Now, no vessel simply licensed, or licensed and enrolled, can touch at a foreign port except the vessels engaged in trade upon the waters of our northern frontiers. And up here on the St. Lawrence River we have an example as to the effect of our navigation laws in this particular. The Thousand Island and St. Lawrence River Steamship Company, an American company, is operating a line of American boats. Every year thousands and thousands of American citizens take the trip down the grand rapids of the St. Lawrence to Montreal, but nearly all of them go on vessels owned by Canadian companies. Under the law vessels licensed and enrolled, or simply licensed, if repaired or equipped or even provisioned in a foreign port must pay duty on the provisions or the repairs or on any new equipment as soon as they get back to American ports.

The CHAIRMAN. The gentleman's time has expired.

Mr. GOULDEN. Mr. Chairman, I yield five minutes more to the gentleman.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. RAINEY. This American line of ours is struggling along there, competing with the Canadian lines. There is no place within the boundaries of the United States where they can repair or equip their vessels. They must do it all on the other side, and before they can even stop on this side of the river they must pay 50 per cent duty on every item of material that goes into any repairs they make. And in this connection I want to send to the clerk's desk——

Mr. LITTLEFIELD. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois [Mr. RAINEY] yield to the gentleman from Maine?

Mr. RAINEY. Yes, sir.

Mr. LITTLEFIELD. I just wanted to inquire under what provision of the law duties were imposed upon repairs made under such circumstances.

Mr. RAINEY. Under section 4318 of the law, and if I had the time I would read it to the gentleman.

Mr. LITTLEFIELD. Section 4318 of the Revised Statutes?

Mr. RAINEY. Yes; Revised Statutes. Now, the operation of this line furnishes a splendid object lesson as to the effect of this portion of our navigation laws. I send to the Clerk's desk to be read in my time a letter written to me by the general manager of the Thousand Islands and St. Lawrence River Steamboat Company.

The CHAIRMAN. The letter will be read in the time of the gentleman from Illinois.

The Clerk read as follows:

THOUSAND ISLAND AND ST. LAWRENCE RIVER STEAMBOAT COMPANIES,
*Kingston, Ontario, January 25, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Absence from home explains delayed acknowledgment of your communication of the 6th instant in connection with the bill which you have introduced in Congress providing for the importation in bond of materials for constructing, repairing, and equipping ships, and for other purposes.

I can assure you that we are heartily in accord with this bill. The Thousand Island Steamboat Company, which is an American corporation organized under the laws of the State of New York, has been in operation on the river St. Lawrence, in the Thousand Island region, between Cape Vincent, Clayton, and Ogdensburg, for a quarter of a century, and I can assure you that American shipping in this district has been greatly discriminated against in favor of Canadian tonnage by the existing laws of the United States Government in connection with repairing, supplies, equipment, etc., of such steamers when they happen to be in Canadian ports.

When I tell you that there is not an accessible port on the American side, from Cape Vincent to Ogdensburg, where steamers of any size can be docked and repaired and that our American boats are practically forced to come to Kingston every winter to lay up and have their outfitting and repairing done on the Canadian side before being placed in commission in the spring, and obliged to pay 50 per cent duty on labor, material, and equipment furnished on this side, you will realize the disadvantages against which we have been working in endeavoring to compete in the excursion business on the river St. Lawrence with Canadian steamers, which are saved the expenses we are forced into.

I have taken up this matter individually several times at Washington in an endeavor to secure relief, but to no avail. We have been struggling along, nevertheless, doing our best with this burden upon us, and your bill seems like a ray of sunshine from the clouds, and I can assure you it has our strongest indorsement.

The summer traffic on the St. Lawrence River is increasing every year, and we are endeavoring to compete with the Canadian steamers for the business, but we are having a trying time on account of the heavy restrictions imposed by the United States Government on all work done and materials furnished in foreign ports.

When I tell you, as you are undoubtedly aware, that all the summer tourist trade to Montreal, down the grand rapids of the St. Lawrence River from the American side, is performed by Canadian steamers, when it is only just and natural that American boats should be competing for this service, you will realize that Canadian tonnage has been having the advantage and that the stringent regulations of the United States Government have been a great handicap and have had a dampening effect upon the efforts to compete for this service. In fact, we are charged duty upon the docking of American steamers in Canadian ports even when no material repairs are effected. We are refused the privilege of importing American paints and painting our steamers on this side without the payment of duty, both on the material and labor. We are forced to pay duty on all the provisions and supplies for passengers and crews, if taken on an American boat in a Canadian port, as soon as she touches the first American port. We would be very grateful for relief, I can assure you, and it would be a strong incentive to increasing the tonnage of American ships in these waters if such relief could be effected.

I would be glad, if it is possible at this late hour, to have included in the bill freedom from duty on labor, as well as on materials, when work is done on an American bottom in a foreign port, and also that no duty should be exacted on provisions and supplies furnished for the crew and passengers when taken in Canadian waters. I simply offer this as a suggestion, as we are now charged 50 per cent on all labor and a high rate of duty on supplies.

If I can be of any service in any way or can give you any further information that will be effective, I will consider it a favor if you will call upon me.

Yours, truly,
HOWARD S. FOLGER,
*General Manager.*

Mr. RAINEY. Now, I want to say to those gentlemen who at the present moment——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOULDEN. Mr. Chairman, I yield the gentleman five minutes more.

Mr. RAINEY. I want to call the attention of those gentlemen who I see are now looking this matter up since the reading of this very interesting letter to the fact that under section 4318 vessels that are engaged in business on our northern, northeastern, and northwestern frontier are permitted to touch at foreign ports when they are simply licensed and enrolled.

No other American vessel can do this under license and enrollment. All other licensed or licensed and enrolled vessels must confine their sphere of operations to the coastwise trade. I want to give notice now that when this bill comes up under the five-minute rule I propose to offer as an amendment the bill I have had pending here for so long, and which provides for free raw material for ships, no matter in what trade they are to be used; which provides simply for carrying into effect the provisions which the gentleman from Ohio erroneously stated yesterday are already in our law; that provision which the President of the United States thinks is already there; that provision which Secretary Root thinks is already there. Now, the fact that these gentlemen think it is there simply shows how little is known about some phases of our navigation laws. Now, I have a letter here written by Mr. L. E. Lunt, of Melrose, Mass., a vessel owner, which shows the importance of free raw material for ships. I am going to put it in the RECORD here.

The letter referred to is as follows:

JANUARY 20, 1906.

Hon. H. T. RAINEY, *Washington, D. C.*

DEAR SIR: I am particularly pleased by reading the bill you have introduced for free importation for goods to be used in construction and repairs for American shipping, and I trust very much that this bill will become a law.

Here are some of the principal materials used in the construction of a sailing ship or steamship: Steel plates, angles, and beams; galvanized-wire rigging; cotton duck; manila rope; bar iron; steel rivets.

The above will certainly cover 75 per cent of the material to be used in the construction of a steel vessel; and I would ask if all of the above are not controlled by trusts?

I was—in fact, am to-day—interested with some other parties to build a 3,000-ton American sailing ship, but the present prices of material have deterred us from going ahead, as, with the present existing conditions, we could not expect to build this vessel within 30 to 35 per cent of what they could build the same vessel in England for; and while we may expect to have our vessels cost us more, still this is far too much difference, and we have "hung up" the matter till conditions change.

By the passage of your proposed bill this would allow us, and no doubt many others, to go ahead and build up our American shipping.

Yours, very truly,

L. E. LUNT.

Here is another letter, written by Dr. Oliver W. Cobb, of Easthampton, Mass. It shows what could be done if we had free raw material for ships. I read it for that purpose.

The letter was as follows:

EASTHAMPTON, MASS., *January 9, 1906.*

Hon. H. T. RAINEY.

DEAR SIR: Received yours of the 6th instant. I am heartily in favor of the proposed bill.

Our present law has resulted in a continuance of building of wooden vessels, which are obsolete.

Our wooden coastwise fleet would be put out of business if they had to compete with foreign-built steel vessels. But I believe that, were we able to import the materials, a fleet of steel vessels would be built at Atlantic ports both for foreign and coastwise business. Nor do I believe that any great quantity of material would be bought abroad. The American producer of those materials would meet the price and the increased demand would help to make good the reduced margin of profit.

In 1902 I had a marine architect make for me the plans for a first-class steel sailing vessel to carry 2,500 tons cargo. This ship was planned to be available for any business. We found that the materials would cost $8,000 more if bought here than if bought abroad. Your proposed bill would have made the estimated cost of this ship $67,000 instead of $75,000. We could figure a fair return for our money at that price; at $67,000 she would have been an attractive investment. As we were about to contract for this ship the steel people advanced the price, making it to cost $5,000 more, and some labor movement coming just at that time caused the builders to raise their estimate $10,000 more, making the whole $90,000.

I immediately dropped the whole matter, as at that price she could make no fair return to her owners.

I wish while you are on this matter you would take up the matter of quarantine. Quarantine should be a national regulation, and, as it is enforced for the benefit of the whole people, it would be but just for the public Treasury to bear the expense. Give to American vessels free quarantine and indemnity for time detained and pass your bill, there will be small need for any subsidy except for mail service.

Yours, very respectfully,

O. W. COBB.

Here is a letter from William Matson, of the William Matson Navigation Company, of San Francisco, Cal. I read these letters because they are from practical men, whose opinions are of value.

The letter is as follows:

MATSON NAVIGATION COMPANY,
*San Francisco, Cal., January 30, 1906.*

HON. H. T. RAINEY, *Washington, D. C.*

DEAR SIR: I have duly received your favor of the 6th instant, inclosing a copy of a bill introduced by you to admit into the United States free of duty any material necessary for the construction and equipment of ships.

American steel can be purchased in England cheaper than in the United States, and for that reason I am heartily in favor of such a bill and think that it would do more to stimulate the shipbuilding industry than any form of ship-subsidy bill that has been introduced.

Prices quoted on steel vessels to-day make new construction almost out of the question, and if cost is not an object, the time required for construction, owing to inability to get deliveries of steel, places a serious obstacle in the way.

Only recently I asked for bids on a new steamer of about 8,000 tons dead weight capacity, but in order that the builders might quote on a delivery suitable to my requirements, they found it necessary to figure on English material, which, with duty and freight added, made the price prohibitive.

I notice a bill has been introduced in this Congress to prohibit foreign-built vessels securing the American flag. I think this bill is unjust, considering the present price of material used in ship construction.

I have been fortunate enough to secure American registry during this session of Congress for the Spanish ship, *Gaditano*, on which I spent $126,000 for repairs. This is more than three times the cost of the ship, but notwithstanding this fact, I had considerable trouble in securing the flag.

I think every American shipowner would be willing to build his vessels in the United States if steel plates could be purchased at a reasonable price.

I am sending a copy of this letter to some of our California Representatives.

Yours, truly,

WM. MATSON.

Here is a letter from a company which is planning the construction of its first steel ship. This company has recently investigated the subject, and the letter shows the importance of free raw material for building and equipping ships. I read a letter from the president of the Enterprise Transportation Company, of New York City. The letter is as follows:

ENTERPRISE TRANSPORTATION COMPANY,
*January 18, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Your letter of the 6th instant, inclosing copy of bill introduced by you in the House on the 4th, could not have reached us naturally feel most keenly the excessive prices charged for construction of its first pair of new steel ships for coastwise service, and we naturally feel most keenly the excessive prices charged for construction material, which are fictitiously high, as American manufacturers do not seem to figure their price on the cost of production, but rather on its cost in England plus the tariff. We do need a reduction of this tariff in order to bring our steel makers to time.

The boats we are planning can be built in England at from 30 per cent to 40 per cent less than we are being charged in this country. While we would hesitate to advocate the removal of laws which bar us from using in our service foreign-built ships, we most heartily indorse your bill, which opens to American shipbuilders foreign-made materials.

Yours, very truly,

DAVID WHITCOMB, *President.*

The letter I have here, and which I propose to print, shows the importance of free raw material for ships on account of the inability of American capital to buy ships. American capital is being compelled to invest in foreign ships sailing under foreign flags. This letter is an interesting one, and presents the subject stronger than I am able to present it. I propose to print it without further comment. The letter is from J. J. Moore, president of J. J. Moore & Co., of San Francisco, Cal. The letter is as follows:

SAN FRANCISCO, CAL., *January 31, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Your favor of January 6, with copy of your bill, H. R. 10090, duly to hand, and in reply thereto beg to say that we have carefully studied the proposed bill, and whilst it may bring some relief to shipping men and the shipping interests of the United States, it appears to us not to go far enough. The fact that you have introduced this bill in the House of Representatives is evidence that you have gone into the matter of shipbuilding in the United States. We would ask if you can see how our merchant marine can be increased very much within the next ten or fifteen years from the present shipbuilding facilities or from any new concerns likely to be built? It is our opinion that in face of the large amount of Government work being done and to be done little could be accomplished in the way of turning out merchantmen. There is no question of doubt but what the trade of the United States is to-day suffering severely for the want of sufficient American vessels to do our coasting business, and every year will add to this difficulty. Under the circumstances, would it not be a feasible and businesslike proposition for Congress to pass an act permitting American citizens to buy foreign-built ships and receive for them an American registry by paying a reasonable duty, even to the extent of 50 per cent? Surely no honest shipbuilder can object to competition on foreign-built vessels with such a tariff, and we can assure you that it would be a great relief to the shipping industry of the United States. This bill might be made operative for a term of years—say ten years—and if by that time our shipbuilding facilities had increased to an extent that they could fill our requirements, it might be allowed to die.

There is another bill which might be passed that would be of advantage to a great many American merchants doing a foreign business—that is, to permit them to buy foreign-built vessels and own them in their own names under a provisional register prohibiting them from the coasting business. Surely such a bill as this could not injure American shipbuilders or shipowners. For instance, we know of many vessels which are in reality owned by American citizens, but are under foreign flags, with the result that they pay taxes in a foreign country and also provision and spend considerable money in foreign ports that would be spent at home if under an American flag.

We must say that we have consulted many shipping men on this subject, and they all agree that either of the bills above referred to would be a great relief to shipping men without any injury to shipbuilding.

We would like to mention a circumstance that occurred to us a few years ago, as follows: A steel schooner was built in Scotland, at a cost of $52,000, with American money. We wished to have a similar vessel built at home under the American flag. We put the plans and specifications before a local firm of shipbuilders, and the lowest price we could obtain was $133,000. Under such circumstances how is it possible for American ships to compete with foreigners and pay interest upon such an enormously increased cost?

Trusting that our suggestion may be of some value to you and placing ourselves at your command should you desire any further correspondence from us, we are, dear sir,

Yours, faithfully,

J. J. MOORE & CO.,
J. J. MOORE, *President.*

I want to print here a letter from the Thames Towboat Company, of New London, Conn., to the same effect. The letter is as follows:

THE THAMES TOWBOAT COMPANY,
*New London, Conn., January 9, 1906.*

Hon. H. T. RAINEY, M. C.,
*House of Representatives, Washington, D. C.*

DEAR SIR: We have your letter of the 6th instant inclosing copy of bill you have just introduced, providing for free materials for constructing, repairing, and equipping ships.

We beg to express ourselves as very much in favor of this bill, and we trust you may be able to have it passed.

We presume this would include steel-wire hawsers for equipping ships, and in this connection would say that we recently had occasion to purchase a steel towing hawser for one of our tugs, the *Paul Jones*, and we purchased same from England, as we found that we could buy the hawser there for less money, including the duty, freight, etc. This shows one instance of the high prices that obtain in this country on account of the steel trust.

I would say further with regard to the bill, you will notice, as per our cards inclosed herewith, that we are engaged in coastwise transportation, and not in the foreign trade; also, that most of the work at our yard is the building and repairing of wooden vessels, with some occasional work on steel vessels.

I should judge the passage of this bill would not directly benefit this company, but at the same time, as stated above, we are very much in favor of it, and in fact we have come to the opinion that excessive duties on all material coming to this country should be abolished, and let the burden fall where it will.

I think the whole country would be benefited by the bill you have presented.

Very respectfully,

THE THAMES TOWBOAT COMPANY,
B. H. COODAL, *Treasurer.*

In this connection I also received a letter from S. O. Neff, of the S. O. Neff Transportation Company, of Milwaukee, Wis. It shows the difficulties the American companies encounter in an attempt to pay tribute to the American Steel Company and other American protected companies and at the same time continue the building of ships in American yards.

The letter is as follows:

S. O. NEFF TRANSPORTATION COMPANY,
*Milwaukee, Wis., January 12, 1906.*

Hon. H. T. RAINEY,
*Washington, D. C.*

DEAR SIR: Yours of January 6, 1906, at hand; contents noted. In reply will say I favor your bill. I was South a few years ago, looking over the coast for future business with our Lake steamers, and was disgusted with the conditions of things there. Mr. Hubbard, of Mobile, told me parties there wanted a couple of fruiters. Got up plans and specifications; took in the American shipyards; best offer was $125,000 each. The foreign yards built the two for that price. Will say they are manned by foreign crews and can beat the life out of us Americans in the fruit trade out of the Gulf ports.

There is a nice trade there with those little fruiters, and all should fly the American flag. I dare say they are owned mostly by American capital.

Yes; push your bill along, although I don't want to go on record as being against our American industries.

Yours, truly,

S. O. NEFF.

To the same effect is the following letter from Richard Chilcott, a ship and freight broker of Seattle, Wash.

The letter is as follows:

SEATTLE, WASH., *January 17, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: I have before me your circular letter of January 6, together with House bill No. 10090, providing for the importation, duty free, of all material used in the construction of iron and steel vessels. This is a subject on which I have taken the liveliest interest. During the last session I wrote the Hon. J. S. WILLIAMS, suggesting that such a clause be inserted in the merchant-marine bill then under consideration by Congress.

By a reference to the reports of the investigations of the Merchant-Marine Commission it will be shown that a shipbuilder in Great Britain and elsewhere in Europe can buy American-manufactured steel plates for ship construction laid down at their doors for 33 per cent less than the American shipbuilder can buy from the same people the same class of material, or, in other words, the British builder can buy from the American Steel Corporation material at $27 per ton, while at the same time the American builder must pay $40 per ton.

Another phase of the situation is this: A British shipbuilder has a plant that has cost him, say, $1,000,000, and the amount of his total capitalization is the same. With such a plant he has the capacity to perform $5,000,000 worth of work annually, and when doing that amount of work can afford to do it on a margin of 2 per cent, which gives him a profit of 10 per cent on his capitalization. The American concern with the same plant is capitalized at $5,000,000, on which is outstanding, say, two and one-half millions in bonds, bearing 5 per cent interest, and probably the same amount of preferred stock guaranteeing 7 per cent, making a total fixed charge of $300,000, which must be met before the common stock reaps any benefit.

Allowing the Amcrican the same amount of work as the British, 6 per cent margin would have to be figured to cover these fixed charges and 10 per cent additional to give the same proportion of profit as the latter enjoyed. These are the sole reasons why we can not compete with foreign shipbuilders.

While this may be considered superfluous, it is submitted to show the reasoning of shipping people, and I will conclude with the assertion that if we are given material at the same price as the foreign shipbuilder secures it from the American manufacturer, and if American shipbuilders were doing business on a basis of the actual cash value of their plants, a vessel of any description could be built in the United States as cheaply as in any other part of the world.

The admission of material free will be a long step in the right direction.

If I can give you any further information on this subject, I shall be only too pleased to do so.

Respectfully,

RICHARD CHILCOTT.

I have here a letter from A. T. Stubbs, an old ship captain who had been up against our navigation laws. The difficulties he has encountered would be amusing if they did not so strongly show the gross deficiencies of our navigation laws. It is surprising when such absurd situations can be brought about under our laws that for so long a time we have been without free raw material for ships. This letter also shows some of the absurdities of the present protective tariff system.

The letter is as follows:

BUCKSPORT, ME., *January 12, 1906.*

Mr. RAINEY.

DEAR SIR: I have yours of 6th instant, inclosing draft of a bill relating to duties on materials entering into repairs, building, and equip-

ment of American vessels in foreign trade and ports and some other matters, all of which I fully indorse and believe in. I have had some experience of how those laws work sometimes, some of which I beg to relate. Once a few years ago we fell in at sea with a derelict hull burned to the water's edge. We boarded this hulk, or rather went alongside and fished out some copper bolts which had burned out of her topsides. On arriving at a home port—Boston—we were required to *pay duties* on this old metal. There was no way of knowing or identifying this hulk as to name, rig, or *nationality*. Again, I once hove up on my anchor from the bottom of the river at Mobile a derelict anchor, lost to all intents and purposes on American soil. After my vessel was nearly loaded I was informed by the custom-house officials that they had some claim, or thought they had, to the anchor *on account of duties*, taking it for granted it must be of foreign make.

They refused to clear my vessel (bound to Cuba), and I had to appeal to Washington, who ordered them to take a deposit for duties and clear my vessel. This I did, leaving with them $45. This affair cost us a month's time and $500, about, and I have never seen my $45 since. Yes, Mr. RAINEY; the English have the best and simplest navigation laws, and we fare better in some of their ports than many of our own. The idea that we can not make repairs in a foreign port, use wire rigging and anchor, or even to remetal if necessary without paying duty or being shut out from coasting on account of it! Yes, Mr. RAINEY; we make chains and anchors, wire rigging, and also metal sheathing cheap enough here, and such laws are needless and ought to be repealed.

I fully indorse your bill as a short cut to do so.

Yours, truly, A. F. STUBBS.

The following letter from George H. Storck, managing director of the Siberian Trading Company (Limited), with offices at 123 Fifth avenue, New York City, shows how American capital is now seeking investment in ships sailing under foreign flags.

The letter was as follows:

THE SIBERIAN TRADING COMPANY (LIMITED),
*New York, January 25, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: In answer to your letter of January 6, would say that I am in favor of any bill that will help American shipbuilding, and I certainly think that your bill, if put through, will be a step in the right direction.

On account of the present exorbitant cost of ships in America I am obliged to do all my shipping under the British flag. Of course that prevents me from doing a coastwise business. But I would rather keep out of it than to have high-cost ship and personnel, for if the coast trade falls off, could not use such a ship in any other part of the world and make it pay.

Yours, truly, GEO. H. STORCK.

I propose to print here two letters which speak for themselves—a letter from the George Lawley & Son Corporation, engaged in the manufacture of steam and sailing yachts at South Boston, Mass., and a letter from the president of the Craig Shipbuilding Company.

The letters were as follows:

SOUTH BOSTON, MASS., *January 9, 1906.*

H. T. RAINEY, M. C.,
*House of Representatives, Washington, D. C.*

DEAR SIR: We beg to acknowledge receipt of yours of the 6th in relation to your bill for "Free materials for shipbuilding." The matter is of considerable importance to us. We know that in the past we have been, at many times, handicapped in bidding for work through quotations which our customers have received from England. We feel sure that the price of materials enters largely into the difference of cost.

Also in the matter of "time required for building vessels," we know that we are almost always handicapped through the inability of the mills to furnish us with material promptly, and feel sure that if we had a chance to import, without too much loss, that we could get the goods more promptly and give better satisfaction to our customers.

We have in the past been obliged to import steel material in order to meet our customers' views in regard to time of delivery.

Also in regard to lead. All of our yachts are equipped with lead keels. Is it your intention to have free lead when used for vessel construction embodied in your bill?

We feel sure, therefore, that if your bill goes through that many yachts now built for American citizens in England will be built in this country.

We believe that all people in our line of business will be interested in having your bill go through.

Very truly, yours,

GEORGE LAWLEY & SON CORPORATION,
By THOMAS HIBBARD, *Treas.*

CRAIG SHIPBUILDING COMPANY,
*Toledo, Ohio, January 8, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Yours received, and we hasten to reply. We are protectionists first, last, and all the time, and we define protection as that assistance to an industry which we believe our people, our climate, our soil, and the habits of our people are such that we can reasonably expect in time, with the known energy of our people, will be able to compete and ultimately excel and undersell in the markets. Now, we say that shipbuilding, ship owning, and sailing and operating are in the line of habits of the people. The writer well remembers when in the immediate neighborhood of New York thirty ships were being built at one time, and when three foreign frigates were being built in New York at the same time. The reason we lost our prestige has been well known, namely, the civil war and the change from wooden boats to metal, and at that time having large forests and no iron manufactories. The writer well remembers when steel rails were about $140 per ton, and when the tariff of, I think, $17 per ton was put on them it stimulated capital to go into the iron-manufacturing business, and with such success that by the natural competition between ourselves we have reduced the price so that steel rails have been bought as low as $14 per ton at the mill; and look how the industry has increased. In 1866 something less that a million tons of ore were brought from Lake Superior, and then the freight was $8 per ton, and the vessel only made a fair return on the investment. Now, this year just closed we brought down 33,000,000 tons, and at a cost of only $0.75 per ton, and owners of floating property received as profitable returns as when freights were $8. Now, this was accomplished by our own natural competition. This man, seeing his neighbor making money in that business with the tools he had, increased the productiveness of his tools and reduced the cost.

In 1866 most ore came down in schooners carrying about 500 tons and making seven, or at the most eight, trips per season; now steamers carry from 6,000 to 12,000 tons and make from sixteen to thirty trips, depending on whether they are loaded on returning trips or not. Now, where will your bill help builders and owners? It will help them because the metal industry of the United States is on such a firm foundation that a tariff is not needed at all, for they are now holding up all industries by means of the tariff. It is a fact easily proven that metal to-day is produced in the United States at less actual cost than any country in the world, and they, the metal manufacturers, hold up the users of metal to the amount of the tariff and more.

The writer was abroad a year ago and proof was given him to make one believe that the steel corporation actually contracted and delivered to Harlan & Wolf, at Belfast, 4,000 tons of plate at $24 per ton, delivered. That was $20 at the mill, $22 at tidewater, and $24 at Belfast, Ireland, when we were paying at the same time and same specifications $32 at mill or $34 delivered. Now, I say to you, if your bill would pass, it would make the price the same here as it is in Glasgow, freight and insurance added, and we would use home material except in a few cases, for the delay attending delivery from Glasgow would be such that, at the same figures, the home market would get the business.

We would not advocate this did we think it would curtail one ton of production in the United States, but we think it would take enough of the excess profit of making steel and give to the vessel owners, thereby inducing capital to invest in the merchant marine, and with the present subvention bill enable us to again compete for the commerce of the world, with the belief that the natural competition between ourselves would be such that in ten or twelve years would enable us to build ships for England, as we did in 1856 and prior to that time.

The writer has been connected with the merchant-marine industry since 1856 and hopes to live long enough to again see the Stars and Stripes in every port of the world of any significance.

Would be glad to try to answer any interrogatives that would assist you in an argument in favor of this bill.

Respectfully, yours,

THE CRAIG SHIPBUILDING COMPANY.
JOHN CRAIG, *President.*

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLEFIELD. I ask that the gentleman's time may be extended one minute, so that I may ask him a question.

Mr. GOULDEN. I yield twenty minutes to the gentleman from Minnesota [Mr. STEENERSON]. [After a pause.] If the gentleman will withhold for a minute, I want to yield for a minute to the gentleman from Maine, who desires to ask the gentleman from Illinois a question.

Mr. LITTLEFIELD. What I want to ask the gentleman from Illinois is this: Whether or not the law of which he speaks is not confined to the northern, northeastern, and northwestern frontier of the United States? In other words, the Canadian boundary?

Mr. RAINEY. I have confined it to that.

Mr. LITTLEFIELD. I did not so understand the gentleman.

Mr. RAINEY. I said these are the only ships that can touch at a foreign port under license and enrollment. All vessels connected with the coastwise trade are under license and enrollment; every one of them must pay a duty upon repairs they make in a foreign port as soon as they come to the home port.

Mr. LITTLEFIELD. Where did the gentleman get authority for the last statement? I have the statute in my hand, and the whole thing is confined to the northern, northeastern, and northwestern frontier of the United States.

Mr. RAINEY. Revised Statutes, section 3114.

Mr. LITTLEFIELD. Yes.

Mr. RAINEY (reading):

The equipment, or any part thereof, including boats, purchased for, or the expenses of repairs made in a foreign country upon a vessel enrolled and licensed under the laws of the United States to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, or a vessel intended to be employed in such trade, shall, on the first arrival of such vessel in any port of the United States, be liable to entry and the payment of an ad valorem duty of 50 per cent on the cost thereof in such foreign country; and if the owner or master of such vessel shall willfully and knowingly neglect or fail to report, make entry, and pay duties as herein required, such vessel, with her tackle, apparel, and furniture, shall be seized and forfeited.

And section 4330 is another section, which says:

No license, or enrollment and license, nor renewal of either, shall hereafter be issued to any vessel until the collector to whom application is made for the same is satisfied, from the oath of the owner or master, that all equipments and repairs made in a foreign port within the year immediately preceding such application have been duly accounted for and the duties accruing thereon duly paid, etc.

Mr. LITTLEFIELD. That is merely section 3114.

Mr. RAINEY. No; it is 4330.

I think I can, perhaps, assist the gentleman from Maine by printing here a letter from the Commissioner of Navigation, written to me about a year ago, which very clearly states the law and makes an excellent brief on the subject. The gentleman will find by looking the matter up that the law is as I have stated. There is no question about the law; it is clear.

The following was the letter referred to:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF NAVIGATION,
*Washington, January 24, 1906.*

Hon. HENRY T. RAINEY,
*House of Representatives.*

SIR: Replying to your letter of the 23d instant in regard to the scope of Section 4330, Revised Statutes, I trust the following will make clear the matter which is, on the surface, somewhat involved:

First. Revised Statutes 4330 applies only to licensed vessels, or licensed and enrolled vessels.

Second. Revised Statutes 4337 provides that an enrolled or licensed vessel can not go to a foreign port without incurring the penalty of forfeiture. She must first take out a register for foreign trade. Enrolled or licensed vessels, therefore, can not undergo repairs in a foreign port.

Third. There is one exception to the above: Section 4318 provides that vessels navigating waters on the northern, northeastern, or northwestern frontiers, otherwise than by sea (i. e., Great Lakes), can go to foreign ports on the frontiers under enrollment and license. Consequently they fall within section 4330 and have to pay duty on repairs made abroad. (Besides the Great Lakes there are a few rivers on the northern frontiers, as you are aware.) This is the extent of the application of Revised Statutes 4330; it is not applicable to all American vessels.

Fourth. You will find an enrolled vessel defined in Revised Statutes 4311. It can engage in the coasting trade or fisheries. It also carries a license specifying its trade.

Fifth. Licensed vessels are vessels under 20 tons in the coasting trade (Rev. Stat. 4331). Registered vessels are in the foreign trade (Rev. Stat. 4131) and may engage in the coasting trade (Rev. Stat. 4361). They seldom engage in the coasting trade under register for several reasons, chief among which is that if steam vessels they become subject to state pilotage charges, from which they are exempt if under enrollment or license.

Respectfully, E. T. CHAMBERLAIN, *Commissioner.*

There is only one way in which we can compete with England upon the high seas. If we want to make the progress she has made in the last fifty years we must adopt the methods which make that kind of progress possible; we must thrust these subsidy baggers from our doors and strike off the chains which bind this great industry. We must have free ships and free raw material. Give American capital and American manhood an opportunity and this great industry will soon attain its proper proportions. Give American laborers a chance and the time is not far distant when our merchant marine will be second to the merchant marine of no other country in the world.

The CHAIRMAN. The time of the gentleman has expired, and the Chair was lenient in extending the time.

Mr. STEENERSON. Mr. Chairman, I regret very much that I feel under the necessity of opposing this bill, for it has the indorsement of the President, the Secretary of State, and many others high in the councils of the Republican party and in the Administration. Yet I take it that when the people intrusted the power of originating revenue measures and appropriation bills—of levying taxes—to the House of Representatives, and gave them the control of the purse strings, so to speak, they expected their representatives to act upon their own responsibility and consult their own judgment in the exercise of this great power. The power of taxation is the highest attribute of sovereignty, and those intrusted with it can not shift the responsibility for its exercise upon others. However much I may admire the President and his great Secretary of State, whose great names are so often invoked in favor of this bill, I can not abdicate my judgment and conscience and vote for a measure I believe to be wrong simply because they favor it. My constituents have a right to my judgment, and I am in duty bound to act upon it.

This bill contemplates the imposition of an annual burden of three and three-quarter millions of dollars for at least ten years to come upon the people of the United States for the benefit of a private enterprise. It is in the form of a mail subsidy, but it has never been considered by the Committee on the Post-Office and Post-Roads, to which the subject of foreign mails and foreign-mail transportation is under the rules committed. The bill is tacked onto the Senate bill which was an entirely different measure, a cargo subsidy bill. Now, the arguments advanced in favor of this measure are various. The first argument advanced by the gentleman from Ohio [Mr. GROSVENOR], chairman of the Committee on the Merchant Marine and Fisheries, if I recollect aright, was that this was in its nature similar to the subsidy for many years granted to the railroads carrying special mail trains to the Southwest. As I have opposed that subsidy for four years, and have had the satisfaction of seeing it disappear from the present post-office bill, that argument did not appeal to me very strongly. If it is similar to that mail subsidy, that alone would be sufficient reason for me to vote against it. I don't see how I could consistently do anything else. That argument can not move me.

There are other arguments advanced, principally of a sentimental character. We are appealed to to vote for this subsidy on account of our patriotic feelings and pride in having vessels engaged in the foreign trade, in order that they may fly the American flag in every foreign port upon every sea. We are further appealed to for another sentimental reason. We are appealed to on account of our fear of war, for we are told that in case of war it is necessary to have auxiliary ships as cruisers, transports, and so forth, the assumption being that we have not such ships now.

The chairman of the Committee on the Merchant Marine and Fisheries is quoted as saying of the opponents of this measure: "You would make a waste place of our last shipyard and drive our last shipowners and seamen and shipyard mechanics to choose between the poorhouse and foreign lands." The fact is that all our shipyards are busy. They built 1,221 vessels of 418,745 tons burden during 1906, as compared with 1,102 vessels of 333,316 tons burden in 1905. (See Report of Commissioner of Navigation, 1906, p. 10.) It is repeatedly asserted that we have no ships and no seafaring men; that our merchant marine has been "driven from the seas." I have heard this repeated over and over again. It is a very plausible and taking argument. It is, however, fallacious and unsound.

The gentleman from Illinois [Mr. RAINEY] has already anticipated what I had intended to say on this point. It is this: It is not a fair statement to say that the United States of America have practically no merchant marine; that he have not sufficient men to aid in manning our naval ships in case of war; that we have no ships that are suitable for transports.

I was curious to know what the facts were, and on the 22d of January I wrote a letter to the Commissioner of Navigation of the Department of Commerce and Labor, and by referring to the reports of that Bureau I find that it is not true, as stated, that we have no ships. In fact, we are second in merchant-marine tonnage in the world. I asked the Commissioner to give me the information, and in his letter, which I insert in the RECORD, he says that the total number of vessels of the United States engaged in the coasting trade or domestic commerce, including those under enrollment or license for the fisheries, on June 30, 1906, was 23,568, of 5,735,483 tons. And the Commissioner of Navigation further reports the American vessels registered in the foreign trade, including the whale fisheries, to number 1,441, of 939,486 gross tonnage, making in the foreign, domestic, and coastwise trade 6,674,969 gross tons. The merchant marine of the different countries of the world is given in said report as follows: Great Britain, 10,554,520 tons; United States, 6,674,969; Germany, 2,352,575; Norway, 1,454,425; France, 1,349,327; Italy, 1,032,614.

Now, I call attention to the fact that from this report there is no distinction made either as to Germany, Great Britain or Italy, Norway or France as to their ships engaged in the domestic trade and the foreign trade. The registers and the statistics include all their vessels above 100 tons. I may be mistaken about that, but that is my understanding. Now, the unfairness of eliminating the domestic and coastwise tonnage is apparent. This is a great country, of continental proportions.

Take, for instance, the vessels engaged in trade between the United States and the Hawaiian Islands, distant from ports on the Pacific coast nearly 2,000 to 3,000 miles, and if you include Atlantic ports, a distance nearly equal to halfway round the world. Still those vessels are engaged in coastwise traffic and are not counted. When you count the tonnage of the vessels engaged in domestic commerce, that should be added to the 939,846 tons engaged in foreign commerce. The point is that when they appeal to our fear of war, claiming that we have no sailors and no men from whom to recruit the Navy, they overlook the fact that we stand second in the world, as far as the proportions of our merchant marine are concerned, counting the ships engaged in the coastwise trade as well as in the foreign trade.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. STEENERSON. After I get through, then I will. I believe, therefore, that this subsidy will not accomplish what you think it will. It will simply mean extra pay to a few lines. I understand that the total number of vessels you expect to get under this subsidy of three and three-quarter millions of dollars a year will be only 27 in all.

That is about 2 per cent of the vessels already engaged in the foreign trade, for we have now 1,441 engaged in the foreign trade according to the report of the Commissioner of Navigation. Whether you have 1,441 or 1,468, it seems to me that you will be, so far as supplying the sailors in aid of the Navy, as well off with one number as with the other. You will not increase the available supply of seamen so very much, only about 2 per cent. The total number of men engaged in the industry was, according to the report of the Commissioner of Navigation,

177,200. That is the total number of men required to man all the merchant vessels and yachts of the United States, including masters. The number of those employed on vessels who are engaged in foreign trade and coast trade has not been separately computed, but it is estimated to be 28,000 of one and 150,000 of the other. When you have such a large number as that already engaged in the seafaring occupations, it seems to me that we are not in any imminent danger for lack of supply of men in the Navy.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. STEENERSON. Not now, but after I get through. I think the fears of gentlemen in that direction are unfounded.

There is another argument, and that is to the effect that in case of war it would be very desirable to have the bulk, if not all, of our foreign commerce carried in our own ships. Now, that sounds very nice, it sounds plausible, but I have heard arguments advanced against it. I do not know whether they are weighty or not, and I leave that to the House. It has been argued by men who have studied naval warfare—and I think it is admitted that future wars will be naval warfare—that in case of war we would not be better off with all of our foreign commerce carried in our own vessels. That is to say, you would have so much more property exposed to the enemy, and you would be more vulnerable than if that commerce were carried in other ships. That is one reason—I do not advance it as my own—but it is enough to show that there are two sides to that question, as you can see.

The man who advocates the great enlargement of the Navy says the Navy is necessary in order to protect commerce. On the other hand, the man who wants a subsidy for ships engaged in foreign trade says you must have a large merchant marine in order to support the Navy. So you travel in a circle. The naval advocate wants a bigger Navy because he is protecting the merchant marine, and the merchant-marine advocate wants subsidies and a larger merchant marine so as to support the Navy. If you support both advocates, you will never end and you will give away all your money. Their demands will be insatiable.

Now, I would like to rehabilitate the merchant marine of the United States engaged on foreign trade. I would like to see our ships go to every port and sail upon every sea, but I believe—and I have given this bill some consideration—that it is utterly inadequate. I believe that it will fail to accomplish what is sought to be accomplished. It will simply be a few millions given away to no purpose. It is a waste of funds. I am afraid it is worse. I am afraid it will drive out all the vessels we now have unsubsidized. We have on our statute books a law—one of the sections of the Dingley law—providing for discriminating duties, but on account of its effect upon so many treaties it has never been enforced, and it is clear to me that if you could enforce provisions of that kind you might get a monopoly of the foreign carrying trade upon the sea, as you have a monopoly in the domestic carrying trade upon the sea.

The only reason that is advanced for the decline of the merchant marine in foreign trade is that foreigners work for less wages. That is true. The committee have compiled statistics in their report to show that the ships sailing from European ports under European flags pay about half the wages that American ships pay; they further show that the ships sailing under the Japanese flag pay a little more than one-third of what the American ships pay. Of course, if that is the case you can not compete; that is impossible. So the proposition comes back to this, Will the people of the United States pay one-half or two-thirds of the wages that the men now receive on American ships? Will you tax yourselves for one-half of the operating expenses of vessels engaged in the foreign trade? Unless you do, the foreign ships will carry the bulk of your commerce. That is inevitable. But if you want to undertake such a task you must be prepared to pay a hundred millions annually instead of two or three. Well, now, it might be advisable to do that if it was absolutely necessary, as it has been claimed here by some people, in order to have an adequate naval reserve or something of that kind. With the best intentions, with the strongest desire to support the Administration in every measure it has advocated, I am unable to satisfy my conscience to vote for this measure. As it looks to me, it is simply taking three and three-quarter millions out of the public Treasury for the benefit of private firms. Taking that much every year, an amount equal to the interest on nearly $200,000,000 at the rate the Government pays. If we should adopt the same policy as was cited by the gentleman from New York [Mr. LITTAUER] in regard to the Cunard Line, in the case of the British Government, where they loan the company money at 2 per cent, we could loan nearly two hundred millions to a private company, and we could borrow it at that same rate, without a cent in subsidy. I regret, as I have said, that I am unable to appreciate the arguments in favor of this bill. I do not believe it will aid our commerce to any material extent. I do not believe that it will supply ships for naval reserves or auxiliary cruisers or transports. I do not believe that it will supply any naval reserve of men that we could not supply by extending the Naval Militia that is already in existence, and which we can recruit from the 177,000 men already engaged upon the seas.

Mr. HUMPHREY of Washington. I would like to ask the gentleman whether he would be in favor of manning our naval vessels with foreign sailors; and if not, I would like to ask him this question: Where is he going to get American sailors, especially upon the Pacific Ocean, when only about 10 per cent of them are American citizens? Where are you going to get your American sailors and men to man your vessels over there?

Mr. STEENERSON. I think a very much larger percentage than 10 per cent are American citizens.

Mr. HUMPHREY of Washington. I have the statement of the president of the sailors' union.

Mr. STEENERSON. The gentleman refers to vessels engaged on the Pacific coast in the foreign trade.

Mr. HUMPHREY of Washington. No; I refer to vessels on the Pacific coast engaged in the coastwise trade.

Mr. STEENERSON. But a very small part of the vessels of the United States are on the Pacific coast engaged in the coastwise trade. A large part are not on the Pacific coast at all. We have over 100,000 outside of the Pacific coast who are engaged in the coastwise trade, and they are not 90 per cent of them foreigners. The gentleman is mistaken.

Mr. HUMPHREY of Washington. I did not say they were. Does the gentleman think the sailors that are on the Great Lakes could be called to command naval vessels, and does the gentleman advocate taking the coastwise vessels, or does the gentleman think that the coastwise vessels are fit for the foreign trade or to act as transports?

Mr. STEENERSON. I will answer that by saying that I am not an expert on seamanship. I have never crossed the ocean, but I have sailed across Lake Superior and once down to Panama, the other day. I was more seasick on Lake Superior than going to Panama, and I say that it takes just as good a sailor to sail the Lakes as it does the ocean, in my opinion. Yet I admit I am not an expert. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOULDEN. I yield five minutes more to the gentleman.

Mr. STEENERSON. If you have a vessel engaged in the coastwise traffic from San Francisco to Honolulu, I believe that the seamanship developed on such an extensive trip would be equal to the seamanship developed in a trip across the Atlantic Ocean. I can not see the difference. Or, if you give us a vessel engaged in the coastwise trade between New York and New Orleans, you go along the Atlantic coast, where the storms are as severe as anywhere, and I believe you will develop seamanship there, and I believe that out of these 177,000 men employed on our domestic ships, which amount, as I stated a moment ago, to 23,565 in number, with a total tonnage of 5,735,483—I believe that you will find men as good seamen as you find on the ships sailing across seas to foreign ports. I can see no reason why you should not. Now, when you classify all of these vessels as not to be counted in our merchant marine, you overlook the fact that we are a continental country. Take Italy, for instance. The trips that her vessels make to foreign ports are not as long as trips from New York around Cape Horn or over to San Francisco. Still that is a coastwise ship, or a ship that goes from New York to Panama, which is a coastwise ship. So I say it is not fair to count these out and say that we are absolutely a nonentity when it comes to the merchant marine.

The gentleman from Illinois was right when he said we stood second among the nations of the world on the question of tonnage and number of men employed upon the seas. I therefore see no force in this argument appealing to our fears that we must do this or have no sailors to supply our Navy. I see very little in it so far as concerns the claimed advantage it would be in case of war to have our foreign commerce carried by our own ships. It seems to me that is a point of weakness. Still I am not very positive about that, and I would like to have some of the gentlemen who follow me discuss that. Now, being a novice in this matter, I will not detain the committee any longer. [Applause.]

I insert in the RECORD the letter referred to from the Secretary of Commerce and Labor, and also a newspaper clipping, giving the views of the former on this subsidy measure.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
*Washington, January 28, 1907.*

Hon. HALVOR STEENERSON, *House of Representatives.*

SIR: Replying to your letter of the 27th instant—

1. Total number and gross tonnage of vessels of the United States engaged in the coasting trade or domestic commerce, including those under enrollment or license for the fisheries on June 30, 1906, was 23,565, of 5,735,483 gross tons. (See Report of Commissioner of Navigation, 1906, p. 10, copy of which is sent you under another cover.)

2. The number and gross tonnage of American vessels registered for foreign trade, including the whale fisheries, is 1,441, of 939,486 gross tons. (Ibid.)

3. The total number of men required to man all the documented merchant vessels and yachts of the United States, including masters, is 177,200. (Ibid.) The number of those who were employed on vessels engaged in the foreign trade and on vessels in the coasting trade has not been separately computed. I am advised by the Commissioner of Navigation that, based on the tonnage and the types of vessels employed in the foreign trade, he computes that about 28,000 men are employed on such vessels and the remainder, say, 150,000, in vessels in the coasting trade, the fisheries, and yachts.

4. The number of vessels, gross tonnage, and men employed on steamers under foreign flags in which a controlling interest is owned by American citizens can not be separately stated, because it is not a matter of official record. Such vessels are usually steamers owned by corporations, and the only way to ascertain the precise facts would be through an examination of the lists of shareholders of all such corporations. These shareholders change from time to time, of course. The report of the Commissioner of Navigation for 1902 contains information on this point at page 67 et seq. and at page 412. A copy of this report has also been sent you.

Very truly, yours, OSCAR S. STRAUS, *Secretary.*

FIGHTING SHIP SUBSIDY—NATIONAL GRANGE MASTER IS AT ODDS WITH GROSVENOR—FAILED TO PRINT ANSWER—FORMER GOVERNOR BACHELDER, OF NEW HAMPSHIRE, REPRESENTING 900,000 FARMERS, DECLARES AGAINST PLAN TO SUBSIDIZE MERCHANT MARINE—CHAIRMAN OF COMMITTEE SHOULD HAVE HAD LETTER PRINTED.

The National Grange, composed of 900,000 farmers throughout the United States, is disappointed because Chairman GROSVENOR, of the House Committee on Merchant Marine and Fisheries, did not print, with other data, its reply to a letter from him in opposition to ship-subsidy legislation. The correspondence may be read on the floor of the House.

Former Governor Bachelder, of New Hampshire, who is master of the National Grange, sent a letter to President Roosevelt, in which he said:

"I regret the duty which devolves upon me to advise you, on behalf of the great national organization of farmers which I have the honor to represent, that the farmers of the nation are for the first time unitedly and steadfastly opposed to the legislative recommendations you have made to Congress in your recent message favoring ship subsidies. We protest most urgently against any future payments of the public funds to any private firm or corporation for any purpose whatsoever without safeguarding such payments by a public accounting of the business of the firm or corporation to which such payment is made.

GENERAL GROSVENOR REPLIED.

The President turned this letter over to General GROSVENOR, who replied in a letter in which he said that the bill encouraged American farmers, and that a great majority of the members of the National Grange approved it.

"You would make a waste place of our last shipyard and drive our last shipowners and seamen and shipyard mechanics to choose between the poorhouse and foreign lands," said he.

This correspondence was published in a public document compiled by the General. The former governor replied at length, but, according to the legislative committee of the grange, General GROSVENOR declined to print the reply. As a result the members of the grange are sending floods of letters to their respective Representatives in the House, urging them not to vote for the ship-subsidy bill.

Governor Bachelder, in his reply, impresses upon General GROSVENOR that in his opposition to the subsidy bill he is backed by 900,000 farmers, who have in their conventions decided against the proposition by overwhelming majorities. Continuing, he says:

"I wish to take exception to your assumption that the proposal to pay out of the United States Treasury subsidies to steamship companies, over and above a fair price for carrying mails, has anything in common with the protection of American farmers or American workingmen against foreign competition.

PURPOSE OF PROTECTION.

"So far as I know, not even the most extreme protectionist has ever claimed that it would be right, even if it were possible to protect the products of American farmers or labor by giving a subsidy to the portion of those products sold in foreign markets. Protection is intended for the home market only, and it is an application of the protective policy hitherto undreamed of that our Government should put its hands into the Treasury to aid our industries in competing in neutral markets.

"I must also take exception to your assumption that I wish to make a waste place of our shipyards and drive our shipowners and seamen into the poorhouse. I favor nothing of the kind. So far as our domestic and coastwise trade is concerned, our shipowners and sailors have an absolute monopoly of the business, and it is only in connection with international trade that the advocates of ship subsidies claim that our shipbuilding industries are languishing.

"You are generous enough to assume that in opposing subsidy legislation I am doing so through a misapprehension of the facts.

PLENTY OF TRAMP STEAMERS.

"You will pardon me if I suggest that this is a matter to which I have given sufficient attention to be in a position to know that there is not the slightest foundation for your statement that foreign steamship companies are ousting our farmers from the markets in Brazil and elsewhere. You refer to evidence to this effect submitted to your committee. I have heard of this evidence, but could never find that it was more than mere rumor or groundless allegation, which had no foundation in fact.

"Your statement that because foreign nations had ships and we have none Australian farmers are enabled to drive us out of the flour market of the Orient is a fair sample of the argument used in support of subsidies. If you will consult any of the large flour milling concerns in Minneapolis, or other parts of this country, they will tell you that there are always more tramp steamers seeking freights for any part of the world than are needed.

"I can not agree with you that the practically unanimous attitude of the farmers against subsidies is due to ignorance of the facts.

FARMERS KNOW SITUATION.

"The farmers have been reading about this subject and discussing it at their local, State, and national grange meetings for the past ten or twelve years, and they are fuly convinced that it is contrary to their best interests. They do not see how it would benefit them for the foreign consumer of their wheat or meat products to have his freight carried at possibly slightly lower rates.

"Any benefit which might result from increased competition in the ocean carrying trade would inevitably redound to the foreign consumers, and not to the American farmer.

"I would call your attention to the fact that there are many hundreds of business and commercial organizations in this country, and, so far as I can learn, comparatively few are in favor of the subsidy bill.

"I regret as much as you do the fact that our shipping industry, in so far as the foreign trade is concerned, has fallen off so largely since 1861. I am sincerely desirous of seeing this industry restored to its former great proportion of the world's carrying trade, but I can not see how the taxpayers of the country can justly be called upon to pay money out of their pockets toward this particular industry, any more than they should to pay subsidies to a local express or freight service in the farming sections of the country, to enable carriers to make larger profits than they do now."

Mr. GOULDEN. Mr. Chairman, I now yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Chairman, it is not my intention at this time to speak on the question before the House. I expect to address the House on the pending bill some time to-morrow. At the present time, Mr. Chairman, I ask unanimous consent to have printed in the RECORD a copy of the bill introduced by me on the first day of this session of Congress, namely, December 5, 1906, known as a "tonnage tax bill," which, in my judgment, and in the opinion of the people of the country who have given this subject the most consideration, is the true solution of the American merchant marine problem.

The CHAIRMAN. The gentleman from New York asks unanimous consent to have printed in the RECORD as part of his remarks the bill of which he has made mention. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. SULZER. Now, Mr. Chairman, I desire to give notice that when the bill under consideration is reached to be voted upon, I shall offer my bill as a substitute for the pending bill, and my bill reads as follows:

A bill (H. R. 21196) to regulate commerce with foreign nations, to make preference for the use of American freighting vessels, to extend the postal service by American steamships, and to promote American trade by sea.

*Be it enacted, etc.,* That the law relating to vessels, to the duties laid upon tonnage, and to the ocean mail service in force when this act shall be approved, be, and the same is hereby, supplemented and amended as follows:

PART 1.—TONNAGE DUTIES.

SECTION 1. That no vessel coming direct from her own country, its colony, or possession with merchandise or passengers in excess of one-fourth of her capacity for the same, to be landed in the United States, shall be charged with an additional or extra tonnage duty, except in cases where the country whence she sailed direct charges an additional or extra tonnage duty to vessels of the United States; and in all such cases, if there be any, the extra duty per ton of the vessel's country so charged shall be added to the extra duty per ton of the United States, and the sum so found shall be the full charge per ton for additional or extra duty to be collected; or unless the country whence such vessel so laden or coming direct shall hold out to its vessels by law the payment of bounty, subsidy, or subvention of some sort in consideration of making voyages like the one in question, in which case three-fourths of the amount of the gratuity as aforesaid shall be charged and collected as countervailing duty in addition to the regular and extra duty otherwise chargeable and to be collected. And every vessel not of the United States that shall arrive in ballast or with merchandise or passengers in a proportion less than one-fourth of her capacity for the same from the country, its colony, or possession, direct as aforesaid, shall pay a duty of 50 cents per ton on the gross admeasurement in addition to the regular duty imposed by law. And if the country whence a vessel may come direct in ballast or with freight or passengers less than one-fourth her capacity, as aforesaid, holds out to its vessels by law the payment of bounty, subsidy, or subvention of some sort in consideration of making voyages like the one in question, then the countervailing duty shall be one-half of the amount of the gratuity payable as aforesaid, to be added to the regular and extra duty and collected, as aforesaid. Surveyors of tonnage shall ascertain and certify to the collector the proportion of carrying capacity occupied by passengers, by freight, and by ballast, respectively, and no vessel so laden shall be discharged except upon acceptance of the report of the surveyor by the master or agent of the vessel.

SEC. 2. That a discriminating tonnage duty, based upon the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels, not of the United States, that shall arrive with merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions where the said cargo, in whole or in part, was laden, to which said vessels do not belong, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross, the additional duty shall be $1.25 per ton until the 1st day January, 1909, after which date it shall be $1.50 per ton until the 1st day of January, 1911, after which date it shall be $1.75 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $1.50 per ton until the 1st day of January, 1909, after which date it shall be $1.75 per ton until the 1st day of January, 1911, after which date it shall be $2 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons

the additional duty shall be $1.75 until the 1st day of January, 1909, after which date it shall be $2 per ton until the 1st day of January, 1911, after which date it shall be $2.50 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $2.25 per ton until the 1st day of January, 1909, after which date it shall be $2.75 per ton until the 1st day of January, 1911, after which date it shall be $3.25 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $3.50 per ton until the 1st day of January, 1909, after which date it shall be $4 per ton until the 1st day of January, 1911, after which it shall be $5 per ton. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 3. That a discriminating tonnage duty, based on the gross admeasurements in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States, that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions to which said vessels do not belong, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross the additional duty shall be 75 cents per ton until the 1st day of January, 1909, after which date it shall be $1 per ton until the 1st day of January, 1911, after which date it shall be $1.25 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $1 per ton until the 1st day of January, 1909, after which date it shall be $1.25 per ton until the 1st day of January, 1911, after which date it shall be $1.50 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons the additional duty shall be $1.25 per ton until the 1st day of January, 1909, after which date it shall be $1.50 per ton until the 1st day of January, 1911, after which date it shall be $1.75 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $1.50 per ton until the 1st day of January, 1909, after which date it shall be $1.75 per ton until the 1st day of January, 1911, after which date it shall be $2 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $2.50 per ton until the 1st day of January, 1909, after which date it shall be $3 per ton until the 1st day of January, 1911, after which date it shall be $4 per ton. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 4. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States but of a country that holds out to its vessels by law the payment of bounty, subsidy, or subvention of some sort, in consideration of making voyages like the one in question, that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions to which said vessels do not belong, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross the additional duty shall be $1 per ton until the 1st day of January, 1909, after which date it shall be $1.25 per ton until the 1st day of January, 1911, after which date it shall be $1.50 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $1.25 per ton until the 1st day of January, 1909, after which date it shall be $1.50 per ton until the 1st day of January, 1911, after which date it shall be $1.75 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons the additional duty shall be $1.50 per ton until the 1st day of January, 1909, after which date it shall be $1.75 per ton until the 1st day of January, 1911, after which date it shall be $2 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $1.75 per ton until the 1st day of January, 1909, after which date it shall be $2 per ton until the 1st day of January, 1911, after which date it shall be $2.25 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $2.75 per ton until the 1st day of January, 1909, after which date it shall be $3.50 per ton until the 1st day of January, 1911, after which date it shall be $5 per ton. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 5. That a discriminating tonnage duty, based on the gross admeasurement, in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel not of the United States that shall arrive from a country not its own, whether with or without cargo, passengers, or mails, but under engagement to load cargo, passengers, or mails for another country than its own, or that shall effect such engagement after arrival at a time and while there shall be one or more vessels of American registry in port listed at the custom-house as ready and offering to engage for the same or a similar voyage, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross the additional duty shall be $2 per ton until the 1st day of January, 1909, after which date it shall be $2.25 per ton until the 1st day of January, 1911, after which date it shall be $2.50 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $2.75 per ton until the 1st day of January, 1909, after which date it shall be $3 per ton until the 1st day of January, 1911, after which date it shall be $3.25 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons the additional duty shall be $3 per ton until the 1st day of January, 1909, after which date it shall be $3.50 per ton until the 1st day of January, 1911, after which date it shall be $4 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $3.25 per ton until the 1st day of January, 1909, after which date it shall be $3.75 per ton until the 1st day of January 1911, after which date it shall be $4.25 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $3.50 per ton until the 1st day of January, 1909, after which date it shall be $4 per ton until the 1st day of January, 1911, after which date it shall be $5 per ton.

CLAUSE 6. But if, in addition to coming as aforesaid, under engagement or making it after arrival, as above, a foreign vessel shall have held out to her by law the payment of bounty, subsidy, or subvention of some sort in consideration of making voyages like the one in question, then, and in such case, a duty of 25 per cent over and above the rate per ton stated in clauses 1, 2, 3, 4, and 5 of this section shall be levied and collected: *Provided, however*, That if there be no vessels of American register listed at the custom-house at the time of arrival, or of engagement afterwards, as ready and offering to engage for the same or a similar voyage, then tonnage duty shall be payable under section 2 or 3 or 4, according to the circumstances described. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 6. That all vessels, not of the United States, running under bounty, subsidy, or subvention of some sort, arriving at the Gulf ports of the United States from the Atlantic ports, or vice versa; or arriving at the Pacific ports of the United States from the Atlantic or Gulf ports, or vice versa; or arriving at any port of the insular possessions of the United States, or vice versa, in ballast and without freight or passengers, seeking cargo, shall pay additional tonnage duties for the privilege thus enjoyed, as follows: On arrival from Atlantic to Gulf ports, or vice versa, 30 cents per ton; on arrival from Atlantic or Gulf ports to Pacific ports, or vice versa, $1 per ton; on arrival from any port of the mainland to any port of the insular possessions of the United States, or vice versa, $2 per ton, gross measurement in all cases. No vessel, not of the United States, shall discharge or take in cargo without a permit from the collector. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 7. That a duty of 50 cents per ton on the gross admeasurement, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel that shall enter a port of the United States from a port of her own country, either with or without cargo, passengers, or mails, if she has not come direct, but has called or stopped on the way at a port of a country not her own and there, either in or off the port, has received merchandise, passengers, or mails, and the same shall be landed in the United States, unless said vessel has been built in the United States or is owned by citizens of the United States to the extent of 40 per cent, to be proved to the satisfaction of the collector and the district attorney of any United States court.

SEC. 8. That a tonnage duty to be termed light tax, of 3 cents per ton on the gross admeasurement of every merchant vessel, not of the United States, that shall enter a port of the United States, shall be levied and collected, in addition to the duties required by preceding sections, before clearance for sea, except in case such vessel shall clear in ballast, or may have made port in distress, or was built in the United States.

SEC. 9. That a tonnage duty, to be termed race tax, of 4 cents per ton on the gross admeasurement of every merchant vessel not of the United States that shall enter a port of the United States and there discharge merchandise, passengers, or mails, shall be levied and collected, in addition to the duties required by preceding sections, of said vessel shall be manned to an extent exceeding 10 per cent of the crew by persons belonging to a different race of men from the owners of said vessel.

SEC. 10. That the regular tonnage tax referred to in preceding sections shall be paid by all vessels in the foreign trade, whether American or foreign, shall be hereafter collected on every entry and computed on the gross admeasurement. The present rates shall be increased from 6 cents to 10 cents and from 3 cents to 5 cents per ton, respectively. American steamers carrying mails shall pay tonnage tax but once a year.

PART 2.—EXPORT PREMIUMS.

SEC. 11. That all collections of tonnage duties and charges of every sort against vessels of every kind, whether regular or additional duties, light, race, and immigrant tax, entrance and clearance fees, and permits provided by this and former acts to be levied, collected, and paid at the custom-house, and all fines, penalties, and forfeitures paid into the courts from violations of the navigation and revenue laws of the United States, this act included, shall, after the passage of this act, be set apart in the Treasury as a special fund from which to pay, first, for the support of marine hospitals for American seamen employed in the foreign trade, and second, for the payment of premiums to exporters of merchandise for giving preference in the employment of vessels to those of the United States not in fact owned by themselves. No part of this fund shall ever be covered into the General Treasury, but be carried over.

SEC. 12. That on and after fifteen months from the passage of this act there shall be paid, out of the special export fund in the Treasury provided for by section 11 of this act, to the bona fide owners and exporters of merchandise the growth, production, and manufacture of the United States, to foreign countries not adjoining the United States, in vessels of the United States registered pursuant to law and not owned in fact by themselves, as follows: A premium of one-fourth of 1 per cent on the cash valuation of each shipment direct to a port not less than 65 miles from the tidal or national boundary of the mainland of the United States; and a premium of one-half of 1 per cent on the cash valuation of each shipment direct to a port not less than 400 miles from the port of departure in the United States; and a premium of three-fourths of 1 per cent on the cash valuation of each shipment direct to a port not less than 1,000 miles from the port of departure in the United States; and a premium of 1 per cent on the cash valuation of each shipment direct to a port not less than 2,000 miles from the port of departure in the United States; and a premium of 1¼ per cent on the cash valuation of each shipment direct to a port not less than 3,000 miles from the port of departure in the United States; and a premium of 1½ per cent on the cash valuation of each shipment direct to a port not less than 4,000 miles from the port of departure in the United States; and a premium of 1¾ per cent on the cash valuation of each shipment direct to a port not less than 5,000 miles from the port of departure in the United States; and a premium of 2 per cent on the cash valuation of each shipment direct to a port not less than 6,000 miles and upward from the port of departure in the United States. These premiums to an exporter shall be payable to his order upon report of the clearance of the vessel, with a statement of the collector of the port fixing the value of the shipment, which must be sworn to by an appraiser for the United States, within ten days, according to such regulations as the Secretary of the Treasury shall prescribe, distances between ports to be determined by the Hydrographic Office of the Navy Department and stated in sea miles.

PART 3.—MAIL CARRIAGE.

SEC. 13. That the postal act approved March 3, 1891, be, and it is hereby, amended to provide and to read as follows:

CLAUSE 1. That the Postmaster-General shall as often as once in each year advertise for informal proposals for the carriage of mails by sea in American vessels between such ports of our own and other countries as to exporters may seem advantageous. The advertisements shall be inserted four times weekly in a paper printed in Boston, New York, Philadelphia, Baltimore, New Orleans, Galveston, Norfolk, Charleston, Savannah, Mobile, San Francisco, Portland, and Seattle, describing the

service as that of mail and naval vessels adapted to promote the postal, commercial, and naval interests of the United States and to subserve those of their owners as well. Proposers will state the size and speed of vessels, number of trips yearly, remuneration required, time when service could be begun, and such other particulars as may seem useful for the Government to consider.

CLAUSE 2. That within one month after receipt of informal proposals the Secretary of the Navy and the Postmaster-General shall together consider their contents, the wants of the Navy and the needs of the postal service, and fix upon a schedule of requirements that will satisfy both interests. The Secretary of the Navy will control the plans for the vessels, and the Postmaster-General will decide upon the postal programme, and the two together shall advertise formally to let contracts for the running of the vessels required. Such advertisements shall be inserted in the same papers that called for informal proposals four times weekly, describing the route, the character of the vessels, the size and speed, the number of trips yearly, the times of sailing, and the time when the service shall begin. These requirements shall not be such that bidders can not be found. The Navy Department shall pay the cost of formal advertising. The letting of such contracts shall be the same as prescribed by law for the letting of inland mail contracts, so far as shall be applicable to vessels. Every contact must have the approval of the President, and none shall exceed the limit of thirty years; but the President may require improved service every ten years.

CLAUSE 3. That the vessels employed under any contract made under this act shall constitute a line, which shall have a sailing day or days, as often as three times a week, but no line shall monopolize the carriage of mails to any foreign port. Another line may have a contract to run to the same port on different days of the same week, and from the same port.

CLAUSE 4. That the owners of lines contracting for mail carriage may be persons or corporations, but if the latter, the contract must be with the individuals of the board of directors, who must be citizens of the United States and at all times prepared to swear that not more than 40 per cent of the capital stock of the corporation is held by aliens, and that a citizen manages the line, under penalty of forfeiture of the contract, which, in such case, the President of the United States is hereby authorized to declare. No line shall combine or consolidate with another, under the same penalty.

CLAUSE 5. That the vessels employed under this act shall be commanded by citizens, and at least two officers and two engineers of each vessel shall also be citizens of the United States, to wit: During the first year, one-eighth thereof; during the next two years, one-fifth; during the fourth and fifth years, one-fourth; during the sixth and seventh years, three-tenths; during the remainder of contract time, one-third thereof. But no mail carrier shall be delayed in sailing to obtain a crew in above proportion. It may be stipulated that mails may be brought from abroad, the foreign country paying for the service; also that passengers and baggage and freight may be carried both ways. After July 1, 1909, the mails shall be sent foreign by vessels of the United States and no others, without express consent of Congress; and in cases of need, when private enterprise fails to undertake or carry on the mail service at reasonable or lawful rates of remuneration, the Secretary of the Navy shall have authority, and it shall be his duty, to furnish suitable vessels of the Navy in which to send mails foreign or bring them home, until the further order of Congress.

CLAUSE 6. That all vessels in the postal service and hereafter built for it shall be prepared to receive arms for immediate use as cruisers, scouts, or transports in time of war; and in future their plans and specifications shall be agreed upon by and between the owners and the Secretary of the Navy, the strength and stability to be sufficient to carry armament required in naval service, and the materials of hull and machinery to be such as will command the highest classification given by American inspection of vessels. And all such vessels hereafter built shall be constructed under the inspection of a naval officer detailed by the Secretary of the Navy, to whom he will report in writing the progress made monthly, whether or not the contract is being well performed, and when the trial trip may be made; and no vessel not approved by the Secretary as fulfilling the contract, as to hull and machinery, shall be accepted for the service.

CLAUSE 7. That the compensation to be agreed upon and paid for such service as may be contracted for under this act shall be reasonable and as low as responsible bidders will perform the same, having regard to the encouragement to vessels provided by this act, to the commercial circumstances in each case, and to the rate of compensation for similar service paid by other countries. Where a bid may be deemed too high the programme may be modified or the route readvertised, payment for services to be made at the end of each round voyage. If the contract shall fail to be fulfilled for six months the President may declare it forfeited, and thereupon the route shall be readvertised and let to another bidder, but on no account shall the service be abandoned to other countries. Readvertising shall be done in a paper printed in Washington, D. C.

CLAUSE 8. That upon each mail vessel the United States shall have transported, free of charge, one messenger, whose duty shall be to receive, sort, take in charge, and deliver the mails to and from the United States, and who shall be provided with suitable room for himself and for the mails.

CLAUSE 9. That officers of the Navy may volunteer for service on mail vessels, and when accepted by the contractors may be assigned to such duty by the Secretary of the Navy whenever, in his opinion, such assignment can be made without harm to the service; and while in said employment they shall receive furlough pay from the Government and such other compensation from the contractors as may be agreed upon: *Provided*, That they shall be required to perform only such duties as pertain to the service.

CLAUSE 10. That said vessels shall carry as cadets one American boy under 21 years of age for each 2,000 tons gross register, who shall be taught the duties of the service as seamen, rank as petty officers, and receive reasonable remuneration.

CLAUSE 11. That said vessels may be taken and used by the Government as cruisers, scouts, or transports at any time, on payment to the owners of their fair, actual value at the time of the taking, either for service by the voyage, by the month, or year, or may be purchased outright, and if there shall be a disagreement as to the value, then the same shall be settled by two appraisers, one appointed by each party, they selecting the third, who shall act in case the two disagree.

CLAUSE 12. That all vessels not of the United States coming with passengers from a country to which said vessels do not belong, shall pay to the collector of the port an immigrant tax of $20 for each and every passenger brought from such country who shall be landed with his or her effects.

PART 4.—GENERAL PROVISIONS.

SEC. 14. That marine underwriters or insurance companies belonging abroad, in person or through agencies in the ports of the United States, may issue policies, in conformity with State regulations, on shipments of goods, wares, and merchandise to be exported, but any discrimination made by them or their agents in the clauses of policies, in the premium rates, or effected through inspection of hulls or otherwise, which shall tend to favor the employment of foreign vessels, or tend to disfavor the engagement of vessels of the United States, shall be deemed a misdemeanor, punishable by a fine as a penalty in a district court of the United States. Said fine for the first offense shall not exceed $5,000 nor be less than $3,000; for a second offense said fine shall be not less than $10,000; and for the third offense and each one afterwards said fine shall be not less than $15,000 nor more than $25,000, and suits shall be prosecuted by the attorney of the court aforesaid for each and every violation of this section that may be brought to his notice. In any such suit it shall be no defense that the orders or directions of any person, or the rules and regulations of any association of underwriters, shipowners, merchants, marine surveyors, or their agents, not citizens of the United States, or that the inspection or classification of any vessel by any person, society, or authority whatsoever, can be claimed to justify the discrimination that may have been the subject of complaint. A refusal to insure goods, wares, and merchandise under this act, to be carried by American vessels, shall forfeit the privilege of doing business in American ports, or make the parties fineable as above, to be decided by the court.

SEC. 15. That in a time of peace it shall not be lawful for any officer of the Government to receive tenders of service to be performed by vessels not of the United States, and in all contracts for the performance of public work it must be provided that transportation shall be performed by vessels of the United States. And the transportation of passengers, mails, goods, wares, and merchandise between the United States, its Territories, and possessions, and the ports and places of the Panama Canal Zone is hereby declared to be reserved for vessels of the United States under the coastwise laws.

SEC. 16. That in a time of war it shall not be lawful for vessels not of the United States to import or land anywhere in the United States, its Territories, or possessions, any goods, wares, or merchandise the growth, production, or manufacture of a country not at peace with the United States. And all goods, wares, and merchandise imported by a vessel, not of the United States, admitted to storage in bonded warehouse is hereby limited to a period of ten days, within which time the lawful duties and charges must be paid, whether entered for consumption or reexportation. In cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported, there shall be levied, collected, and paid full rates of duty, notwithstanding any convention, if the same shall have been brought in by a vessel not of the United States, or not of the reciprocating country from which such goods, wares, or merchandise were exported; or if the same, not being the growth, production, or manufacture of a country contiguous to the United States, shall have been brought across the line from such country.

SEC. 17. That on and after the passage of this act it shall be lawful for the space of thirty months, but no longer, for any bona fide citizen, citizens, or domestic corporation engaged in or intending immediately to engage in the carriage of merchandise, mails, or passengers in the foreign trade of the United States, to import and enter at the custom-house, for his or their own use, and that of no other person or persons in said trade, and not to be held for sale or sold to others, and not to be employed in the domestic trade more than two months in the year, any vessel or vessels suitable therefor, of size not less than 2,000 tons gross, and of age not more than five years, and have the same duly registered as a vessel of the United States, but upon the following conditions, nevertheless, to wit, that all vessels imported in the first six months of the term of thirty months, as aforesaid, shall pay a duty of $4 per gross ton; those imported in the second six months shall pay a duty of $5 per gross ton; those imported in the third six months shall pay a duty of $6 per gross ton; those imported in the fourth six months shall pay a duty of $7 per gross ton; those imported in the fifth six months shall pay a duty of $8 per gross ton measurement. The Treasury Department may allow credit on duties for imported tonnage to the extent of six and twelve months' time on secured notes of owners with interest at 2 per cent per annum. And it shall be unlawful upon penalty, as for a misdemeanor, punishable by fine of not exceeding $1,000 in a district court of the United States, for the master, owner, or agent of any foreign-built freighting vessel or yacht not duly registered, enrolled, or licensed to fly the flag of the Union from or abaft of the aftermost mast, spar, or pole, except as a sign of distress.

SEC. 18. That the making or offering to make exclusive contracts for the carriage of exports of goods, wares, or merchandise to foreign countries, conditioned partly on the future shipment of same by no other vessel or line of vessels, and the payment of rebates of freightage in consideration thereof, is hereby declared a misdemeanor, punishable by fine in a district court of the United States of not less than $1,000 nor more than $3,000 on each conviction of the owner, agent, or master of any such offending line or vessel, and the vessel or vessels of such owner, agent, or master so convicted shall not thereafter be permitted to load cargo in the United States if under foreign registry. Where it may become suspected by, or known to, the collector of any port that such contracts are in force and that rebates of freightage are offered, promised, or paid in an endeavor to engross the carriage of export goods, wares, or merchandise, he shall forthwith place the facts before the district attorney, who shall bring suit to break up the practice. And for the prevention of frauds under this act in indirect voyaging, foreign vessels not built in the country of registry shall undergo a probation of three years before being adjudged by the collector as belonging in good faith to the country of registration, unless built in the United States.

SEC. 19. That after the passage of this act it shall not be lawful for any officer of the Government to issue a register, enrollment, or license for any vessel built abroad, except such as have been captured in war and condemned as prize; such as have been forfeited for a violation of the laws and bought at public sale, or may have belonged to a country that has come under the Government of the United States or been admitted by an act of Congress.

SEC. 20. That the regular duties of tonnage, computed on the gross admeasurement, and the usual passenger tax shall be paid alike by American and foreign vessels on each and every arrival, in foreign trade, when entry of vessel is made. Immigrant tax shall be paid when permit is given for the landing of passengers from vessels, not of the United States, brought from countries to which said vessels do not belong. All additional tonnage duties and the light and race tax shall be paid before lading permit is issued, but if loading be de-

layed, then, at latest, at the end of two months from date of entrance. American vessels carrying crews of which one-eighth the number are citizens, or owe allegiance to the United States, shall have rebate of tonnage tax to the extent of 20 per cent; if one-fourth of the crew be citizens, the rebate shall be 30 per cent; if three-eighths of the crew be citizens, the rebate shall be 40 per cent; if one-half of the crew be citizens, the rebate shall be 50 per cent; if five-eighths of the crew be citizens, the rebate shall be 75 per cent; and if three-fourths of the crew be citizens the rebate shall be 100 per cent. The United States shipping commissioner shall ascertain and certify to the collector the proportion of citizens in each crew where rebate of tax may be demanded. Regular apprentices as seamen or engineers, if citizens, shall count as men in computing rebate of tax. In trade to and from tropical countries, where it may not be practicable to find any but natives of such regions to man American vessels, permits may be issued, on applications, under oath, of the owner or agent, by the Secretary of Commerce and Labor for one year, or while necessary, to carry a crew such as it may be practicable to engage in any given place. In all cases where vessels may be fined for infractions of law in accordance with the statutes, it shall be unlawful for the Secretary of any Department to remit any portion thereof without an order of court duly recorded; and it shall also be unlawful for the Commissioner of Navigation to order refunds of tonnage taxes that have been paid to a collector without a trial and judgment of the case.

SEC. 21. That sections 11, 13, 14, 15, 17, 18, 19, and 21 of this act shall take effect upon its passage, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 16, and 20 in one year and thirty days thereafter, and all acts or provisions of law in conflict herewith are hereby repealed; also any and all articles or clauses in existing maritime reciprocity conventions or treaties, whose time fixed has expired, that are in contravention herewith, are hereby annulled and abrogated, in conformity with the stipulations and equities of said agreements and the rights of the United States; and the formal notice of the Congress of the United States is hereby given all countries concerned that in one year from the approval of this act by the President all conventions or treaty stipulations for the suspension of commerce regulations under the aforesaid agreements so far as they are terminable, are receded from on the part of the United States, and all enactments therefor are by this act repealed. An agreement, as above, not yet terminable, may be observed until its term expires, but not longer.

Mr. GOULDEN. I yield fifteen minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, I have no prepared speech. I did not determine to speak on this subject until a few minutes ago. It is not my purpose to discuss in detail this bill. I shall leave that to others who have carefully studied the subject and the pending bill, who have opposed reporting it, and who will stand in opposition to its passage. It is my purpose to speak in a general way against the policy of subsidizing steamships, just as I have opposed "fast mail subsidies" throughout my career in Congress, or subsidies to carry commerce, or to carry anything else. Subsidies chloroform individuality; that is, they Oslerize the old and young, invisibly, possibly, at first, but which sooner or later emasculate the virility of our people. I believe in every man lifting himself up by his own boot straps, and you know, gentlemen, that you love and respect the man who does so and call him in song, in story, in Congress and out, a "self-made man."

I know of no better way, Mr. Chairman, of accentuating in a very able and very patriotic manner what I have said, elaborating the idea I have suggested, than to turn back to the RECORD of February 28, 1879, and regale the committee by reading the ponderous argument of the present Speaker of the House of Representatives, JOSEPH G. CANNON, in opposition to the then pending postal-subsidy bill. That distinguished gentleman, it seems, is in favor of this subsidy, of course, or he would not let it come on the floor of the House, since he is master of the House and all it does. He has kept it out of the House for ten years, but he seems to have lately become so solicitous about it that after one of the opponents, perhaps, of the measure, who was a member of the committee, had died, making it possible to not report this bill, the distinguished Speaker appointed the gentleman from New York [Mr. LITTAUER], who was in favor, and notably in favor, of reporting this measure. In a few days or hours after his appointment it was delivered—born full-fledged and brought into this House, stands before us to-day, and can be called JOSEPH G. CANNON'S baby.

Now, let us turn back and open the book. It will be a great day, I hope not a sad one, for anyone of those present when "The Book" is opened and the deeds done in the body, and some of them done in the House of Representatives, perhaps, will be made known, close about the great white throne.

On this subject—subsidies for South American countries—our present Speaker, Mr. CANNON, February 28, 1879, said:

Mr. Speaker, this is a business proposition. I want to look at it in that light for the time I have to address the House. If it will pay the people of the United States to grant this subsidy, then I am in favor of granting it. If it will not pay the whole people, or a majority of them, I am not for granting it.

It was the same kind of subsidy they are trying to pass here to-day.

Mr. GROSVENOR. Not at all, and has no relation to it.

Mr. GAINES of Tennessee. Does not this subsidize steamers going to South American countries?

Mr. GROSVENOR. No, sir.

Mr. GAINES of Tennessee. Does it not go to ships going to Brazil?

Mr. GROSVENOR. That was a cargo subsidy.

Mr. GAINES of Tennessee. This does not affect ships going to South America?

Mr. GROSVENOR. That was a general cargo subsidy——

Mr. GAINES of Tennessee. I am talking about this bill. I have not read the bill with particularity, but does not this pending bill subsidize ships that ply between this country and South America?

Mr. GROSVENOR. The gentleman confuses——

Mr. GAINES of Tennessee. I have heard it stated on this floor by the gentleman from New York [Mr. LITTAUER] that this bill was to subsidize ships going to Brazil and to Colon and to Panama and to various other places south of the United States. That is the way I understand the bill and that is the way all Members around me understand it.

Now, this bill that the distinguished Speaker was talking about, in 1879, was on that very subject. Speaker CANNON then said:

I ask the gentleman from Georgia to change his proposition so as to allow four hours discussion on *the Brazilian subsidy amendment* and two hours on the amendment in relation to the classification of mail.

Now, I turn to this great speech of Mr. CANNON'S, and proceed to read it. On page 2131 of the RECORD, February 28, 1879, he says:

Now, sir, it is not a new thing. Commencing in the year 1847, down to the present time act after act has been passed for a similar purpose. Why, sir, I hold in my hand the official statements of the Secretary of the Navy and Postmaster-General, which show payment of subsidies to the amount, in round numbers, of $14,500,000 to steamship lines during the period from the year 1848 to the year 1858. I hold in my hand a statement that shows subsidies to the amount of $7,000,000, in round numbers, since that time, making over $21,000,000 that have been paid out of the Treasury for the purpose of establishing steamship lines.

I had the curiosity to go back and read the debates, and found that there was the self-same arguments then made, and I may say a duplication of the same tunes all around, as those by the gentlemen from Maine and Ohio made here to-day.

I had the curiosity to go back and read the debate, just as he did, because I knew what the position of Mr. CANNON was at that time and can not account for his opposite position to-day.

Some of the identical arguments were made then as are being made here to-day, I may say, gentlemen. The report of 1879 discussed the South American markets and our lack of intercourse by postal service, and all that sort of thing. Here is that report and the debates. I dare say that the report filed by the gentleman reporting the pending bill is almost literally the report filed at that time in favor of the bill that Speaker CANNON denounced.

He said:

Now, what are the facts? Seven million dollars would buy all the steamships engaged in commerce that sail under the American flag on every ocean in the world; and more than that, the subsidizing of these steamship lines, from the Collins Line in 1852 up to the present time, has bankrupted every prominent man that has favored it.

If subsidies bankrupt, how can bankrupts be relied on to help our postal system? Will you tell me, Mr. Chairman, how a bankrupt man can carry this postal service any more swiftly than steamships are carrying it now that are not bankrupt?

I quote the Speaker again:

The political ghosts of departed politicians that have squandered the money of the people for this kind of unwarrantable expenditures from the Treasury rise up and warn Representatives to avoid the errors heretofore committed by our predecessors. Now, why would it not be profitable to grant this subsidy of $3,000,000? I have it here in a nutshell. I am sorry that the gentleman from Maine [Mr. FRYE] is not in his seat.

Last year our imports of merchandise were of the value of $468,000,000. Of this $171,000,000 was admitted free, and $297,000,000 was dutiable, yielding a revenue to the Treasury of $130,000,000.

"*Unwarrantable*" *expenditure* from the Treasury, and yet the distinguished Speaker, above anybody else in this House, has caused this measure to be here to-day. Why, in 1879 he denounced such a policy as unwarrantable. He further said:

The customs revenue collected on that $297,000,000 of imports was $130,000,000, or 43 per cent, to be added to the price of the goods produced abroad. Manufacturers producing like products in this country are thus enabled to obtain 43 per cent more for their goods than do those who produce them abroad. I am not here at this time to discuss the policy of this. We are supreme in our own borders. But when you propose to sell your manufactured articles in Brazil, that 43 per cent can not be overcome, because you are called upon to compete with cheap labor and the products of cheap labor abroad. That is the secret of the failure of these $21,000,000 of subsidies during the last twenty years. What costs a dollar to produce in Liverpool or France is worth $1.43 in the United States made by American artisans. Yet gentlemen talk about taking that $1.43 worth of stuff and shipping it to Brazil and competing there with products that cost but a dollar. Now, you can not do it unless you grant a subsidy equal to 43 cents on the dollar, so that your products in this country may compete with the products abroad.

We paid Garrison $1,500,000 on a contract for ten years, which expired two years ago. Do you know what it did? Our imports from Brazil increased double and over, while our exports only increased some five or six millions during that ten years. That is all. We paid the Pacific Mail Company $5,000,000 to carry the mails from San Francisco to China for ten years. The official data show that our exports to China increased—total for that ten years over the previous ten years, $6,000,000, while our imports nearly doubled, running from $108,000,000, which were brought over for the ten years before the subsidy, to $183,000,000 for the ten years the subsidy was paid. Our exports increased $6,000,000, and for that we paid $5,000,000 of subsidy to the Pacific Mail.

In passing I make this comment, that the gentleman said in 1879 that adding 43 per cent on imported goods by a tariff added to the price of the goods in this country, which increased price the people pay. That is the substance of what he said on that point.

He also said we gave them five millions and got back six millions.

Wise application of public funds!

He continues:

And these subsidy seekers came into this House, or rather into Washington, in 1872, and absolutely took the money which we paid them out of the Treasury and with it corrupted the officials about this House, your doorkeepers and your postmaster, to procure another subsidy.

"Took the money," the now Speaker then said, "that we paid for subsidy and corrupted the officials about the House of Representatives."

He continues:

The soldiers of fortune swarm about the corridors of Washington; the lobby is on hand. If you will read that report touching the Pacific Mail subsidy and examine it, and then look into your galleries, you will see familiar faces around you now. They meet you all about the Capitol and pull your coat tails in order that they may talk to you in favor of this subsidy. [Laughter.]

Last year the proposition was to give $1,500,000 to John Roach for these lines; we refused it. This year the proposition is to give him $3,000,000, and if we vote it down now, then I suppose the proposition will be to give him $6,000,000 next time.

A MEMBER. Then let us take it now.

Mr. CANNON of Illinois. Well, if it is to go in that way, that would be one argument in favor of this proposition. How much time have I left, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman has eight minutes remaining.

Mr. CANNON of Illinois. I want to reserve three millions of my fifteen for the gentleman from New York [Mr. Townsend]. [Great laughter.] Three minutes, I mean. But that is a matter of small controversy, as the millions are flying all about in the atmosphere here.

He became so enthusiastic in fighting this vampire, Mr. Chairman, that he transformed fifteen minutes very quickly into three million minutes. I again quote him:

The gentleman from Maine [Mr. FRYE] has said that this is not a subsidy for John Roach, and I am not going to abuse John Roach. John Roach is not to be abused for coming down here and asking us to give him $3,000,000 and to tax all the rest of the shipping of the United States and everybody else so as to do it. He would take it, of course, if he could get it, as I expect almost everybody else would take it, but he will not get it by my vote.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOULDEN. How much more time does the gentleman want?

Mr. GAINES of Tennessee. Not much more time. I have three-quarters of a column to read.

Mr. GOULDEN. I will yield.

Mr. GAINES of Tennessee. I continue to quote the Speaker:

But my friend from Maine [Mr. FRYE] says this is not for Roach. He says there are six steamers owned by the Pacific Mail Steamship Company that can compete with him. Only six; and yet you are just fresh from the payment of $5,000,000 of subsidy to that company; you only stopped two years ago. And it is said that you can take those six steamships of the Pacific Mail from that line to China, for which you paid so much subsidy, and run them in competition with John Roach for this contract. That is t. t.—too thin, in the ordinary vulgar phrase. [Laughter.]

The gentleman also says that there are four ships upon the great Philadelphia and Liverpool line—four American steamships. I do not want to take them from that line, because there is our commerce—I mean the great bulk of our commerce between the United States and Europe, and this is the only American steamship line in that trade, and the only one that has never asked a subsidy. Let it alone; it is doing business like others, namely, upon the merits alone.

Of the only unsubsidized ship, I believe—a ship running on its own merits—he said: "*Let it alone.*" That is what I said at the beginning of my speech, in substance; quit chloroforming individuality by taking the tax money of the people to assist a company to run its boats in competition, say, with Messrs. Webb & Gaines, who are running theirs by their own money, strength, ingenuity, and American enterprise.

I read from the Speaker again:

Gentlemen, do you know how our commerce is made up? Let me call your attention to our exports, and where they go. Of cotton we exported last year $180,000,000; of breadstuffs, $180,000,000; of oils, $51,000,000; provisions, $125,000,000; tobacco, $28,000,000; agricultural implements, $2,500,000; making $614,000,000 out of a total of $680,000,000.

Where did they go? I will tell you. In 1877 two-thirds of it all went to Great Britain and her dependencies, and in return we bought only $162,000,000 of Great Briain and her dependencies, making a balance of trade of $240,000,000 with Great Britain and her dependencies alone in our favor.

Sir, we can sell these articles as cheaply as any other nation can sell them. They will find their own markets under the laws of trade, which are as broad as the earth and as eternal as the hills. Now, what is this proposition? Oh, it is to give John Roach $3,000,000 as a practical gratuity, and to charge that over as a tax on the cotton and provisions and tobacco and wheat and grain and breadstuffs and oil that we produce. What for? To enable somebody to sell something that he has made, which it costs $1.43 to make here, while it costs only a dollar to make it in Europe, and both manufacturers have to go to the same market, namely, Brazil. Why, gentlemen, if you had a business agent who proposed to do your private business in that way you would put him in a lunatic asylum, or swear that he was a thief or an idiot and discharge him. [Laughter.]

Now, Mr. Chairman, that is pretty flat language; but, gentlemen, up to the present Congress the Speaker of this House has stood "pat" against ship subsidies, if the public press is to be believed. But it seems that in this matter he does not "stand pat." It seems that in this time that language is not applicable; but he was talking about the same kind of a subsidy, to the same country that this bill provides that these ships shall go, when he used that language. And now I read from page 16 of the pending bill, which has been handed to me by the gentleman from North Carolina [Mr. WEBB]:

First. From a port or ports of the Atlantic coast of the United States to Brazil, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year.

Second. From a port of ports of the Atlantic coast of the United States to Argentina, etc.

So I was right when I said this pending bill applies to ships going to South America.

This bill of 1879, denounced by the Speaker, was for a similar subsidy. He then said this:

Now, this proposition has been upon the House Calendar since May last. The committee of which I am a member has reported it, I making a minority report against it.

That minority report is found in House Document No. 886, part 2, Forty-fifth Congress, second session. I have it now before me for anybody to read that chooses to do so.

So the gentleman then went so far as to file a strong minority report that contained strong language and a strong line of argument; and then he was the only Member who filed a minority report; he alone signed it.

"Has the measure ever been called up in this House?" the Speaker said.

This bill has never been called up in this House until yesterday, nor until the Speaker had appointed a leading Republican of ability and force, who comes to-day and opens the debate upon this subject in a strong speech in favor of ship subsidies.

"Has there ever been an assault, however feeble, made upon the Calendar to reach it?" said the Speaker in 1879.

There have been many assaults to report this bill, if we are to believe the statements that we see in the newspapers, but they never succeeded until the Speaker tried his hand on it. They never got it up in this House until the distinguished Speaker took a hand in it and made the "assault."

He led the fight; I shall not repeat the very strong language that the distinguished Speaker used in 1879 in denouncing the men who favored that measure. I would not apply it here to those who advocate this measure, because I feel there are Members on the other side of this House who conscientiously favor subsidies and who favor this subsidy. But I am trying to show you what a strong man, the great Speaker of the House, the great economist, the great thinker and worker, thought in 1879 about a similar measure, and about the advocates of that measure and the kind of men who lobbied for it. He found no words too severe, none so insulting and offensive in the English language that he did not employ within the limit of parliamentary language in denouncing them.

Barnaclelike, said the Speaker:

Now, this proposition has been upon the House Calendar since May last. The committee of which I am a member reported it, I making a minority report against it. Has the measure ever been called up in this House? Has there ever been an assault, however feeble, made upon the Calendar to reach it? Can the measure stand upon its own merits? Can it stand discussion and amendment under the five-minute rule? Not at all. It has slept from May last till the present time. Barnaclelike, it last session fastened with the grip of death upon the post-route bill, and refused to let the post-route bill pass unless it passed. Now it fastens itself upon this appropriation bill appropriating $36,000,000 for the postal service of the country, and with both hands about the neck of this measure it says——

The CHAIRMAN. The gentleman has consumed ten minutes.

Mr. GAINES of Tennessee. I hope the gentleman will give me three minutes more to finish this paragraph.

Mr. GOULDEN. I give the gentleman five minutes more.

Mr. GAINES of Tennessee. He said it fastens itself upon the bill, and then said:

"The mails of the country shall be stopped unless you permit my unholy and stinking carcass to be dragged through with the balance of the appropriations." I am for cutting it loose from this general appropriation bill at all hazards and letting it stand or fall upon its own merits; and whenever that is done it will die; and its death will cause rejoicing throughout the country, and not grief.

[Applause.]

Ah, gentlemen, what have we done in this session of Congress about economizing? We are to-day fighting here on a postal bill to economize on the cost of carrying our mail at home, and it is in conference now on that very question. We are trying to raise the salaries of the little rural-route carriers; they ought to have it raised, I think; but what else are we doing? What else are we doing with our rural routes throughout the country? We are discontinuing them, making them semi-weekly and triweekly, any sort of weekly, instead of a daily mail service. What is the Postal Department of this Government for? It is to transmit "intelligence." It is to transmit papers and letters, etc., Mr. Chairman, and not for profit. It is a government-ownership proposition; nothing is "wrung" from the people in that business but the little stamp or actual cost of carrying the mail; and, Mr. Chairman, the fight to-day is for economizing with the railroads in carrying our mail. "Cut down their compensation," is the cry; cut our rural routes down, while on the same day we are asked to vote twenty-five or thirty millions of dollars of the American people's money to pay rich steamship companies of the United States to carry mail down to the people, the savages, crocodiles, and boa constrictors of South America.

Charity begins at home, Mr. Chairman. Ah, they say, Mr. Chairman, that it will build up our commerce. Let us also build up our "intelligence" at home. Commerce will take care of itself.

We ought to cut the tariff walls down to a revenue basis, as we did in the low-tariff era from 1846 to 1860, when we built up our merchant marine, when America was the mistress of the seas, when the Stars and Stripes floated over the billowy bosom of every ocean and every sea and in the harbor of every civilized country in the world. [Applause on the Democratic side.]

You can not expect a foreign vessel to come to our wharves empty and take away our commerce. The Democracy has always stood for a peaceful commerce. Democrats to-day stand for it. Our peerless leader, William J. Bryan, thank God, still stands for it and always will. [Applause on the Democratic side.] A peaceful commerce is one that swaps, and swaps as nearly even as each party can, to make a living. Mr. Chairman, raise public morals, lower our tariff walls, and we will need no subsidies to carry our mails—or our females. [Applause on the Democratic side.]

Mr. Chairman, under the leave granted I append the following:

SHIP SUBSIDIES AND HIGH TARIFF.

John Roach, protectionist shipbuilder, to a special committee of the House, in 1869, said:

"America has lost her commerce, and what has she obtained in exchange for it? Simply the right of a few men to charge $9 per ton in gold on the importation of pig iron. Pig iron is the basis of all other metals connected with the making and repairing of ships. There has been a revolution in shipbuilding, and iron is the material from which they are now built. The high cost of iron produced by the tariff upon it is one of the principal difficulties our commerce has to contend with. I did not come here to ask a bounty. I came here to tell you that while all other articles of American produce are protected to a great extent, there is no protection for American ships. If Congress will take off all the duties from American iron, reducing it to the price of foreign iron, then we are prepared to compete with foreign shipbuilders. The labor question is mistaken; we are prepared to meet that difficulty and to ask no further legislation on the subject."

Mr. Morrill, protectionist Republican, asked Mr. C. H. Cramp as to the rate of duty imposed on shipbuilding material, and Mr. Cramp replied:

"About 40 per cent; and if our shipbuilders could be relieved from that, they could compete successfully with foreign shipbuilders. The difference in the cost of labor would be overcome by the superiority of American mechanics. Wooden ships will no longer be built, since iron ships are superior in every respect."

Senator Chandler, of Michigan, in 1872, said:

"It is desirable to own iron ships, very desirable, and I hope to see the day when we shall have our old supremacy in shipping, but it never will be done in the world by subsidies. It is not the subsidized lines of Great Britain that pay the largest returns. * * * You will never restore your flag to the ocean by subsidies, I care not how great you may make them; you may increase your subsidies to $10,000,000 a year, and you will not restore your flag."

Senator Morrill, of Vermont, in 1872, said:

"Is it practicable to recall our shipping? I think it is, and by the simplest process. Not a dollar of subsidies. Give us cheap materials and we will do it. Give us the ground on which we stand, so that we shall have our materials just as cheap as they can be afforded elsewhere, and then all these shipyards and all that skilled labor will be at work at once; and you will find that we shall restore the balance of the shipping interests on the ocean that now stands against us."

Senator Sherman, May 4, 1872, said:

"Since we can not build these vessels within 20 or 30 per cent of the cost in England, why not admit them free? Why not admit them duty free, raise the American flag upon them, put American officers upon their decks, and have American lines instead of British lines? Why, sir, if that bill should pass authorizing foreign ships when owned by American citizens to be used for the present for three years under the American flag one-half of the lines between New York and England would be American lines in sixty days."

UNITED STATES PREDOMINANT IN IRON AND STEEL MAKING.

President McKinley submitted January 29, 1901, to Congress an official "Review of the world's commerce," which at page 22 states:

"The most striking fact in our export development is the remarkable growth of the foreign demand for our iron and steel, our exports amounting to nearly $130,000,000 in 1900 against $32,000,000 in 1895. In an article in the New York Evening Post of January 12, 1901, Mr. Andrew Carnegie says the United States has not only supplied its own wants 'but is competing to supply the wants of the world, not only in steel, but in the thousand and one articles of which steel is the chief component part,' and expresses the opinion that the increasing demand from the world at large 'can be met only by the United States.'

"'The influence of our steel-making capacity,' adds Mr. Carnegie, 'must be marvelous, for the nation which makes the cheapest steel has the other nations at its feet as far as manufacturing is concerned in most of its branches. The cheapest steel means the cheapest ships, the cheapest machinery, the cheapest thousand and one articles of which steel is the base.'" (Review of the World's Commerce, 1900.)

CHEAPNESS OF AMERICAN GOODS.

"It is the relative cheapness of American steel that has given it preeminence, and it is the same with other products that are winning their way abroad. Economy of production is the master key that unlocks for us markets that seemed a little while ago to be inexorably closed. This economy of production implies not merely low prices to the foreign consumer, but a greater degree of excellence, a superior adaption to his wants. As he has been pointed out in the Reviews, as well as elsewhere, the American workingman, though receiving higher wages, produces, with labor-saving machinery, at a lower unit of cost, and his greater application and ingenuity enable him to avail himself effectively of the most recent inventions and appliances for improving the quality of his special line of work. The American factory system is highly organized and more efficient than any other, and if our export trade were as well developed, there would be little to fear." (Review of the World's Commerce, 1900.)

With the "cheapest steel and iron" in the world, the ship trust still cries for "subsidy." With thousands of men, widows, and orphans begging Congress, as they have for years, for the payment of their claims against the Government, many of which are just, a deaf ear is turned to them, but not to the shipbuilders—backed by millions.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. TIRRELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 21910. An act granting a pension to Emil S. Weisse;

H. R. 24220. An act granting an increase of pension to William P. Robbe;

H. R. 22763. An act granting an increase of pension to Charles H. Slocum;

H. R. 22785. An act granting an increase of pension to Morton A. Pratt;

H. R. 22788. An act granting an increase of pension to Isaac B. Gilmore;

H. R. 22798. An act granting an increase of pension to George W. Robinson;

H. R. 22801. An act granting an increase of pension to Robert McMillen;

H. R. 22823. An act granting an increase of pension to John Tipton;

H. R. 22859. An act granting an increase of pension to Samuel Boyd;

H. R. 22863. An act granting an increase of pension to Oscar A. Fuller;

H. R. 22894. An act granting an increase of pension to Louisa Berry;

H. R. 22947. An act granting an increase of pension to Benjamin F. Sibert;

H. R. 22949. An act granting an increase of pension to George W. Wells;

H. R. 22950. An act granting an increase of pension to Hezekiah Poffenberger;

H. R. 22964. An act granting an increase of pension to Eudocia Arnett;

H. R. 22986. An act granting an increase of pension to George W. Beeny;

H. R. 22987. An act granting an increase of pension to John D. Lane;

H. R. 22988. An act granting an increase of pension to Benjamin F. Horton;

H. R. 23150. An act granting an increase of pension to Samuel H. W. Riter;

H. R. 23414. An act granting an increase of pension to Joseph Riddle;

H. R. 23426. An act granting an increase of pension to John S. Bergen;

H. R. 23440. An act granting a pension to Carrie May Allen;

H. R. 23443. An act granting an increase of pension to Louisa R. Matthews;

H. R. 23467. An act granting an increase of pension to Michael Flanagan;
H. R. 23609. An act granting an increase of pension to Samuel P. Wallis;
H. R. 23626. An act granting an increase of pension to Richard C. Taylor;
H. R. 23627. An act granting an increase of pension to William B. Walton;
H. R. 23628. An act granting an increase of pension to Clara E. Daniels;
H. R. 23660. An act granting an increase of pension to Harriet U. Burgess;
H. R. 23673. An act granting an increase of pension to John T. Grayson;
H. R. 23675. An act granting an increase of pension to Watson F. Bisbee;
H. R. 23677. An act granting an increase of pension to John D. Dryden;
H. R. 23682. An act granting an increase of pension to Joseph R. Bartlett;
H. R. 23685. An act granting an increase of pension to Robert Brake;
H. R. 23698. An act granting an increase of pension to William H. Wyman;
H. R. 23709. An act granting an increase of pension to James M. Dick;
H. R. 23729. An act granting an increase of pension to John Vandegrift;
H. R. 23732. An act granting an increase of pension to Rosanna Kaogan;
H. R. 23733. An act granting an increase of pension to Gifford M. Bridge;
H. R. 23744. An act granting an increase of pension to John O. Cravens;
H. R. 23748. An act granting an increase of pension to Emily J. Vanbeber;
H. R. 23751. An act granting an increase of pension to Charles D. Moody;
H. R. 23763. An act granting an increase of pension to James Riley;
H. R. 23791. An act granting an increase of pension to Calvin B. Fowlkes;
H. R. 23797. An act granting an increase of pension to James D. Tomson;
H. R. 23802. An act granting an increase of pension to Thomas J. Brown;
H. R. 23806. An act granting an increase of pension to William F. Barker;
H. R. 23834. An act granting an increase of pension to Samuel Langmaid;
H. R. 23849. An act granting an increase of pension to Charles A. Mathews;
H. R. 23031. An act granting an increase of pension to John H. Terry;
H. R. 23034. An act granting an increase of pension to Thomas A. Snoddy;
H. R. 23148. An act granting an increase of pension to Robert Liddell;
H. R. 23175. An act granting an increase of pension to Henry A. Fuller;
H. R. 23280. An act granting an increase of pension to Bartholomew Burke;
H. R. 23282. An act granting an increase of pension to John W. Tumey;
H. R. 23311. An act granting an increase of pension to Jeremiah Burke;
H. R. 23312. An act granting an increase of pension to William Lewis;
H. R. 23313. An act granting an increase of pension to Benjamin D. Reed;
H. R. 23323. An act granting an increase of pension to Robert Foote;
H. R. 23332. An act granting an increase of pension to Uriah Blair;
H. R. 23360. An act granting an increase of pension to Robert Hastie;
H. R. 23407. An act granting an increase of pension to Hurd L. Miller;
H. R. 23411. An act granting an increase of pension to George H. Martin;
H. R. 22170. An act granting an increase of pension to Benjamin James;
H. R. 22328. An act granting an increase of pension to Susan Baker;
H. R. 17814. An act granting an increase of pension to Simon E. Chamberlin;
H. R. 22696. An act granting a pension to Charles F. Ellingwood;
H. R. 22329. An act granting an increase of pension to Margaret L. James;
H. R. 22330. An act granting an increase of pension to Mary C. Jones;
H. R. 22392. An act granting an increase of pension to Eugene W. Rolfe;
H. R. 22395. An act granting an increase of pension to Edward Miller;
H. R. 22426. An act granting an increase of pension to Louisa E. Robertson;
H. R. 22441. An act granting an increase of pension to Jacob Mose;
H. R. 22468. An act granting an increase of pension to William Kelso;
H. R. 22503. An act granting an increase of pension to William A. Clarke;
H. R. 22529. An act granting an increase of pension to William Truett;
H. R. 22540. An act granting an increase of pension to Richard Turnbull;
H. R. 22547. An act granting an increase of pension to John Hickcox, jr.;
H. R. 22548. An act granting an increase of pension to Franklin H. Davis;
H. R. 22562. An act granting an increase of pension to George J. Abbey;
H. R. 22592. An act granting an increase of pension to Andrew J. Frayer;
H. R. 22613. An act granting an increase of pension to Isaac G. McKibban;
H. R. 22617. An act granting an increase of pension to Margaret O'Reilly;
H. R. 22629. An act granting an increase of pension to Josiah N. Pratt;
H. R. 22630. An act granting an increase of pension to George Wiley;
H. R. 22650. An act granting an increase of pension to Thomas T. Baldwin;
H. R. 22701. An act granting an increase of pension to James R. Fairbrother;
H. R. 22703. An act granting an increase of pension to Benjamin F. Richards;
H. R. 22707. An act granting an increase of pension to Sebastian Gerhardt;
H. R. 22727. An act granting an increase of pension to John Miller;
H. R. 21788. An act granting an increase of pension to Satina A. Waymer;
H. R. 21818. An act granting an increase of pension to William Hardesty;
H. R. 21827. An act granting an increase of pension to Francis Murray;
H. R. 21899. An act granting an increase of pension to Catharine Koch;
H. R. 21911. An act granting an increase of pension to George Newton;
H. R. 21914. An act granting an increase of pension to Ferdinand Pahl;
H. R. 21974. An act granting an increase of pension to John W. Lowell;
H. R. 21983. An act granting an increase of pension to James E. Pusey;
H. R. 19239. An act granting a pension to Salome Jane Marland;
H. R. 22041. An act granting a pension to John P. Walker;
H. R. 22055. An act granting an increase of pension to Maria Lorch;
H. R. 22063. An act granting an increase of pension to Horace F. Packard;
H. R. 22086. An act granting a pension to Amelia Schmidtke;
H. R. 22093. An act granting an increase of pension to Lars Isaacson;
H. R. 22165. An act granting an increase of pension to John Hand;
H. R. 22175. An act granting an increase of pension to Charles Prendeville;
H. R. 22169. An act granting an increase of pension to Cynthia M. Bryson;
H. R. 22199. An act granting an increase of pension to William Templin;

H. R. 22216. An act granting an increase of pension to Griffin A. Coffin;
H. R. 22251. An act granting an increase of pension to Samuel Manly;
H. R. 22260. An act granting an increase of pension to James E. Bissell;
H. R. 22294. An act granting an increase of pension to Perry Lamphere;
H. R. 22302. An act granting an increase of pension to Burrell H. Gillam;
H. R. 22326. An act granting an increase of pension to Mary Levina Williams;
H. R. 22327. An act granting an increase of pension to Isabel Manney;
H. R. 23198. An act granting an increase of pension to Lucie A. Allyn;
H. R. 25069. An act granting an increase of pension to William A. Decker;
H. R. 25097. An act granting an increase of pension to Edmund P. Weatherby;
H. R. 25101. An act granting an increase of pension to Nancy A. Meredith;
H. R. 25106. An act granting an increase of pension to Francis A. Biffar;
H. R. 25108. An act granting an increase of pension to William H. Brown;
H. R. 25112. An act granting an increase of pension to William Turner;
H. R. 25113. An act granting an increase of pension to John H. Hayes;
H. R. 25120. An act granting an increase of pension to Charles B. Spring;
H. R. 25143. An act granting an increase of pension to Elizabeth Wolfe;
H. R. 25145. An act granting an increase of pension to Charles Henry Weatherwax;
H. R. 25149. An act granting an increase of pension to Joshua L. Hayes;
H. R. 25172. An act granting an increase of pension to Burgess N. Isaacs;
H. R. 25174. An act granting an increase of pension to Henry W. Casey;
H. R. 25176. An act granting an increase of pension to Gottfried Haferstein;
H. R. 25211. An act granting an increase of pension to Alphonso Brown;
H. R. 25214. An act granting an increase of pension to Robert H. Douglas;
H. R. 25224. An act granting an increase of pension to David C. Smith;
H. R. 25247. An act granting an increase of pension to Warren Onan;
H. R. 25248. An act granting an increase of pension to Knute Thompson;
H. R. 25254. An act granting an increase of pension to George W. Warfel;
H. R. 25229. An act granting an increase of pension to James T. Blair;
H. R. 24100. An act granting an increase of pension to Henry W. Wilson;
H. R. 24101. An act granting an increase of pension to George W. Ashton;
H. R. 24161. An act granting an increase of pension to Hugh O'Neal;
H. R. 24171. An act granting an increase of pension to Finus M. Wyatt;
H. R. 24183. An act granting an increase of pension to Joseph B. Joyce;
H. R. 24189. An act granting an increase of pension to Frederick Hoffner;
H. R. 24197. An act granting an increase of pension to Mary Ann Foard;
H. R. 24210. An act granting an increase of pension to George H. Maddox;
H. R. 24215. An act granting an increase of pension to George Hoell;
H. R. 24225. An act granting an increase of pension to William Ivans;
H. R. 24226. An act granting an increase of pension to Francis J. Eachus;
H. R. 24269. An act granting an increase of pension to William L. Stewart;
H. R. 24288. An act granting an increase of pension to John Gooding;
H. R. 24294. An act granting an increase of pension to Daniel R. Lamoreau;
H. R. 24299. An act granting an increase of pension to William B. Doyle;
H. R. 24300. An act granting a pension to Sadie E. Hawthorn;
H. R. 24308. An act granting an increase of pension to Lyman Thompson;
H. R. 24334. An act granting an increase of pension to Emma Case;
H. R. 24338. An act granting an increase of pension to James M. Gardner;
H. R. 24343. An act granting an increase of pension to James M. Haney;
H. R. 24344. An act granting an increase of pension to John H. James;
H. R. 24355. An act granting a pension to Mary O. Learned;
H. R. 24194. An act granting an increase of pension to William Davis;
H. R. 24599. An act granting an increase of pension to Thomas L. Richardson;
H. R. 24635. An act granting a pension to Elizabeth Stuessi;
H. R. 24638. An act granting an increase of pension to Bernard Shallow;
H. R. 24681. An act granting an increase of pension to Lewis M. Jarvis;
H. R. 24691. An act granting an increase of pension to Edward Burtch;
H. R. 24698. An act granting an increase of pension to Lydia Hunt;
H. R. 24707. An act granting an increase of pension to Peter Campbell;
H. R. 24726. An act granting an increase of pension to Seldon R. Sanders;
H. R. 24733. An act granting an increase of pension to John H. Morrison;
H. R. 24740. An act granting an increase of pension to William E. Chase;
H. R. 24776. An act granting an increase of pension to David T. Taylor;
H. R. 24792. An act granting an increase of pension to William H. Penfield;
H. R. 24801. An act granting an increase of pension to George C. Martin;
H. R. 24807. An act granting an increase of pension to Horace E. Heath;
H. R. 24829. An act granting an increase of pension to John R. Robbins;
H. R. 24838. An act granting an increase of pension to Henry H. A. Walker;
H. R. 24845. An act granting an increase of pension to Andrew J. Price;
H. R. 24846. An act granting an increase of pension to Robert M. Wolf;
H. R. 24851. An act granting an increase of pension to Oren S. Rouse;
H. R. 25455. An act granting an increase of pension to Emma Hempler;
H. R. 24710. An act granting an increase of pension to Jacob Riner;
H. R. 24769. An act granting an increase of pension to John George;
H. R. 15027. An act to remove the charge of desertion against Cornelius O'Callaghan;
H. R. 1561. An act authorizing the Secretary of the Navy to grant a discharge to Peter O'Neil;
H. R. 25445. An act granting an increase of pension to William E. Webster;
H. R. 25451. An act granting an increase of pension to William H. Maxwell;
H. R. 25511. An act granting an increase of pension to Hiram Filkins;
H. R. 24223. An act granting a pension to Martha A. L. Stephens;
H. R. 24855. An act granting a pension to George W. Robins;
H. R. 15779. An act granting a pension to Margaret A. Jordan;
H. R. 12021. An act granting a pension to James M. Wood;
H. R. 22283. An act granting an increase of pension to Stoddard Caswell;
H. R. 21413. An act granting an increase of pension to Mary S. Platt;
H. R. 23442. An act granting an increase of pension to James J. Lawley;
H. R. 25255. An act granting an increase of pension to Samuel Loy;

H. R. 25256. An act granting an increase of pension to Cyrus W. Scott;
H. R. 25257. An act granting an increase of pension to James H. Phillips;
H. R. 25260. An act granting an increase of pension to Thomas J. Richie;
H. R. 25261. An act granting an increase of pension to William M. Helvy;
H. R. 25263. An act granting an increase of pension to Thomas McDermott;
H. R. 25288. An act granting an increase of pension to Minna Y. Field;
H. R. 25303. An act granting an increase of pension to Adeline Brown;
H. R. 25305. An act granting an increase of pension to Edgar A. Stevens;
H. R. 25309. An act granting an increase of pension to Joseph Casavaw;
H. R. 25325. An act granting an increase of pension to Polly Ann Bowman;
H. R. 25328. An act granting an increase of pension to James W. Barr;
H. R. 25354. An act granting a pension to Alice House;
H. R. 25355. An act granting a pension to William McCraney;
H. R. 25391. An act granting an increase of pension to Richard Gogin;
H. R. 8894. An act granting an increase of pension to James C. Strong;
H. R. 24868. An act granting an increase of pension to John M. Stevens;
H. R. 24899. An act granting an increase of pension to Mary W. Lusk;
H. R. 24902. An act granting an increase of pension to John W. Rawlings;
H. R. 24905. An act granting an increase of pension to Susan E. Davis;
H. R. 24907. An act granting an increase of pension to Lloyd Roberts;
H. R. 24910. An act granting an increase of pension to William H. Churchill;
H. R. 24911. An act granting an increase of pension to James C. Cosgro;
H. R. 24921. An act granting an increase of pension to Patrick F. Shevlin, alias Patrick Burns;
H. R. 24924. An act granting an increase of pension to William V. Monroe;
H. R. 24940. An act granting an increase of pension to Timothy H. Gibson;
H. R. 24946. An act granting a pension to Phebe Wright;
H. R. 24947. An act granting an increase of pension to Edward Mailey;
H. R. 24957. An act granting an increase of pension to Francis H. Ferry;
H. R. 24958. An act granting an increase of pension to Henry Kanline;
H. R. 24965. An act granting an increase of pension to Jacob Gilbrech;
H. R. 24968. An act granting an increase of pension to John Burke;
H. R. 24969. An act granting an increase of pension to Charles N. Stafford;
H. R. 24971. An act granting an increase of pension to Elijah Devore;
H. R. 24984. An act granting an increase of pension to Lauranah J. Hedgepeth;
H. R. 25020. An act granting an increase of pension to Cinderella B. McClure;
H. R. 25023. An act granting an increase of pension to Virginia C. Galloway;
H. R. 25025. An act granting an increase of pension to John Ham;
H. R. 24861. An act granting an increase of pension to Otho E. D. Culbertson;
H. R. 23850. An act granting an increase of pension to William Freeman;
H. R. 23852. An act granting an increase of pension to James G. Crozer;
H. R. 23855. An act granting a pension to Sarah E. Selders;
H. R. 23857. An act granting an increase of pension to Isaac C. Smith;
H. R. 23864. An act granting an increase of pension to James A. Miller;
H. R. 23890. An act granting an increase of pension to Jacob B. Haslam;
H. R. 23912. An act granting an increase of pension to James E. Fitzgerald;
H. R. 23961. An act granting an increase of pension to Oscar N. Cowell;
H. R. 23966. An act granting an increase of pension to Hugh Stevenson;
H. R. 23967. An act granting an increase of pension to Henry Hill;
H. R. 23968. An act granting an increase of pension to Alexander McWhorter;
H. R. 23971. An act granting an increase of pension to Mary E. C. Butler;
H. R. 23974. An act granting an increase of pension to John P. Bennett;
H. R. 23982. An act granting an increase of pension to Thomas H. Seed;
H. R. 23997. An act granting an increase of pension to Michael M. Field;
H. R. 23999. An act granting an increase of pension to John F. Gough;
H. R. 24000. An act granting an increase of pension to Mary Holle;
H. R. 24002. An act granting an increase of pension to Michael F. Gilrain;
H. R. 24015. An act granting an increase of pension to Aaron C. Sanford;
H. R. 24028. An act granting an increase of pension to George H. Boney;
H. R. 24030. An act granting an increase of pension to Andrew J. Foor;
H. R. 24031. An act granting an increase of pension to John Downey;
H. R. 24034. An act granting an increase of pension to Mary I. Banta;
H. R. 24037. An act granting an increase of pension to Theodore Teeple;
H. R. 24061. An act granting an increase of pension to John C. Nelson;
H. R. 24068. An act granting an increase of pension to John Maginnis;
H. R. 24079. An act granting an increase of pension to David Jones;
H. R. 24397. An act granting an increase of pension to David Prunkard;
H. R. 24404. An act granting a pension to Lauraettte La Fleur;
H. R. 24405. An act granting an increase of pension to Mary H. Bishop;
H. R. 24406. An act granting an increase of pension to Edmund Johnson;
H. R. 24413. An act granting an increase of pension to William Thomas;
H. R. 24414. An act granting a pension to Van C. Wilson;
H. R. 24419. An act granting a pension to Belle M. Ocker;
H. R. 24483. An act granting a pension to Clarence W. Thomas;
H. R. 24493. An act granting an increase of pension to Theodoric Gage;
H. R. 24502. An act granting an increase of pension to A. Judson Conant;
H. R. 24504. An act granting an increase of pension to John H. Leiter;
H. R. 24518. An act granting an increase of pension to Reuben Nye;
H. R. 24530. An act granting an increase of pension to David Miller;
H. R. 24531. An act granting an increase of pension to David E. Jefferson;
H. R. 24553. An act granting an increase of pension to Sarah J. Reed;
H. R. 24560. An act granting an increase of pension to Margaret Lesley;
H. R. 24577. An act granting an increase of pension to John L. Flanery;
H. R. 24586. An act granting an increase of pension to Jotham A. Vincent;
H. R. 24700. An act granting an increase of pension to Joseph Brooks;
H. R. 25016. An act granting an increase of pension to Frederick G. Ackerman;
H. R. 24532. An act granting an increase of pension to Absalom R. Shacklett;
H. R. 22709. An act granting a pension to Martha E. Muhlenfeld;

H. R. 11279. An act to remove the charge of absence without leave from the military record of Oscar O. Bowen;
H. R. 19932. An act for the relief of John Lavine; and
H. R. 14322. An act granting a pension to Abbie L. Hanford.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. LATTA, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 19:
H. R. 21204. An act to amend section 4446 of the Revised Statutes, relating to licensed masters, mates, engineers, and pilots.

On February 20:
H. R. 529. An act granting an increase of pension to Francis L. Arnold;
H. R. 1019. An act granting an increase of pension to Daniel B. Bayless;
H. R. 1233. An act granting an increase of pension to Lucretia Davis;
H. R. 1373. An act granting an increase of pension to Florence Bacon;
H. R. 2049. An act granting an increase of pension to Henry Arey;
H. R. 2246. An act granting an increase of pension to Henry Damm;
H. R. 2777. An act granting an increase of pension to Albert F. Durgin;
H. R. 2781. An act granting an increase of pension to Martin V. B. Wyman;
H. R. 2878. An act granting an increase of pension to John M. Cheevers;
H. R. 3204. An act granting an increase of pension to Charles H. Anthony;
H. R. 3352. An act granting an increase of pension to George R. Roraback;
H. R. 3720. An act granting an increase of pension to Joseph McNulty;
H. R. 3977. An act granting an increase of pension to John Vorous;
H. R. 5709. An act granting an increase of pension to Mary H. Patterson;
H. R. 5854. An act granting an increase of pension to Jonas Gurnee;
H. R. 5856. An act granting an increase of pension to Martin Offinger;
H. R. 6161. An act granting an increase of pension to Horatio Ernest;
H. R. 6491. An act granting an increase of pension to Albert Riley;
H. R. 6575. An act granting an increase of pension to Rawleigh M. Monin;
H. R. 6589. An act granting an increase of pension to Manoah W. Dunkin;
H. R. 6880. An act granting an increase of pension to Marine D. Tackett;
H. R. 6887. An act granting an increase of pension to James E. Taylor;
H. R. 6943. An act granting an increase of pension to Linas Van Steenburg;
H. R. 7415. An act granting an increase of pension to George W. Brawner;
H. R. 7416. An act granting an increase of pension to Joseph R. Boger;
H. R. 7538. An act granting an increase of pension to Thompson H. Hudson;
H. R. 7918. An act granting an increase of pension to John M. Buxton;
H. R. 8164. An act granting an increase of pension to Jackson Mays;
H. R. 8586. An act granting an increase of pension to Milton J. Timmons;
H. R. 8673. An act granting an increase of pension to Marcena C. S. Gray;
H. R. 8718. An act granting an increase of pension to William T. Rowe;
H. R. 9073. An act granting an increase of pension to Melissa McCracken;
H. R. 9450. An act granting an increase of pension to Alexander Brown;
H. R. 9576. An act granting an increase of pension to Henry Wagner;
H. R. 9655. An act granting an increase of pension to William Crooks;
H. R. 10188. An act granting an increase of pension to James L. Conn;
H. R. 10598. An act granting an increase of pension to Robert W. Mills;
H. R. 10874. An act granting an increase of pension to Frederick Pfahl;
H. R. 11098. An act granting an increase of pension to Joseph A. Robinson;
H. R. 20990. An act to create a new division of the southern judicial district of Iowa and to provide for terms of court at Ottumwa, Iowa, and for a clerk for said court, and for other purposes; and
H. R. 21383. An act providing that terms of the circuit court of the United States for the western district and of the district court of the United States for the northern division of the western district of the State of Washington be held at Bellingham.

On February 22:
H. R. 24538. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1908.

On February 25:
H. R. 3507. An act to correct the military record of George H. Keating;
H. R. 18924. An act for the relief of George M. Esterly;
H. R. 11153. An act to correct the military record of Robert B. Tubbs;
H. R. 3356. An act to correct the military record of Timothy Lyons;
H. R. 15197. An act to correct the military record of Arthur W. White;
H. R. 14361. An act granting an honorable discharge to David Harrington;
H. R. 17875. An act waiving the age limit for admission to the Pay Corps of the United States Navy in the case of W. W. Peirce;
H. R. 9841. An act to correct the military record of James H. Davis;
H. R. 21579. An act granting an increase of pension to Sarah R. Harrington;
H. R. 9298. An act for the relief of the heirs at law of David C. Haynes, deceased;
S. 8288. An act authorizing and empowering the Secretary of War to locate a right of way for and granting the same and a right to operate and maintain a line of railroad through the Fort Wright Military Reservation, in the State of Washington, to the Portland and Seattle Railway Company, its successors and assigns;
H. R. 11273. An act to incorporate the National German-American Alliance;
H. R. 23384. An act to amend an act entitled "An act to amend an act entitled 'An act to establish a code of law for the District of Columbia,' regulating proceedings for condemnation of land for streets;"
H. R. 25013. An act granting to the regents of the University of Oklahoma section No. 36, in township No. 9 north, of range No. 3 west, of the Indian meridian, in Cleveland County, Okla.;
H. R. 23324. An act authorizing the sale of certain lands to the city of Buffalo, Wyo.;
H. R. 25366. An act to authorize the New Orleans and Great Northern Railroad Company to construct a bridge across Pearl River, in the State of Mississippi;
H. R. 24821. An act to authorize the Georgia Southwestern and Gulf Railroad Company to construct a bridge across the Chattahoochee River between the States of Alabama and Georgia;
H. R. 21194. An act to authorize J. F. Andrews, J. W. Jourdan, their heirs, representatives, associates, and assigns, to construct dams and power stations on Bear River, on the southeast quarter of section 31, township 5, range 11, in Tishomingo County, Miss.;
H. R. 24760. An act authorizing the construction of a dam across the Pend d'Oreille River, in the State of Washington, by the Pend d'Oreille Development Company, for the development of water power, electrical power, and for other purposes;
H. R. 25234. An act permitting the building of a dam across Rock River at Lyndon, Ill.;
H. R. 25046. An act to authorize the construction of a bridge across the Mississippi River at Louisiana, Mo.;
H. R. 25550. An act confirming entries and applications under section 2306 of the Revised Statutes of the United States for lands embraced in what was formerly the Columbia Indian Reservation, in the State of Washington;
H. R. 20984. An act to provide for a land district in Valley

County, in the State of Montana, to be known as the Glasgow land district;

H. R. 9976. An act to provide for the appointment of an additional district judge in and for the southern district of the State of Ohio;

H. R. 24887. An act providing for a United States judge for the northern judicial district of Alabama; and

H. R. 21684. An act to amend section 2 of an act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906.

SUBSIDY BILL.

The committee resumed its session.

Mr. GOULDEN. I desire the other side to use some of their time.

The CHAIRMAN. The gentleman from Nebraska [Mr. POLLARD] is recognized for thirty minutes.

Mr. POLLARD. Mr. Chairman, one of the first laws enacted by the First Congress, which convened in 1789, was a high protective tariff measure. This law not only extended the benefits of the protective tariff to the manufacturing interests, but it also gave ample protection to the merchant marine. It provided a discriminating duty of 10 per cent against all our imports carried in foreign bottoms. Under this law the tonnage of our foreign commerce carried in American ships increased from 23 per cent of the total in 1789 to 90 per cent in 1830. Under this policy of discriminating duties in favor of goods carried in American ships the per cent of our foreign trade carried in American bottoms remained at or about 90 per cent of the total. This condition continued until about 1830.

In 1828 Congress enacted a law authorizing the President of the United States to negotiate reciprocity treaties with foreign countries in which the President was given authority to remove our discriminating duties from the imports of all those countries that would grant us similar advantages. Under this policy the percentage of our foreign commerce carried in American ships gradually declined, ranging from 80 to 85 per cent of the total until 1845. Our total tonnage, however, engaged in foreign commerce gradually increased. During this period practically all of the commerce of the world was carried in sailing vessels. This was the period preceding the introduction of steam power. During this period also there was virtually no discrimination against the foreign commerce of the various nations of the world. We were practically all upon an equal footing. While the wages paid to American labor were higher than those paid to foreign labor during this period, yet the skill of our workmen was so much superior that our merchant seamen were able to lead the world in the construction of sailing vessels for commerce upon the high seas. In a free, equal competition the American seaman held his own. We were recognized throughout the world as mistress of the seas. This continued down until 1840. Great Britain had striven by various ways to make an inroad into American commerce, but she had failed on every hand. This year she tried a new plan. In 1840 she imposed her first mail subsidy. In fact, the first mail subsidy ever granted by any country in the history of the world was granted by Great Britain in 1840.

Realizing that she could not compete with American shipyards in the construction of sailing vessels, she proposed to increase her tonnage by providing a heavy mail subsidy for steamships. That year she provided a mail subvention of $425,000 annually to the Cunard Steamship Company for three vessels to engage in the American trade. A little later this subvention was increased to $850,000 a year. This innovation introduced an entirely new factor into the commerce upon the high seas. These new steam vessels were larger, gave better accommodation, and made better time than the American sailing vessels. As a result England's tonnage gradually increased at the expense of American tonnage in the trans-Atlantic trade. The American Congress, not to be outdone by the British, followed her example in 1845 by authorizing the Postmaster-General to enter into a contract with the Oceanic Steamship Company from New York to Havre and Bremen. This steamship company was to receive $200,000 per year for carrying the mails of the United States. In compliance with this contract, two large steamships were built, which were larger, more commodious, and faster than even the Cunard Line. It will be observed that this subvention was less than one-half of the British subvention for the same service.

In 1847 a contract was made with the famous Collins Steamship Company for the construction of four large steam vessels for the trans-Atlantic trade.

Mr. SULZER. The Collins Line busted up, didn't it?

Mr. POLLARD. The Collins Line "busted up" when the Democratic Congress repealed the law under which the subsidy was granted, and not before.

Mr. SULZER. Then, in the gentleman's opinion, the only way we could get foreign ships to fly our flag is by paying for the ships?

Mr. POLLARD. I will meet that when I come to it. Mr. Chairman, these vessels were to receive an annual subvention of $385,000. In 1852 this subvention was increased to $858,000 a year. In this same year (1852) Congress authorized a mail subvention of $276,000 (being increased to $290,000 in 1855) for a line of steamships between New York and Colon. While the mail subsidy provided for the American line was a little less than that provided for the British service, yet American tonnage at once responded to this encouragement, and it seemed that we were not only to hold our own in ocean-going commerce, but that we were once more about to attain first rank. In 1845 our total foreign tonnage was 904,476 tons. In 1858, only thirteen years later, our foreign tonnage had increased to 2,300,000 in round numbers, an increase of over 100 per cent; and in 1860 that had grown to 2,379,000 tons. These subsidies were in force from 1845 until 1857 or 1858. That year a Democratic Congress repealed the mail-subsidy act, not because it had not been fruitful, not because it had not been a success, not because it had not built up foreign commerce and increased the amount of tonnage carried in American bottoms, but it was due to the strife and bitterness that grew out of the agitation of the slavery question just prior to the breaking out of the civil war.

The shipyards were all located in Northern States along the Atlantic seaboard. The South, determined as she was to strike the North where she could deliver the hardest blow, struck at the subsidy act, expecting thereby to cripple the merchant marine. They knew the merchant vessels would be invaluable in case of war. That was the reason the subsidy act was repealed and not because it had not proved fruitful. As a result of this reversal in the policy of the Government the Collins Line soon went into bankruptcy and the ships were taken off the ocean. This legislation of a Democratic Congress in 1857 resulted in dealing a death blow to the American merchant marine. During the war a great many of our ocean-going vessels were destroyed. From that time forward American tonnage gradually declined. Great Britain not only continued her policy of giving mail subventions for her trade with the United States, but she provided a heavy mail subsidy for her steamship lines to South America, China, Australia, and all other countries of the world. In a very short time she occupied the proud position once held by the United States and in turn became the mistress of the seas, which position she has held from that day to this. For some time after 1840 France, Germany, Italy, Russia, and other European powers continued the policy of reciprocity, but were unable to compete with the heavily subsidized steamship lines of Great Britain. Seeking a means for increasing their commerce, they adopted the policy now advocated by the Democratic party, known as the "free-ship policy." This simply resulted in the death of their shipyards of their own country, thereby giving Great Britain a monopoly of the shipbuilding trade of the world. During this period Great Britain had, by the policy of granting mail subventions, practically monopolized the foreign carrying trade of the world. The other European countries continued their "free-ship" policy until about 1870, when one after another, with their ships almost entirely driven from the seas, turned to the policy of giving mail subventions to steamships built in their own shipyards. From that day to the present their tonnage has gradually increased.

During the period following the war the United States, with its mountains full of iron and its manufacturers capable of producing as fine ships as any other country in the world, was unable to hold her own upon the high seas. To-day only about 12 per cent of our foreign commerce is carried in American bottoms, 88 per cent being carried under foreign flags. Our country never was in a more prosperous condition than it is to-day. We have developed our natural resources in every line of trade. The products of our farms, of our factories, of our mines, and of our forests were never as great as they are at the present time. The products of the American farms for the calendar year 1906 were worth $7,000,000,000, the products of our factories $18,000,000,000, of our mines $1,500,000,000, and the products of our forests and fisheries were worth $1,000,000,000. The total value of all our factories, of all our mines, of all our forests and fisheries, and of all our farms reached the phenomenal figure of $27,000,000,000 for the calendar year 1906. Since the advent of the Republican régime, in 1897, our imports have increased from $769,000,000 to $1,226,000,000 for the fiscal year 1906. Our exports during the

same period have increased from $1,050,000,000 to $1,743,000,000. [Applause.] We have paid our foreign debt, and we have now become a creditor nation instead of a borrowing nation. American capital is not only ample for the development of our own industries, but it is seeking investment in foreign lands. [Applause.] With all this prosperity and this magnificent development of our internal commerce, it seems that American capital is not tempted to enter into the building of a merchant marine. Why is this the case? It is certainly not on account of the tariff, unless it is due to the fact that the tariff has introduced a high standard of living and a higher standard of wages for American labor. All the raw materials imported that go into the construction of ships for the foreign trade come in free of duty. The American capitalist who desires to construct ships to engage in foreign commerce has access to the markets of the world without any tariff barrier for his raw materials. The only restriction imposed is that the ships must be built in American shipyards before they can fly the American flag. We have as skilled workmen as any country in the world. We have surplus capital that is seeking investment in foreign countries. But why is it that American capital does not seek investment in the construction of vessels for the foreign trade? In my opinion it is due to three causes: In the first place, American workmen engaged in the construction of these ships receive from 50 to 100 per cent more than do the workmen who build the foreign ships. In the second place, the men who man these ships receive from 25 to 150 per cent higher wages than do the men who man the ships of our competitors. In the third place, every country except the United States that is engaged in foreign commerce gives a very liberal support in the way of bounties, tonnage duties, or mail subventions to its steamship lines. The following is a comparison of the wages paid the men who construct these ships in the American and in foreign shipyards:

*Wages per week.*

| | British. | American. |
|---|---|---|
| Pattern makers | $9.00 | $18.00 |
| Machinists | 8.50 | 15.00 |
| Riveters | 7.50 | 12.00 |
| Calkers and chippers | 7.80 | 15.00 |
| Fitters-up | 7.80 | 15.00 |
| Ship carpenters | 9.60 | 18.00 |
| Joiners | 9.00 | 16.50 |
| Painters | 9.60 | 18.00 |
| Furnace men | 6.00 | 10.80 |
| Plumbers | 9.60 | 19.50 |
| Drillers | 6.40 | 11.00 |
| Sheet-iron workers | 8.50 | 15.00 |
| Coppersmiths | 8.60 | 18.00 |
| Molders, iron | 9.00 | 14.50 |
| Molders, brass | 9.00 | 15.00 |
| Laborers | 4.20 | 8.00 to 10.00 |

The following is a comparative statement showing the difference in wages paid the men who man American ships and those paid on ships of foreign countries engaged in foreign commerce—*St. Louis*, American, 11,629 tons; *Oceanic*, British, 17,274 tons; *Kaiser Wilhelm der Grosse*, German, 14,349 tons:

| | American. | | British. | | German. | |
|---|---|---|---|---|---|---|
| | No. | Total wages. | No. | Total wages. | No. | Total wages. |
| Deck officers | 6 | $430.00 | 7 | $359.64 | 6 | $221.34 |
| Deck force | 45 | 1,129.58 | 44 | 967.14 | 53 | 659.99 |
| Engineers | 29 | 1,595.00 | 25 | 1,455.57 | 34 | 1,069.53 |
| Firemen | 136 | 4,860.75 | 153 | 3,676.59 | 179 | 2,879.80 |
| Purser, etc | 4 | 242.50 | 5 | 230.85 | 5 | 138.04 |
| Culinary | 27 | 680.09 | 21 | 493.29 | 25 | 486.95 |
| Stewards | 125 | 2,179.04 | 162 | 2,530.36 | 191 | 2,156.27 |
| Miscellaneous | 8 | 189.13 | 10 | 177.88 | 7 | 106.63 |
| Total | 380 | 11,306.09 | 427 | 9,891.32 | 500 | 7,715.55 |

The comparison would be more exact if the vessels were precisely alike, with the same crews. The crew of 427 men on the British *Oceanic* is paid at the rate of $9,900 per month, in round numbers. A crew of the same number, performing the same duties, if paid at the corresponding rates of wages on the American steamship *St. Louis*, would receive as nearly as may be $12,500 a month. A crew of the same number, performing the same duties, if paid at the corresponding rate of wages on the German *Kaiser Wilhelm der Grosse*, would receive as nearly as may be $6,800 a month.

When the American ship undertakes to compete with the foreign vessel it is not only under a heavy handicap due to the difference in cost of construction and of manning the ship, but it also has to compete with lines heavily subsidized by foreign governments. It is not a question of competition between the American steamship company and the foreign steamship company, but one of competition between the American company and the foreign governments themselves. I find that Great Britain paid last year in mail subventions for her various steamship lines $6,000,000. Not only that, but a short time ago the British Government loaned the Cunard Steamship Company $13,000,000 on easy terms for the construction of a line of ships to engage in the trade with the United States. In addition to this, she proposes to pay the Cunard company, when these vessels enter upon this service, $1,100,000 a year as a subsidy, thereby making it possible for the company to pay back the money loaned by the Government for the construction of these vessels in twelve years out of the annual subsidy received from the British Government. Great Britain has paid since 1840 $250,000,000 in subsidies.

France pays an annual mail subsidy of $5,000,000 and navigation bounties of $3,500,000 in addition.

In Germany the Government railroads haul the raw material for the construction of her ships for nothing or a mere nominal charge. These railroads also grant very low rates, which are themselves discriminatory, upon goods and passengers for export via German steamships. In addition to this she pays an annual mail subvention of $2,143,000.

Italy pays $3,000,000 a year in subsidies and bounties. The total mail subventions and bounties paid by foreign countries engaged in foreign commerce is over $25,000,000 a year. If these foreign ships carried freight at cost, the subsidies alone would give them a handsome profit in the business. It is not surprising, in view of this condition of affairs, that American capital is not seeking investment in our merchant marine. We sometimes hear the assertion made that our capital has been so universally invested in our internal improvements, realizing large profits, that its attention has not been attracted to the merchant marine. In my opinion, this is not true. When the United States discontinued the policy of offering mail subventions in 1857 we had a number of splendid steamships engaged in foreign trade. We had the finest equipped and the fastest vessels afloat. These vessels were all in the service.

Mr. RAINEY. Will the gentleman yield?

Mr. POLLARD. Not at present. I want to ask gentlemen on the other side—I want to ask gentlemen who are opposed to this bill—if it was possible for them to have continued in that service in competition with the foreign subsidized vessels why were they withdrawn from the high seas? The mere fact that they did not remain in this service and the further fact that our steamship companies engaged in the foreign trade did not build new and more modern vessels to replace the old ships that became unseaworthy is in itself evidence, to my mind, that they could no longer compete against the highly subsidized ships of foreign countries.

Mr. RAINEY. Will the gentleman permit me to answer his question?

The CHAIRMAN. Does the gentleman yield?

Mr. POLLARD. The gentleman may answer the question in his own time; not in mine.

The CHAIRMAN. The gentleman declines to yield.

Mr. POLLARD. Mr. Chairman, in 1883 the enterprising merchants of New York engaged in the Brazilian trade organized a steamship company and built a number of strictly modern vessels for the South American trade. These ships were kept in the service for almost ten years, when they were finally driven from the high seas. The history of the American merchant marine of itself proves that it is utterly impossible for American ships, built in American shipyards and manned by American seamen, to compete in foreign commerce unless they receive assistance from their home Government to offset the handicap they now have to meet. The only solution of this question that I can see is for the United States to return to its policy of granting liberal mail subventions similar to those we paid prior to the civil war. It is a shameful fact that to-day the United States pays an annual tribute of $200,000,000 to foreign steamship lines for delivering our own goods to foreign markets. As a practical business proposition it seems to me there is no investment more inviting for the United States to make than to spend four or five million dollars a year in the way of mail subventions in order to restore American ships upon the high seas, and instead of paying this $200,000,000 to foreigners, pay it to our own people. In this way we would make it possible for Americans to deliver our surplus products to market.

With the marvelous development of our internal resources and the increased production upon our farms and in our fac-

tories it is necessary for us to seek wider markets for our surplus products. The greatest undeveloped market in the world to-day lies in the republics of South America and in the oriental countries. The republics of South America are making great strides in the development of their natural resources.

The total value of the international trade of South America for the year 1895 was $737,603,000. Her total international trade ten years later, in 1905, was $1,175,904,000. The development of the great natural resources of the South American republics is in its infancy, yet these figures disclose that a marvelous development has taken place within the last few years. Her total trade with foreign countries has increased 59 per cent. Of all her imports which increased from $311,306,000 in 1895 to $474,113,000 in 1905 the United States furnished in the latter year but 13.5 per cent—an insignificant amount. During this period the exports from the United States to the chief commercial country of South America—Brazil—declined $5,000,000. Our exports to Brazil for the fiscal year 1905 were 27 per cent less than in 1895. Our exports to Brazil are chiefly agricultural products. This trade is made up chiefly of wheat flour and other breadstuffs. Since 1895 our exports of breadstuffs to Brazil have actually decreased 24 per cent. During this same period the exports of food products to Brazil from Great Britain, Italy, and Argentina have made an increase. The republics of South America are our neighbors. We are associated with them under the very closest political ties. Under the principle known as the Monroe doctrine the United States virtually guarantees a protectorate over these republics. This is especially true as far as the extension of any European influence is concerned. While our political ties are very close, our commercial relations are extremely remote. Their trade properly belongs to us. While there is every natural inducement to draw these countries closer to the United States than to any foreign country, yet the facts are, so far as our commercial relations are concerned, that we occupy third or fourth rank. What is the reason for this deplorable condition of affairs? It is simply due to the fact that we have no regularly established steamship lines running to the ports of South America. It is a disgraceful fact that there is not a single steamship flying the American flag that visits any South American port south of the Orinoco River. The United States is entirely dependent upon foreign countries to carry our commerce to South America, and they give us abominable service. While there are a number of ships of slow speed that make these trips, but few have regular times of departure, and it seems impossible to tell when a vessel will start or just what South American port they propose to visit. A great many times vessels come from South America to our Atlantic coast ports and return to South America by way of Europe. They bring a cargo from South America to the United States, then take on a cargo here for Europe, again unload, and take on a new cargo of European goods for South America. In this connection I desire to quote what Secretary Root says concerning the mail service:

> In the year ending June 30, 1905, there entered the port of Rio de Janeiro steamers and sailing vessels flying the flag of Austria-Hungary, 120; of Norway, 142; of Italy, 165; of Argentina, 264; of France, 349; of Germany, 657; of Breat Britain, 1,785; of the United States, no steamers and 7 sailing vessels, 2 of which were in distress.
>
> An English firm runs a small steamer monthly between New York and Rio de Janeiro; the Panama Railroad Company runs steamers between New York and the Isthmus of Panama; the Brazilians are starting for themselves a line between Rio and New York; there are two or three foreign concerns running slow cargo boats, and there are some foreign tramp steamers. That is the sum total of American communications with South America beyond the Caribbean Sea. Not one American steamship runs to any South American port beyond the Caribbean. During the past summer I entered the ports of Para, Pernambuco, Bahia, Rio de Janeiro, Santos, Montevideo, Buenos Ayres, Bahia Blanca, Punta Arenas, Lota, Valparaiso, Coquimbo, Tocopilla, Callao, and Cartagena, all of the great ports and a large proportion of the secondary ports of the southern continent. I saw only one ship, besides the one that carried me, flying the American flag. The mails between South America and Europe are swift, regular, and certain; between South America and the United States they are slow, irregular, and uncertain. Six weeks is not an uncommon time for a letter to take between Buenos Ayres or Valparaiso and New York. The merchant who wishes to order American goods can not know when his order will be received or when it will be filled. The freight charges between the South American cities and American cities are generally and substantially higher than between the same cities and Europe. At many points the delivery of freight is uncertain and its condition on arrival doubtful. The passenger accommodations are such as to make a journey to the United States a trial to be endured and a journey to Europe a pleasure to be enjoyed. The best way to travel between the United States and both the southwest coast and the east coast of South America is to go by way of Europe, crossing the Atlantic twice. It is impossible that trade should prosper or that intercourse increase or mutual knowledge grow to any great degree under such circumstances. The communication is worse now than it was twenty-five years ago. So long as it is left in the hands of our foreign competitors in business we can not reasonably look for any improvement. It is only reasonable to expect that European steamship lines shall be so managed as to promote European trade in South America rather than to promote the trade of the United States in South America.

I also wish to insert here what Postmaster-General Cortelyou said in his annual report for 1905:

> I refer to Brazil and the countries south of it. Complaints of serious delay to mails to these countries have become frequent and emphatic, leading to the suggestion on the part of certain officials of the Government that for the present, and until more satisfactory direct communication can be established, important mails should be dispatched to South America by way of European ports and on European steamers, which would not only involve the United States in the payment of double transit rates to a foreign country for the dispatch of its mails to countries of our own hemisphere, but might seriously embarrass the Government in the exchange of important official and diplomatic correspondence.
>
> The fact that the Government claims exclusive control of the transmission of letter mail throughout our own territory would seem to imply that it should secure and maintain the exclusive jurisidiction, when necessary, of its mails on the high seas. The unprecedented expansion of trade and foreign commerce justifies prompt consideration of an adequate foreign mail service.

In view of these conditions is it to be wondered that the United States only furnishes 13.5 per cent of the imports of South America? On the other hand, Great Britain, France, Germany, Italy, and Spain have regular steamship lines, heavily subsidized, plying direct between South America and their respective countries. The ships that carry American goods to South America are manned by men who are interested not in the United States, but in their own country. They seek on every hand to discriminate against American goods for the purpose of increasing the sale of products of their own country. These steamship lines have commercial men or traveling men who visit the ports of South America to sell goods—not American goods, but goods from their home lands. It is of the utmost importance to American trade that we establish direct mail lines to the South American republics. These countries afford a natural market for our products. Their climatic conditions are such that very few of their products can be produced in the United States, and they in turn can not produce our products. We are in the market to buy the very things they have to sell, and they are in the market to buy our surplus products. In the past the United States has held a very small per cent of the trade of these countries.

While we have made satisfactory advancement in our trade relations with the countries of the Far East, yet the prestige gained is sure to be lost unless the Federal Government will come to the aid of the ships flying our own flag that are forced to compete not only with steam lines of foreign countries, but with the governments themselves. If we are to have our share which properly belongs to us of the South American trade, it is absolutely essential that the United States shall provide a mail subvention in order to induce American steamship lines to enter this trade. The bill now pending before the House seeks to accomplish this result. Under the terms of this bill a direct mail subvention is provided for a fortnightly service from Atlantic coast points to Brazil and to Argentina. It provides for a weekly service between the Gulf ports and the Isthmus of Panama. In the South American trade on the Pacific Ocean it provides for a fortnightly service between American ports and the Isthmus of Panama, Peru, and Chile. It also provides a mail subvention for a line of steamers engaged in the trade with Japan, China, and the Philippines, via Hawaii, furnishing a fortnightly service. It also provides for a mail subvention for a line of steamers north of Cape Mendocino direct to China, Japan, and the Philippines. It further provides an increase in the mail subvention now paid to the line running from San Francisco to Australia via Hawaii.

It seems to me that the one question for us to decide at this time is whether the proposed legislation will bring results. The present bill entails a maximum expenditure of $2,500,000 in the way of mail subventions. When these ships are constructed and enter the service, will our trade with these countries increase as is contemplated by the advocates of this legislation? In answer to this question I wish to call your attention to the experience of other countries and the experience of our own lines that are now drawing subventions under the act of 1891.

Under this act of 1891 there are four mail lines operating upon the high seas. This plan is not an innovation; it is simply an enlargement and extension of the act of 1891, under which we are now paying a little less than $1,500,000 annually in mail subventions. Great Britain began the payment of mail subventions in 1840. Since that time her foreign tonnage has increased from 3,000,000 to 17,000,000 tons in 1905. She is now paying annually $6,000,000 in mail subventions to her various lines engaged in foreign trade. In 1881 France began the granting of mail subventions for the enlargement of her merchant marine. At that time her foreign tonnage was 914,000 tons. In 1904 it had increased to 1,760,000 tons. She is now paying in annual mail subventions and navigation bounties $8,500,000.

In 1885 Germany began the payment of mail subventions, and her foreign tonnage has increased from 1,043,000 to 3,393,000 tons in 1904. She is paying annually in the way of mail subventions $2,143,000 in addition to the discriminating rates on the state railroads in favor of her goods for export in German ships.

Italy began the payment of mail subventions during the early nineties. Under this policy her tonnage has increased from 860,000 tons, in 1893, to 1,259,000 in 1904. She pays in annual mail subventions and navigation bounties the sum of $3,000,000.

In 1894 Japan began the granting of mail subventions. At the time of the breaking out of her war with China her foreign tonnage only amounted to 200,000 tons. Since that time it has increased to 830,000 in 1904. She is now spending in the way of mail subventions and direct bounties $3,000,000 a year.

I wish now to call your attention to the increase in our own trade as a result of the mail subventions provided for in the act of 1891. Under this law the Postmaster-General was authorized to enter into a contract with a steamship company for a weekly service to Cuba and Mexico. Engaged in this trade there are now seventeen vessels, with a speed ranging from 13 to 18 knots. I have not been able to get any figures prior to 1895, but from The present bill entails a maximum expenditure of $3,750,000 creased from 1,000,000 to 17,000,000 tons in 1905. She is now not more than received value for value given? Under this same law the Postmaster-General entered into a contract for a weekly service in Venezuela. Engaged in this trade there are four steamers, two of 14 and two of 12 knots speed. This company receives an annual mail subvention from the Government of $100,000. This is the only line provided for in the act of 1891 that has not produced satisfactory results. The fact, however, that our trade has not increased as it should with Venezuela has been due to the almost continuous state of revolution in which the Venezuelan Government has been involved for the last fifteen years. Her internecine strife has been such that it has discouraged merchants, not only of our own country, but of all foreign countries as well, from enlarging their trade with the Republic of Venezuela.

Under this same law of 1891 the Postmaster-General entered into a contract with the American Mail Steamship Company for a weekly service to Jamaica or the British West Indies. This company now receives an annual mail subvention from the Government of $120,000. Our imports from the British West Indies have increased from $9,777,000 in 1895 to $10,437,000 in 1905. Our exports have increased from $7,000,000 in 1895 to $10,000,000 in 1905. This shows an increase of 30 per cent in our exports to that country.

Under this same law the Postmaster-General entered into a contract with the Oceanic Steamship Company for a service of seventeen trips a year between the Pacific coast ports and Australia. Engaged in this service there are six vessels; three of 16 and three of 14 knots speed. Our imports from Australia have increased from $4,620,000 in 1895 to $11,892,000 in 1905. Our exports to Australia have increased from $9,014,000 to $28,000,000 in 1905. Our imports from Australia have increased 157 per cent, while our exports to that country have increased a little over 200 per cent. If we are to judge the future by the past, we certainly are safe in saying that the proposed legislation will accomplish the object sought. These figures demonstrate that the experience of foreign countries in the payment of mail subsidies and our experience under the law of 1891 has been rewarded with success. This is not an experiment. It is not an innovation. It is not proposed that a mail contract shall be let for the creation of a service to any country that does not have a very large foreign trade. With all of these countries for which a line is provided there is a great demand for American goods and there is also a large demand in the United States for the goods from these countries. The only thing necessary is to provide a means for carrying on this trade. As far as the objection to granting a mail subvention to a steamship company is concerned, I can see no difference between paying a steamship line for carrying the mails of the United States between our ports and those of South America and the Orient, and paying the railroad companies for transporting the mails between points within the United States. This bill does not provide a subsidy on the tonnage carried in these vessels. It simply seeks to provide compensation for a fast mail service to these countries. A very laudable undertaking and one that, to my mind, is of the utmost importance in the development of our foreign trade. One of the first requisites of commerce with any country is a regular, fast mail service. To carry out the provisions of the pending bill will necessitate the construction of not less than thirty-two new 16-knot ships. Vessels of this type cost over $1,000,000 each. [Applause on Republican side.] It will require the construction of twenty ships for the South American trade alone. There is not a single ship of American register in the American merchant marine that is eligible to enter this South American service. This bill does not propose to aid an industry already in existence. It provides for the creation of an entirely new industry. In my opinion, if the levying of a protective tariff was ever justifiable for the building up of a new industry, this legislation is justifiable. [Applause.] I believe that this legislation is founded Of the twenty-three ships necessary for the trade to the Far East there are ten ships available. For this service thirteen new ships must be built. This bill does not propose to aid an industry already in existence, except to a very limited extent. As far as the South American trade and 60 per cent of the eastern trade is concerned, it provides for the creation of an entirely new industry. In my opinion, if the levying of a protective tariff was ever justifiable for the building up of a new industry, this legislation is justifiable. [Applause.] I believe that this legislation is founded upon sound Republican doctrine. As a Republican I believe firmly in the wisdom of the protective tariff.

I believe that this legislation is in harmony with the traditions of my party. I believe that it is based upon a sound governmental policy; one that will inure to the benefit not only of the men engaged in ocean commerce but also to the producing classes throughout the United States. This same policy of protection that has built up our internal industries; this same policy of protection that has returned to labor the 3,000,000 workmen that were tramping about our country seeking employment in 1893; this same policy of protection that has increased the production of all our mines, and of all our factories, and of all our farms until their total value has reached the phenomenal figure of $27,000,000,000 a year; this same policy of protection that has made the domestic commerce of the United States greater by $7,000,000,000 than the entire international commerce of the world; this same policy of protection that has placed the United States in the first rank among the commercial nations of the world will, when applied to the merchant marine, also, I believe, in time make the United States again mistress of the seas. [Prolonged applause.] If the American farmer receives any benefit from the protective tariff when applied to our internal industries, then I believe this bill will be beneficial to him. When a protective tariff creates a new industry, when it starts in motion the spindles of a new factory, when it kindles the fires for the first time in a new furnace it furnishes labor for American workmen. It draws workmen from the class that is producing food and converts them into consumers of food products. This policy of protection, while it has not brought direct benefit perhaps with few exceptions to the American farmer, yet it has certainly brought to them an indirect benefit by creating a demand for their products. The farms of the United States were never so productive as they are to-day. The total output of the American farms last year was greater than in any preceding year in our history. Not only did they have the greatest yield in our history, but the farmers received a higher price, taking everything into consideration, than ever before. [Applause.] This was simply because there was a great home demand for these products as well as all others. There were more people eating bread and choice cuts of meat than ever before.

Just as the protective tariff has benefited the American farmer in the past so will the pending bill benefit him by increasing the number of men who are consumers of the food products of the American farms. This bill will not only stimulate work in the shipyards, thereby increasing the demand for our food products at home, but it will in addition to this bring a direct benefit to the American farmer in providing for him an increased foreign market for his surplus food products. It is a notorious fact that almost 50 per cent of the trade to-day that we have with the South American republics and the countries of the Orient consist of food products. This bill simply seeks to extend these markets; to extend the demand for our surplus products. To my mind the farmers of the West have a greater interest, or should have, in this measure than in any other bill that has been considered in either session of this Congress. When we look about us and see the great increase in production of American farms; when we realize that the area in which corn can be raised is being extended into the Southern States; when we realize that the semi-arid regions are being reclaimed to agriculture; when we realize that in the last ten years the production of the farms of the United States has increased 100 per cent; when we realize that in the next twenty-five years the farms that to-day are engaged in the production of wheat and corn and other cereals by the new methods that have been introduced in agriculture will increase their output from 20 to 50 per cent, we must appreciate the fact that it is of the utmost importance to the

American farmer that an increased and wider market be provided for his surplus products. [Applause.] Unless this is done the result attained from more intensified farming, from the reclamation of the semiarid regions, and the extention of agriculture in the South, will simply result in overproduction. The question of seeking wider and greater markets is one of the greatest problems for our statesmen to solve to-day. There is no question that comes nearer to the hearts of the farmer than this. There is no question in which they are more vitally interested than this. I believe that this bill is a start in the right direction. It will not only stimulate trade at home by increasing the home demand for food products, but it also looks to the extension of foreign markets for our surplus food and other products. I believe that if the agriculturalists thoroughly understood this question; understood its magnitude; understood the direct bearing it has upon their interests, they would be petitioning Congress in a body for the enactment of this legislation. As the representative of a purely agricultural district; as the representative of a constituency that has no interest aside from agriculture, I give this legislation my hearty and earnest support. I am in favor of this bill because I believe that it means the extension of our foreign markets; I am in favor of this bill because I believe that it will result in a direct benefit to the great agricultural interests of the West. [Applause on Republican side.]

A few days ago we passed here a bill carrying an appropriation of over $83,000,000 for the improvement of our internal waterways. This bill received almost the unanimous vote of the House. The improvement of our rivers and the harbors of our Great Lakes and of the seacoast ports for our domestic commerce has become a fixed national policy. All parties favor it. Can anyone point out the difference between appropriating money for carrying our mails to distant ports across the sea and for the development of our over-sea commerce and appropriating money for the improvement of our rivers and harbors for the development of our internal commerce? Our navigation laws absolutely prohibit foreign ships from participating in our internal or coastwise trade. The protection we afford them is in effect a complete embargo against foreign competition. We compel the railroads to construct their own lines of travel; yet we dredge our rivers and harbors and, in fact, furnish free of cost the highways of travel for our domestic ship commerce and by statutory law explicitly prohibit foreign competition in this trade. We dredge the harbors of the Great Lakes and the Ohio River, so that Mr. Hill, Mr. Harriman, and the steel trust of Pennsylvania can transport their iron ore and their other products by water. We give them assistance of far greater value than the help provided in this bill for ships engaged in foreign commerce. I have heard no one berate against river and harbor improvements because these trust magnates were to receive some benefit. If it is right to appropriate money to aid commerce on our internal waterways, why is it not right to aid commerce for over-sea traffic? In principle there is no difference between the two.

Mr. RAINEY. Does the gentleman think there is any analogy between dredging out the channel of a river, so that a man can operate a boat on it, and paying $600,000 to a man who owns a boat?

Mr. POLLARD. I will answer the gentleman. I want to say this: That the American Congress, by legislation, not only furnishes free of cost the highways of travel for our internal commerce, but we enact navigation laws that absolutely prohibit any foreign ship coming in and competing in this service. [Applause.] We provide an absolute embargo against foreign ships entering into this service to any extent; yet we go ahead and spend millions of dollars for dredging the rivers, for improving the harbors on the seacoast and the Great Lakes, in order that these trust magnates and others may transport their products more expeditiously.

Mr. RAINEY. Does the gentleman say that the law prohibits a citizen of England living in this country from owning a steamboat on the Mississippi River, and will the gentleman call attention to the law that prohibits that?

Mr. POLLARD. Not at all; what I say is that our navigation laws prohibit absolutely any ships of foreign build competing in this domestic commerce. We furnish an absolute embargo, and the gentleman knows that is true.

Mr. MINOR. Or a foreigner owning them.

Mr. GROSVENOR. Will the gentleman yield to me?

Mr. POLLARD. Yes, sir.

Mr. GROSVENOR. Is it not a fact that the Democratic party, through its national conventions and public utterances of its public men, did persistently from the early years of the Government down to a very recent period deny the power of the Federal Government to improve the rivers and harbors by an appropriation by Congress? And did not a Democratic President veto a river and harbor bill on the ground of its unconstitutionality and because it was a subsidy?

Mr. CLARK of Missouri. Let me ask the gentleman from Ohio [Mr. GROSVENOR] a question. Did not a Republican President veto one, too?

The CHAIRMAN. The gentleman's time has expired.

Mr. GROSVENOR. Mr. Chairman, I yield as much time to the gentleman from Nebraska as he desires, until half past 5 o'clock.

The CHAIRMAN. How much time does the gentleman desire?

Mr. GROSVENOR. If the Chair will allow me, there will be no other speech after the conclusion of the gentleman from Nebraska, and therefore he can go on until half past 5 if he wishes to do so.

Mr. SULZER. I trust the gentleman from Ohio [Mr. GROSVENOR] will answer the question of the gentleman from Missouri [Mr. CLARK].

The CHAIRMAN. The gentleman from Ohio [Mr. GROSVENOR] is not entitled to the floor.

Mr. SULZER. Well, I will give him a minute to answer.

Mr. GROSVENOR. What position does the gentleman from New York occupy? Is he a middleman or "mid" something else?

Mr. SULZER. No; I am not a middleman, nor a subsidy-man either?

Mr. POLLARD. If the men here who are opposing the passage of this bill are sincere, if they are opposing this bill simply because Mr. Hill, Mr. Harriman, or some of the other great trust magnates are to become beneficiaries, they must forever in the future withhold their support from the appropriation of any money for the improvement of our internal waterways within the United States. Now, then, Mr. Chairman, what benefit has the western farmer received from the hundreds of millions of dollars that have been expended in the improvement of the harbors of the Great Lakes or the seacoast ports? His benefit has been a negligible quantity to date. This legislation will give him a direct benefit by furnishing an extended and wider market for his farm crops. If this legislation accomplishes anything, if it creates these new ocean lines, if it causes the construction of these twenty-odd new ships for this increased service, it is bound to bring to the farmer a direct benefit. If it does not create these new lines and result in the establishment of this over-sea service, it will cost the Government nothing. The money will not be paid out unless the ships are built and the service rendered. Why should we spend millions for the development of commerce on our internal waterways and stop at the coast line? In my opinion we must have an outlet for our surplus products, not only of the farms, but of the factories as well. It is for a wider market, for the extension of our foreign market for our surplus that I plead to-day. [Applause.]

I am also in favor of this bill because it is simply carrying out a policy to which my party has been pledged for the past twenty years. The Republican national platform of 1884 contained these words:

> We call upon Congress to remove the burdens under which the American shipping has been depressed, so that it may again be true that we have a commerce that leaves no sea unexplored.

Every Republican national platform from that day to this has contained similar expressions, the only difference being that in each succeeding platform the party has been more explicit and more pronounced in favor of the rehabilitation of our merchant marine. The Republican national platform of 1904, upon which every Republican Member of the present Congress was elected, declared:

> While every other industry has prospered under the fostering aid of Republican legislation, American shipping engaged in foreign trade in competition with the low cost of construction, low wages, and heavy subsidies of foreign governments, has not for many years received from the Government of the United States adequate encouragement of any kind. We therefore favor legislation which will encourage and build up the American merchant marine, and we cordially approve the legislation of the last Congress which created the Merchant Marine Commission to investigate and report upon this subject.

It has been said that this plank in the platform does not commit the party to a mail subsidy. That is true. And yet the only act that has been passed by the Republican party, the only act that has been supported by a Republican President in the last twenty-five years has been a mail subsidy. The act of 1891 was a mail subsidy pure and simple. This act is simply an amendment of that act, a continuation and an extension of the principle laid down in the act of 1891. It is not sufficient for us to say that we might, perhaps, favor discriminating duties, return to the old policy that was followed at the beginning of our country, under which we built up our magnificent merchant

marine. We must not lose sight of the fact that if we should do that we would meet two or three serious objections. I might say in passing when I began my study of this question I thought the solution of the problem was to impose discriminating duties. I thought that would restore our commerce on the high seas and would furnish the proper remedy. The more I studied the question the further I got away from that idea. In the first place, we have something like forty-seven special treaties that we have negotiated with foreign countries.

The moment we passed a law here imposing discriminating duties on goods carried in foreign bottoms we would abrogate every one of those forty-seven treaties. By that act we would disturb, to the greatest possible degree, our international trade. We would involve ourselves in controversy with countries that are to-day our friends, countries with which we have the most friendly commercial relations. The abrogation of these treaties without notice would surely endanger and jeopardize these amicable conditions. That is a serious proposition, to my mind. And another objection is that 47 per cent of our imports to-day come in duty free. Would you impose a discriminating duty on those goods that come in duty free? That would not do; and if you expect to raise sufficient revenue to build up our merchant marine by maintaining discriminating duties upon those goods that are dutiable it would not furnish sufficient support to be of any value. Not only that, but the countries to which these lines are to run now have between 80 and 90 per cent of their exports that come to this country duty free. So you can see at once that in undertaking to build up our merchant marine by discriminating duties you at once meet insurmountable obstacles.

The platform adopted by the Republicans of my district when I first ran for Congress in the summer of 1905 and again last fall indorsed the Republican national platform of 1904. When the Republicans of my district adopted that platform and indorsed the national platform of 1904 I believe that they meant to adopt the plank relating to the merchant marine. If they had no such intentions, they certainly would have made an exception to this plank. I believe that a party platform means something. When my party platform pledges certain legislation, I believe that it is the solemn duty of the men elected upon that platform to redeem those promises. [Applause.] After having been elected upon a platform, we have no right after election to repudiate any of the pronouncements of the platform upon which we made our campaign. I can not understand now, after the election, how Members of this Congress can go back to their constituents and say we voted to repudiate one of the planks of our platform. I do not understand by what philosophy you can now, a year after the election, elect on your own motion to make an exception to this plank any more than any other. I feel that I am just as much bound to vote to carry out the plank in the platform relating to the merchant marine as any other plank in that platform. I propose to do so, at any rate, until the people of my district in convention assembled make known to me that they are opposed to any of the provisions of the platform upon which I was elected. [Applause.]

Benjamin Harrison, in his first message to Congress, December 3, 1889, made the following recommendation:

> I recommend that such appropriation be made for ocean mail service in American steamships, between our ports and those of Central America, China, Japan, and the important islands in both of the great oceans, as will be liberally remunerative for the service rendered and as will encourage the establishment and in some fair degree equalize the chances of American steamship lines in the competition which they must meet.

As a result of the recommendations of President Harrison and in compliance with the Republican national platforms of 1884 and 1888, Congress passed a mail subvention law, which was approved March 3, 1891. Under this law the Postmaster-General entered into contracts with steamship companies for carrying the foreign mail, which entailed the expenditure of one million four hundred and forty thousand and some odd dollars per year. Commenting on this act in his last annual message, December 6, 1892, President Harrison said:

> I have felt, and have before expressed the feeling, that this condition of things was both intolerable and disgraceful. A wholesome change of policy and one having in it much promise, as it seems to me, was begun by the law of March 3, 1891. Under this law contracts have been made by the Postmaster-General for eleven mail routes. The expenditure involved by these contracts for the next fiscal year approximates $954,123.33. As one of the results already reached, sixteen American steamships of an aggregate tonnage of 57,400 tons, costing $7,400,000, have been built or contracted to be built in American shipyards. * * * No subject, I think, more nearly touches the pride, the power, and the prosperity of our country than this of the development of our merchant marine upon the sea. If we could enter into conference with our competitors and all would agree to withhold government aid, we could perhaps take our chances with the rest, but our great competitors have established and maintained their lines by government subsidies until they now have practically excluded us from participation. In my opinion, no choice is left to us but to pursue, moderately at least, the same lines.

In his first inaugural address, March 4, 1897, President McKinley said:

> Commendable progress has been made of late years in the upbuilding of the American Navy, but we must supplement these efforts by providing as a proper consort for it a merchant marine amply sufficient for our own carrying trade to foreign countries. The question is one that appeals both to our business interests and the patriotic aspirations of a great people.

In each of his four annual messages to Congress President McKinley repeated his recommendations for the encouragement of the merchant marine. In the last message President McKinley ever delivered to his countrymen, on that memorable occasion at Buffalo, September 5, 1901, he made his last appeal in behalf of the merchant marine in these words:

> One of the needs of the times is direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in advantage to having the thing to sell is to have the convenience to carry it to the buyer. We must encourage our merchant marine. We must have more ships. They must be under the American flag, built and manned and owned by Americans. These will not only be profitable in a commercial sense; they will be messengers of peace and amity wherever they go.

In his first message to Congress, December 3, 1901, President Roosevelt took up the theme of his illustrious predecessor and launched forth in these words:

> Ships work for their own countries just as railroads work for their terminal points. Shipping lines, if established to the principal countries with which we have dealings, would be of political as well as commercial benefit. From every standpoint it is unwise for the United States to continue to rely upon ships of competing nations for the distribution of our goods. It should be made advantageous to carry American goods in American-built ships.

In his six annual messages to Congress President Roosevelt has repeated this recommendation. He is so deeply interested in this matter that he felt called upon to send a special message to Congress urging the passage of the pending bill January 23 last. In this message he used this language:

> Our shipping in South American ports is almost a negligible quantity; for instance, in the year ending June 30, 1905, there entered the port of Rio de Janeiro over 3,000 steamers and sailing vessels from Europe, but from the United States no steamers and only seven sailing vessels, two of which were in distress. One prime reason for this state of things is the fact that those who now do business on the sea do business in a world not of natural competition, but of subsidized competition. State aid to steamship lines is as much a part of the commercial system of to-day as state employment of consuls to promote business. Our commercial competitors in Europe pay in the aggregate some twenty-five millions a year to their steamship lines—Great Britain paying nearly seven million. Japan pays between three and four millions. By the proposed legislation the United States will still pay relatively less than any one of our competitors pays. Three years ago the Trans-Mississippi Congress formally set forth as axiomatic the statement that every ship is a missionary of trade, that steamships work for their own countries just as railroad lines work for their terminal points, and that it is as absurd for the United States to depend upon foreign ships to distribute its products as it would be for a department store to depend upon wagons of a competing house to deliver its goods. This statement is the literal truth.
>
> Moreover, it must be remembered that American ships do not have to contend merely against the subsidization of their foreign competitors. The higher wages and the greater cost of maintenance of American officers and crews make it almost impossible for our people who do business upon the ocean to compete on equal terms with foreign ships unless they are protected somewhat as their fellow-countrymen who do business on land are protected. We can not as a country afford to have the wages and the manner of life of our seamen cut down; and the only alternative, if we are to have seamen at all, is to offset the expense by giving some advantage to the ship itself.

Thus it will be seen that every Republican national platform adopted within the last twenty-two years has pledged our party to legislation that would restore America's lost prestige in the foreign carrying trade of the world.

President Harrison, President McKinley, and President Roosevelt have all urged the passage of such legislation not once, but a number of times; in fact we find that appeal in not only their inaugural addresses, but in every one of their annual messages to Congress. Our party is committed to this policy. All of our great statesmen have been its faithful advocates. When it comes to matters of this kind, and I find that my party in her national platforms has been promising the people relief along this line, and I find that all of our great statesmen of the day; all of the men who shape the policy of the country; all of the men who have taken a conspicuous place in our national affairs for the last quarter of a century have been exponents of this policy, I feel that I am in good company when I raise my voice in behalf of such a measure. [Applause.]

It is claimed by some that it is a trust measure; that the appropriations under this act will find their way into the coffers of Mr. Hill, of Mr. Harriman, and of Mr. Gould, or some other of the great trust magnates of the country. I do not believe that Presidents Harrison and McKinley, great statesmen as they were, faithful and loyal to the people's trust, would urge the enactment of legislation that would carry benefit to the swollen fortunes of the United States at the expense of the general public. One of the strongest advocates of this legislation is the present Chief Executive. Certainly no one can charge President Roosevelt with desiring to enrich and fortify the great

trusts that he has been trying to make amenable to the law. The present Chief Executive has done more toward destroying monopoly and eliminating the abuses of corporate wealth than all the other men in the country combined. I can not for a moment believe that to-day he is ready to turn his back upon his past record and advocate a policy that will result in destroying all of the beneficient legislation, administration, and example that he has given the people since he became President. The charge that this legislation is for the benefit of the trusts is untrue. If it were true, President Roosevelt would not be for this bill. If I thought that this charge were true, I should oppose this bill if I stood all alone. On the contrary, I believe that this legislation will be beneficial to the whole country. I shall cast my vote for this bill with a clear conscience, believing as I do that it is a fulfillment of my party's pledge to the people, and in entire harmony with the policy of protection in which I believe with my whole heart. [Prolonged applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MANN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PENROSE, Mr. FLINT, and Mr. DANIEL as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes, disagreed to by the House of Representatives, had agreed to the conferenec asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. PENROSE, Mr. PROCTOR, and Mr. CLAY as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 24134. An act providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation in Colorado; and

H. R. 4586. An act for the relief of Mrs. R. E. Miller.

SUBSIDY BILL.

The committee resumed its session.

Mr. LEGARE. Mr. Chairman and gentlemen of the House, it must be very evident to the average mind that the framers of this bill have fallen far short of the intent and purpose of the original promoters of ship subsidy. It has been urged from time to time by the early advocates of subsidy that American ships should be subsidized because it was necessary, first, to build up the national defense by furnishing a large number of vessels for use and a naval reserve from which to draw in time of war, and, second, to build up our foreign commerce. This bill does neither, and yet it is before us for discussion under the caption "to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce." A bill was passed by the Senate with this title and sent to us for consideration. Of this bill nothing remains but the caption to which I have referred.

The bill reported by the House committee and now under discussion has never been offered in this House, it has never been carefully considered and discussed by the Committee on Merchant Marine and Fisheries, and no arguments for or against it have ever been made before the committee. It comes before us shorn of such features as would tend to make it desirable to the original champions of ship subsidy, gorged with such features as tend to make it all the more abhorrent to those of us who are opposed to subsidies of any nature. It will be my endeavor, therefore, to show that it will not "promote the national defense;" that it will not "create a naval reserve;" that it will not "establish American ocean mail lines to foreign markets;" that it will not "promote commerce;" that it will be a foolish and wasteful expenditure of moneys of the Government, and that the whole thing is wrong in principle and an abuse of the power and authority vested in us not by the Constitution, but by the American people, who have intrusted us with the shaping of the conduct and future of our country.

Once place this law upon our statutes, and it will sink its fangs deep into the arteries of our Treasury and remain a fixture, annually sapping and sucking the lifeblood of our Government.

Already we are expending hundreds of thousands of dollars uselessly and carelessly in this manner. We are now paying the New York and Cuba Mail Line $204,000 for carrying the mail, under the act of 1891, from New York to Cuba and Mexican ports. Mr. Smith, an officer of that line, admitted in his testimony before the Merchant Marine Commission that if the mail had been hay and charged for at the price charged for carrying hay the company would have received $500 for the year's service. In other words, we are paying $204,000 for that which if carried at commodity rates would have earned but $500. We are here as representatives of the greatest, the most intelligent, and the most independent nation on the face of the earth. The American people are always ready and willing to pay a just and proper remuneration for a service rendered. They believe the "laborer is worthy of his hire." They are willing to pay the highest price for that service which is honestly and truly rendered, but they are unalterably opposed to paying even the lowest price for that which they do not receive. And they are unquestionably opposed to giving the shipowner a gratuity for running his business. The vast majority of the people of this country abhor the very idea of helping great corporations to further unearned dividends.

To-day millions of bushels of wheat are rotting in the West for want of transportation, while people are crying aloud for flour in other sections of the country. In the South thousands of packages of field produce yearly decay because of a lack of railroad transportation. Thousands of people are shivering with cold all over this land because the railroads fail to carry the coal. The railroads say we lack a sufficient number of cars to meet the demand, and that there is a car famine in the land. Would anyone dare say on the floor of this House that we should subsidize these railroads and so swell their annual incomes as to force them or help them to buy new cars? And why not? They carry our commodities of commerce; they carry our mail; they carry our people, and they are possibly the greatest of all factors necessary and essential to the welfare and maintenance of our prosperity. Then why not help them? Why not pour the funds of the Government into the coffers of the railroads, just as it is here proposed to do with the ocean carrier? Why? Simply because the people are more in touch with the railroads and the railroad situation generally. They better understand and appreciate the conditions, and the Members of this House would not dare to enact such law. But they have placed an ear to the ground and have begun to protest against this legislation. They have always been and are to-day too deeply interested in the upbuilding and development of their domestic and foreign trade to care very much about the vessel or the flag that carried it on the high seas. And if foreigners can carry our goods at rates less than American shipowners, the American people are content to let them do so. They never have been and they never will be willing to be taxed in order to put the flag on ships that may and may not carry their goods as cheaply as they are now carried.

That great producer of American idea and thought, the Review of Reviews, in its issue for February, 1907, says:

> However desirable on many accounts it would be to see the American flag flying in all parts of the earth, the time is not yet opportune or ripe for the extensive establishment of an American merchant marine. Our capital and labor are still engaged in the highly profitable task of developing the resources of North America. Our foreign trade is important, but it is only incidental to the vast volume of our domestic trade. It is not to our loss, but rather to our great benefit, that the maritime dwellers of Europe, with relatively poor business on land, are compelled to make their living by doing ocean freighting at low prices. Until we have capital enough available for our most necessary and lucrative railroad improvements, our money and our energy will not be diverted to ocean transportation merely for the sentimental pleasure of seeing our flag fly.

And the Review of Reviews is correct.

Our people are reaching out for trade, and they are justly proud of the showing they have been able to make. They have gone to every quarter of the habitable globe for trade, and they have found it, while a few American shipowners sit idly by and cry for help.

One of the grandest achievements in American history has been the development of our enormous foreign and domestic trade, and it is a most pitiable thing to contemplate how little the American shipowner has contributed to that end.

The foreign trade of America has been built up with the assistance of our foreign friends, foreign buyers, and foreign shipowners. Our people have produced the goods and have found markets for them, while foreign shipowners have come to their

rescue, carrying the trade to all parts of the world. Our shipowners have failed to interest themselves in this great question of foreign trade. They have permitted the prize to slip through their fingers, and to-day, when American enterprise, and vim, and push, and brain, and energy have created a trade of $3,000,000,000 per annum, a trade which pays foreigners from $150,000,000 to $200,000,000 each year, they suddenly rise up and cry, "Where is the American marine?" And we answer "Where?" These gentlemen must answer this question for themselves. But the answer of the American people is: "Look at our foreign trade, built up by grit and enterprise, and without your assistance or the assistance of subsidy of any kind."

The Department of Commerce and Labor shows that for the year ending December 31, 1906, the foreign trade was as follows:

| | |
|---|---|
| Sold during the year | $1,798,247,943 |
| Bought during the year | 1,320,609,250 |
| Total | 3,118,857,193 |

And we have paid to foreigners for carrying this not exceeding $200,000,000.

These marvelous results have been worked out by American enterprise and the increased profits resulting from the cheap carriage given us by foreign vessel owners.

If foreign capital is willing to contribute its full share to the greatness of America's trade, then why should we as Americans object to their doing so. And more especially why should we pay subsidies to corporations that have contributed nothing to the trade itself, but are now before a prosperous people asking, yea, demanding contribution and alms under false pretenses. Our foreign trade has not been built up by guaranteed profits through bounties or subsidies. It has not grown to its present proud position of strength by reason of any governmental guaranty of losses. Our exporters and importers have launched out into the world at large, battling righteously and heroically for trade. Wherever conditions seemed favorable they wended their way, winning at times and losing at others; on and ever on, winning or losing, never stopping, never asking for Government aid or recoup of losses or bounty or subsidy. They have won their fight and are entitled to the unlimited praise and admiration of the entire world. It is urged that subsidies have proved beneficial when tried. It seems to me that actual demonstration and result have shown just to the contrary. Germany has outstripped all countries in the advancement of her shipping interest. She has made wonderful strides in the development of her ships and shipping, and yet it can be easily shown that this unequaled pace is certainly not the result of subsidy and assistance.

The Hamburg-American Packet Company, possibly the greatest line in the world, has forged its way to the foremost position among the navigation companies of the world without subsidy. To the contrary, it receives but little for carrying the mail. Most of its vessels are not of the speed class used for this purpose. Next in magnitude and importance is the North German Lloyd. On its most important and most profitable north Atlantic lines this company is paid by weight for the mail carried, and receives absolutely nothing that can be construed as bounty. On the other hand, one of the most unsuccessful navigation companies of Germany, practically the only company that did not pay a dividend in 1906, is the German East African Line, and this company is paid $320,000 a year by the German Government as a subsidy in order to keep up a connection between its east African colony and Hamburg. The German Australian Steamship Company, the Hamburg South American Steamship Company, the "Kosmos" Line, and the "Hausa" Line are all flourishing and prospering and paying splendid dividends without the assistance or aid of the Government.

As a matter of fact, Germany, the foremost of nations in the shipping business, has done and is doing less by way of subsidy for her shipping than most of the great nations of the world. And not only is this true, but the most prosperous of her navigation companies are those that receive least assistance. And this experience holds true in other countries.

Germany pays $2,143,000 for carrying the mails; France pays $9,200,000 in construction and steaming bounties and for mail transportation. She pays $5,200,000 for postal subsidy; more than twice as much as Germany, and yet there is no comparison between the shipping of the two countries. The one is as a pigmy beside the other. In fact, there is nothing of magnitude, greatness, or competency in the shipping of the French Republic to excite the admiration or envy of any other nation or people, despite this enormous yearly expenditure for bounty.

Is it possible to compare the shipping of Italy with that of Germany? No. And yet Italy pays by far the greatest amount of subsidy, $2,000,000 being paid to one company alone, in the form of a mileage bounty. Austria pays, proportionately, far more than Germany, and her navigation companies are far less successful; in fact, there is no comparison between the two. And so with other countries. What of this country? Last year we paid nearly $3,000,000. And where is our merchant marine? How many new vessels built? Absolutely nothing to show for it. I say, then, that Germany leads the world, standing forth boldly as monumental evidence of self-help and self-advancement, free from Government aid.

Again, the bill is bad as a mail proposition strictly. Subsidies are paid by England for fast mail service, and this bill proposes to pay for slow services.

The English contracts demand ships making from 18 to 26 knots, while this bill provides they shall make from 14 to 16 knots. England pays for rapid communication by subsidizing the owners to the excess of cost for making rapid communication over the cost for slower mercantile demands. Cargo ships only need a rapidity of from 12 to 16 knots. If the Government needs a greater swiftness for mails, let the Government make up the difference in contract work.

This bill pays far higher rates for slow delivery than England pays for the most rapid delivery.

In the report of the Commissioner of Navigation for 1903, page 267, will be found England's rates for rapid delivery. A comparison of the rates with those proposed by the bill will show readily that though the contention of the advocates of subsidy is correct, even in that event the bill is wrong and we would be paying too much.

I quote the following table of equivalents made by a parliamentary committee, adopting the principle of an annual payment for ten years, based upon estimates of the first cost of ships having a speed of from 20 to 26 knots an hour:

| Average ocean speed. | First cost of building. | Engine power. | Annual subsidy. | |
|---|---|---|---|---|
| | | *I. H. P.* | | |
| 20 knots | £350,000 | 19,000 | £9,000 | $45,000 |
| 21 knots | 400,000 | 22,000 | 19,500 | 97,500 |
| 22 knots | 470,000 | 25,500 | 40,500 | 202,500 |
| 23 knots | 575,000 | 30,000 | 67,500 | 337,500 |
| 24 knots | 850,000 | 40,000 | 110,500 | 552,000 |
| 25 knots | 1,000,000 | 52,000 | 149,000 | 745,000 |
| 26 knots | 1,250,000 | 68,000 | 204,000 | 1,023,000 |

Thus it will be seen that progress from 20 to 24 knots involves doubling the initial cost and the engine power. Each additional knot is only obtained at a rapidly progressing increase of cost. And because the Government demands this additional knotage for its own purpose and rapid communication by mail, it is but right that the shipowner should be paid an equalizing differential to make up for the Government demands over ordinary mercantile demands. But what can be said of this bill that proposes to subsidize on a scale even greater than these figures for vessels having a speed in no case exceeding 16 knots? The claim that England subsidizes her fast mails, and that if we hope to keep up with the procession we must also subsidize, crumbles and falls before this bill. It does not furnish us rapid communication, nor are we demanding of shipowners such a difference in the initial cost of their vessels for governmental purposes as to make an equalizing differential necessary. It simply subsidizes cargo ships. If it be claimed that the initial cost of American vessels is 25 per cent more than the initial cost of English vessels, a thing not proved as to 14 and 16 knot ships, these subsidies may be increased 25 per cent and then not make half the amount this bill proposes to give. If $45,000 is a good equalizer for a 20-knot English-built ship, allowing 25 per cent difference for American-built ships, $56,250 ought to meet every demand for an American subsidy. To be generous, however, and for sake of argument, we will make the subsidy for 20-knot American-built ships $75,000. For two of them, enough to do the business required by each of the services of the bill, the subsidy would be $150,000. Each of the subsidies of this bill runs from $300,000 to $800,000. The very mention of these figures is enough to show their preposterous nature when based upon 20-knot ships. How absolutely wild, then, do they become when based on ships having a speed from 14 to 16 knots.

England contracts for less than these table rates. In the matter of the two new Cunarders, 26-knot ships, the table would demand £204,000 subsidy for each ship. The post-office department of England secured both ships for £150,000, or $750,000, per annum.

Under the law of 1891 we now have a contract with the International Mercantile Marine Company to carry the mails from New York to Southampton, the compensation being in 1906

$762,638, and the fastest ships make but 20 knots. Under the British table of equivalents the subsidy should be for four vessels, 20 knots, £9,000, or $45,000, each, or $180,000. Thus we give the slow ships $582,000 a year just to "see the flag fly."

Granting that American ships cost 25 per cent more than English ships, then the table of equivalents would be about £11,500 for a 20-knot ship, or $57,500, or $230,000 for the Southampton service, as against $762,638 actually paid. I refer you to the Report of Superintendent of Foreign Mails, 1906, page 6.

The excess of contract or subsidy service paid in 1906 over what we should have paid at full sea and inland postal rates was $393,559 in a total of about $1,500,000 contracts, or about 40 per cent more.

Mail service from New York to La Guaira cost $17,742 more than faster ships would have carried it for.

Excess from New York to Tuxpan, Mexico, was $104,934; excess from New York to Habana was $69,736; excess from Boston, Philadelphia, or New York to Jamaica was $103,909; excess from San Francisco to Australia, $167,447; excess from San Francisco to Tahiti was $41,152. These figures can be found in the Report of Superintendent of Foreign Mails, 1906, page 22.

Again, the mail can be carried at less than full rates of sea and inland postage. Steamers of foreign register are allowed 44 cents per pound for letters and 4½ cents per pound for other matter. (See Report Superintendent of Foreign Mails, 1906, p. 6.)

Calculating at 44 cents for letters and 4½ cents for other matter on the matter carried on the contract routes set out on page 22 of the Report of the Superintendent of Foreign Mails for 1906, we obtain the following:

| | |
|---|---|
| Route 36, New York to La Guaira: | |
| 16,051 pounds of mail, at 44 cents | $7,063 |
| 248,637 pounds of other matter, at 4½ cents | 11,188 |
| Total | 18,251 |
| Paid subsidy | 63,315 |
| Excess | 45,064 |

Or two and one-half times what the carriage could have been obtained for easily.

| | |
|---|---|
| Route 37, New York to Maracaibo: | |
| 2,835 pounds of mail matter, at 44 cents | $1,247 |
| 59,561 pounds of other matter, at 4½ cents | 2,680 |
| Total | 3,297 |
| For which we paid | 45,840 |

Now, then, to pay out $41,913 to carry $3,927 worth of mail after twelve years of service certainly shows that mail subsidies do not build up a foreign trade. These contracts began in 1892.

ROUTE 37, NEW YORK TO SOUTHAMPTON.

On this route there is never any trouble about picking up a fast foreign vessel at any time. And yet the superintendent of foreign mails must wait for the regular sailing days of the contract lines. Letters are held at from one to three days on this score, to the detriment of the business of the country. Let me illustrate:

| | |
|---|---|
| 449,194 pounds of mail, at 44 cents | $197,645 |
| 2,397,901 pounds of other matter, at 4½ cents | 107,906 |
| Total | 305,551 |

Now, then, we paid for this service in 1906, $762,638, or an excess of $457,089.

Foreign and faster ships would have taken the mails to England for $305,551. Under our contract we had to pay $762,638. Is this good business policy? Is it good sense?

It is easy to make the other calculations for routes Nos. 69, 70, 74, 75, and 76, which when made will show that while our mails can be carried for $600,000 per annum we pay under subsidy contracts about $1,500,000, without increasing trade or building a merchant marine.

Great Britain paid for her fast mail service with all the world—and it was fast mail and it went everywhere—£676,170, or $3,380,850.

We paid in 1906 about $3,000,000 for slow service to a part of the world, and this bill proposes to add $3,500,000 more, making a total of about $6,500,000 for a service on ships running from 14 to 20 knots, and still not get to near all of the world, as England does. (See Report of Commissioner of Navigation for 1906, p. 206.)

Again, the initial cost of the two new Cunarders, 26-knot ships, will be about $13,000,000. Good 14-knot mail ships can be bought for $600,000. In other words, the cost of the two fast subsidized English steamers would buy about twenty-two brand new steamers of the kind we propose to subsidize at rates higher than England pays the marvelously rapid communication vessels. We have been paying $1,500,000 for more than ten years—about fourteen years. In ten years we have paid out $15,000,000, or more than enough to have bought and equipped two better ships than the new Cunarders. This sum—$15,000,000—was enough to buy twenty-five slower—14-knot—ships. Why not authorize the Post-Office Department to buy twenty-five 14-knot ships, or twenty 16-knot ships, or ten 20-knot ships, and run our ocean mail service as we run our Navy? A word more and I am done.

We are told that this bill will create a naval reserve. I say to you that if the bill becomes a law and its provisions are enforced it will tend to create one of the most drastic forms of slavery the world has ever known. It will be to place enlisted men at the mercy of the ordinary sea captain and subject them to all the brutality and hardships of such a life for a term of years. It is hard enough for the poor devil who follows the sea to stand it under existing customs. But his burdens are made lighter and his labors less burdensome because he is still a free man and ships from port to port. But one can readily imagine the horrors of a four years' enlistment in such a life as this. Instead of creating a naval reserve it will tend to injure and mar the naval service, for men will hesitate to enlist in the service immediately this bill becomes a law, and so soon as the nature of this service becomes known they will shun the very thought of it.

All in all the bill is bad. It is drastic and wrong. Wrong in fact and wrong in principle. It is contrary to every principle of our republican form of government, a blow at Anglo-Saxon liberty, a wasteful expenditure of Government funds, and against the will and wishes of the American people, and it should be killed.

Mr. GOULDEN. I yield five minutes to the gentleman from Illinois [Mr. RAINEY] to allow him to answer the question that the gentleman from Nebraska [Mr. POLLARD] declined to allow him to answer in his time.

Mr. RAINEY. Mr. Chairman, the gentleman from Nebraska [Mr. POLLARD] propounded this question, looking over in this direction, and said, in substance, "Can anyone explain why our merchant marine commenced to fade away from the seas about the year 1860, when prior to that time it had been such an important factor in commerce upon the high seas?"

The question is not a difficult one to answer. Prior to that time we had free raw material for ships, because prior to that time ships were built out of wood, and our forests were full of material free to anybody who wanted to take it. Early in the last century they commenced to roll iron in England, and as soon as they did that persons and firms engaged in that business in this country insisted upon a tariff against the rolled iron of England in order that they might continue hammering out iron until their establishments fell into decay.

They got a tariff that was exclusive, and they continued to hammer out iron until, in 1855, the first iron Cunarder plunged across the Atlantic Ocean, and it became apparent at once that the ship of the future would be an iron ship. But our factories, protected by a protective tariff, had been hammering iron. They were not prepared to roll iron, and so, with our mountains full of iron ore, we were unprepared to build iron ships. For sixty years England had been rolling iron, and she commenced to build iron ships, and our supremacy upon the high seas commenced to fade away at once. It was on account of the fact that we had no free raw materials for ships. It was on account of the pernicious effect of the protective tariff. We are building to-day more wooden ships than any other nation in the world. We are building to-day more wooden ships than we ever built, but wooden ships are obsolete on all the seas of the world except in our coastwise trade, and these benevolent navigation laws, supplementing the high protective system of this country, exclude from competition with our own vessels the iron vessels owned by citizens of other nations. So, as a result of the fact that we were not prepared to roll iron in 1860 and that our navigation laws keep the iron ships of England from competing in our coastwise trade, we have in our coastwise trade a fleet of worthless vessels, wooden vessels nearly all of them, adding nothing to the commercial importance of this country and doing us no good in time of war.

Mr. GROSVENOR. Mr. Chairman, there being no further desire for debate at this time, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURRIER, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 529, the ship subsidy bill, and had come to no resolution thereon.

PRIVATE BILLS.

Mr. DALZELL. Mr. Speaker, I renew the request that I made this morning for unanimous consent that the order that I send to the Clerk's desk be adopted.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the following order, which the Clerk will report, may be considered as agreed to. The Clerk will report the order.

The Clerk read as follows:

Order No. 11.

*Ordered*, That hereafter during this session a motion to consider in the House, as in Committee of the Whole House, bills on the Private Calendar of the classes hereinafter described shall have the same privilege as is given by the rules on Fridays to motions to go into Committee of the Whole House to consider bills on the Private Calendar:

All bills not objected to after five minutes' explanation thereof reported from committees other than the Committees on Pensions, Invalid Pensions, Claims, and War Claims, excepting bills proposing to confer jurisdiction on the Court of Claims.

The SPEAKER. Is there objection?

Mr. SULLIVAN. Mr. Speaker, reserving the right to object, the wording of the rule is somewhat complicated, and will the gentleman from Pennsylvania kindly explain it?

Mr. DALZELL. The gentleman from Massachusetts will recollect that at the last session of Congress we disposed of a large number of bills on the Private Calendar under an order similar to this.

Mr. SULLIVAN. Private claim bills?

Mr. DALZELL. No; bills on the Private Calendar other than the bills that come from the Committee on War Claims, the Committee on Claims, the Committee on Invalid Pensions, and the Committee on Pensions. Those are excluded, and there are also excluded bills proposing to confer jurisdiction on the Court of Claims. All other claims on the Calendar coming from other committees are subject to consideration under this rule unless after an explanation of five minutes there is objection.

Mr. SULLIVAN. Upon explanation being requested and objection made, the objection will be decisive?

Mr. DALZELL. Yes.

Mr. SULLIVAN. I have no objection.

Mr. BONYNGE. Mr. Speaker, I want to ask the gentleman a question. As I understood the reading of the order, bills coming from the four committees the gentleman has mentioned are excluded, except bills that transfer those claims to the Court of Claims?

Mr. DALZELL. No; those are excepted also.

The SPEAKER. The Chair hears no objection, and the order will be considered as agreed to.

GRANT OF CERTAIN LANDS TO DURANGO, COLO.

Mr. BROOKS of Colorado. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8435) granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the following-described tract of land situate in suspended townships 38 north, range 6 west, and 38 north, range 7 west, New Mexico principal meridian, in La Plata County, Colo., within the San Juan Forest Reserve, to wit: Beginning at the corner No. 1, at the junction of Missouri Gulch with the Florida River, running thence north 20° and 7′ east 4,900 feet to station No. 2; thence north 77° and 2′ east 1,060 feet to station No. 3; thence north 8° and 24′ east 2,400 feet to station No. 4; thence north 7° and 28′ west 4,600 feet to station No. 5; thence north 10° and 23′ east 5,400 feet to station No. 6; whence corner No. 1, reservoir No. 3, or Lake Lily, bears south 50° and 7′ east 1,200 feet; from said corner No. 1, Lake Lily, the monument on Mount Valois bears south 23° and 10′ east 4,792.6 feet; United States location monument Tempest bears south 31′ east 2,896 feet; thence from station No. 6, aforesaid, north 87° and 31′ east 1,550 feet to station No. 7; thence south 38° and 37′ east 3,300 feet to station No. 8; thence south 84° and 30′ east 2,700 feet to station No. 9; thence south 33′ east 4,000 feet to station No. 10; thence south 30° and 24′ east 2,500 feet to station No. 11; thence south 77° and 26′ east 3,200 feet to station No. 12; thence south 43° and 51′ east 1,750 feet to station No. 13; thence south 5° and 58′ west 2,250 feet to station No. 14; thence south 44° and 17′ west 2,000 feet to station No. 15; thence south 77° and 31′ west 4,800 feet to station No. 16; thence south 54° and 45′ west 3,300 feet to station No. 17; thence north 87° and 27′ west 6,400 feet, more or less, to station No. 1, the place of beginning; including those four certain reservoirs claimed or occupied by said city of Durango, known as reservoir No. 1 or upper park reservoir; reservoir No. 2 or Santa Maria Lake; reservoir No. 3 or Lake Lily, and reservoir No. 4 or Lakeside Lake, subject to any former grant or conveyance affecting said lands, be, and the same are hereby, granted and conveyed to the city of Durango, county of La Plata, and State of Colorado, to have and to hold said lands to its use and behoof forever for the purposes of water storage and supply of its waterworks and the protection of its water supply, and for such purposes said city shall forever have the right in its discretion to control and use any and all parts of the said premises herein granted and conveyed in the construction of reservoirs, conduits, and flumes, and in the laying of pipes and mains and in making such improvements as may be necessary to store, utilize, protect from pollution, and enjoy the waters contained in any natural or constructed reservoir, basins, or waterways upon said premises: *Provided*, That the city of Durango shall pay for said land the sum of $1.25 per acre: *Provided further*, That the Forest Service of the United States Department of Agriculture shall have full power to patrol the said lands and to protect them from fire and trespass: *Provided further*, That the Forest Service may dispose of the timber upon the said lands, except so much thereof as may be growing within 100 feet from the margin of any natural or constructed reservoir or of the main creeks within the said boundary flowing into such reservoirs under such additional rules for lumbering, to protect said waters from pollution, as shall be prescribed by the Forester and approved by the mayor of the city of Durango: *And provided further*, That if said city shall fence all or any part of said lands it shall provide practicable gates in such fence at points to be designated by the supervisor of the San Juan Forest Reserve.

SEC. 2. That if the said city of Durango shall, at any time hereafter, abandon the lands above described and cease to use the same for said purposes said above-described lands shall revert to the Government of the United States.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Colorado what committee this comes from?

Mr. BROOKS of Colorado. From the Committee on the Public Lands.

Mr. WILLIAMS. Is it a unanimous report?

Mr. BROOKS of Colorado. It is a unanimous report.

Mr. NEEDHAM. I would like to ask the gentleman a question. Why is it necessary to have this legislation—why can not they get the lands under the act of February 15, 1901?

Mr. BROOKS of Colorado. Because this land is desired to protect the watershed of the municipal reservoir of the city of Durango, and the control of the adjacent land is desired, for which they pay a price of $1.25 an acre.

Mr. NEEDHAM. The city wants the land to protect the water?

Mr. BROOKS of Colorado. Yes; in addition to the maintenance of the reservoir we desire to protect the watershed around it, which has heretofore been the subject of pollution.

Mr. NEEDHAM. What is the value of the land?

Mr. BROOKS of Colorado. The land is rocky and of no considerable value except for this purpose.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BROOKS of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

CUSTOMS BOARDING BOAT FOR GALVESTON, TEX.

Mr. GREGG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 7684) to provide and maintain for the port of Galveston, Tex., a customs boarding boat.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That there shall be provided for the port of Galveston, Tex., a motor boarding boat, and that the sum of $35,000, or so much thereof as may be necessary for this purpose, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, The Secretary of the Treasury may use said boat at any other customs port in the United States, as the exigencies of the service may require.

The committee amendment was read, as follows:

In line 4 strike out the word "thirty-five" and insert in lieu thereof the word "ten."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. GREGG, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS MISSOURI RIVER AT YANKTON, S. DAK.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8446) to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk and Southern Railway Company, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That section 6 of the act approved March 9, 1904, authorizing the Yankton, Norfolk and Southern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak., as amended by the act approved February 5, 1906, be, and is hereby, amended by extending the time for commencing the construction of said bridge to March 9, 1908, and by extending the time for completing said bridge to March 9, 1910.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. BURKE of South Dakota, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS CUMBERLAND RIVER.

Mr. JAMES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25739) to authorize the Cairo and Tennessee River Railroad Company to construct

bridges across Cumberland River, which I send to the desk and ask to have read, and I ask that the bill as amended be read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Cairo and Tennessee River Railroad Company, a corporation organized under the laws of the States of Tennessee and Kentucky, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto, across the Cumberland River, between Lineport, Stewart County, Tenn., and the Tennessee Rolling Works, Lyon County, Ky., and also to construct a bridge across said Cumberland River between Celina in Clay County, Tenn., and Bakertown, Cumberland County, in the State of Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

SEC. 3. The act of Congress approved March 9, 1906, entitled "An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across Cumberland River" is hereby repealed.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. JAMES, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS TENNESSEE RIVER.

Mr. JAMES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25738) to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River, which I send to the desk and ask to have read as amended.

The Clerk read as follows:

*Be it enacted, etc.*, That the Cairo and Tennessee River Railroad Company, a corporation organized under the laws of the States of Tennessee and Kentucky, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto, across the Tennessee River, between Brandon's mill, in Calloway County, and Birmingham, Marshall County, in the State of Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

SEC. 3. The act of Congress approved March 9, 1906, entitle "An act to authorize the Cairo and Tennessee Railroad Company to construct a bridge across the Tennessee River," is hereby repealed.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JAMES, a motion to reconsider the last vote was laid on the table.

RELINQUISHING LANDS TO UNITED STATES BY STATE OF WYOMING.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and for present consideration of the bill (S. 8534) providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof; which I send to the desk and ask to have read; and I ask unanimous consent that a similar House bill (H. R. 25768), reported by the Committee on Public Lands of the House, do lie on the table.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to take from the Speaker's table the following Senate bill, consider the same, and that a similar House bill lie on the table. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That upon the delivery to the Secretary of the Interior by the State of Wyoming of its properly executed and duly recorded deed or deeds reconveying to the United States of America, in fee simple, certain lands heretofore selected by and certified to said State under the provisions of an act entitled "An act to provide for the admission of the State of Wyoming into the Union, and for other purposes," approved July 10, 1890, to wit: All of sections 10, 22, 24, and 26, township 20 north, range 84 west; all of sections 30 and 32, township 20 north, range 83 west, and all of sections 6, 8, 18, 20, 28, 30, and 32, township 19 north, range 83 west; University lands, approved list numbered 1, February 18, 1881, Cheyenne district; south half of southeast quarter section 30, township 52 north, range 102 west; east half of southwest quarter; southeast quarter of northwest quarter; south half of northeast quarter; northeast quarter of northeast quarter, section 8, township 51 north, range 103 west; northwest quarter of southwest quarter; southeast quarter of southwest quarter; south half of northwest quarter; lot 3 of section 2, township 51 north, range 103 west; north half of south half of section 12, township 51 north, range 103 west; south half of southeast quarter of section 25, township 52 north, range 103 west; northwest quarter of northeast quarter, section 24, township 51 north, range 104 west; east half of northwest quarter, section 11, township 51 north, range 103 west; State charitable, educational, penal, and reform lands, approved list numbered 14, June 3, 1898, Lander district; southeast quarter section 8, township 51 north, range 103 west; all of sections 9, 3, and 1, township 51 north, range 103 west; east half section 4, township 51 north, range 103 west; northeast quarter; southeast quarter section 2, township 51 north, range 103 west; north half section 12, township 51 north, range 103 west; northeast quarter section 11, township 51 north, range 103 west; southeast quarter section 35, township 52 north, range 103 west; southwest quarter section 30, township 52 north, range 102 west; east half section 13, township 51 north, range 104 west; all of sections 31 and 32, township 52 north, range 102 west; Agricultural College lands, approved list numbered 9, March 9, 1899, Lander district; south half of south half northeast quarter of southeast quarter section 29, township 52 north, range 102 west; southwest quarter; west half of east half section 28, township 52 north, range 102 west; west half of southeast quarter section 24, township 51 north, range 104 west; west half of northeast quarter; northwest quarter section 25, township 51 north, range 104 west; south half of south half of northeast quarter; northeast quarter of northeast quarter section 26, township 51 north, range 104 west; miscellaneous State library lands, approved list numbered 14, June 3, 1898, Lander district. The said State shall be authorized and permitted to select an equal number of acres from the unappropriated public lands of the United States in said State in the same manner, for the same purposes, and subject to the same conditions and limitations under which the lands so reconveyed were selected and held.

SEC. 2. That the lands so reconveyed shall be restored to and become a part of the public domain and be subject to disposal by the Government in the same manner in which other public lands of a like character are disposed of.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. MONDELL, a motion to reconsider the last vote was laid on the table.

By unanimous consent, the similar House bill (H. R. 25768) was ordered to lie on the table.

EXTENDING THE TIME FOR FINAL PROOF IN DESERT-LAND ENTRIES.

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 7017) extending the time for making settlement, final proof, and payment on public lands in certain cases, which I send to the desk and ask to have read.

The Clerk read as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time for making final proof and payment for all lands located under the desert-land laws of the United States and for making settlement and final proof under the homestead laws of the United States, in township 13 south, ranges 12 and 13 east; sections 6, 7, 17, 18, 19, 20, 29, 30, and 31, township 13 south, range 14 east; township 14 south, ranges 12 and 13 east; township 15 south, range 12 east; sections 5, 6, and 7, township 15 south, range 13 east; township 16 south, range 12 east; township 17 south, ranges 12 and 13 east; sections 5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, and 21, township 17 south, range 14 east, San Bernardino base and meridian, in the county of San Diego, Cal., settlement, proof, and payment of which has not been made, be, and the same is hereby, extended for the period of two years from the time settlement, proof, and payment would be required and become due under existing laws.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would like to have some explanation of where this is.

Mr. SMITH of California. This is in regard to the California system of irrigation.

Mr. WILLIAMS. Is that the old Salton Sea matter?

Mr. SMITH of California. It is the result of the overflow of the Colorado River. The head works of the California irrigation system was washed out this winter, and now, under the law, they are required to make certain proof in reference to irrigation, which on account of this overflow they will not be able to——

Mr. WILLIAMS. It is merely an extension of time?

Mr. SMITH of California. Yes.

Mr. WILLIAMS. I have no objection.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar bill (H. R. 21567) was ordered to lie on the table.

PUBLIC LANDS FOR CEMETERY PURPOSES.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6229) to authorize the sale of public lands for cemetery purposes.

The SPEAKER. This bill has heretofore been read.

Mr. PAYNE. There are some suggested amendments, and I would like to have the amendments read.

The SPEAKER. The Clerk will report the bill and amendments.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized to sell and convey to any municipal corporation,

religious or fraternal association, or private corporation empowered by the laws under which such corporation or association is organized or incorporated to hold real estate for cemetery purposes, not to exceed 40 acres of any unappropriated nonmineral public lands of the United States for cemetery purposes, upon the payment therefor by such corporation or association of the sum of not less than $1.25 per acre.

The committee amendments were read, as follows:

In line 4, after the word "any," strike out the words "municipal corporation;" in line 8 strike out the word "forty" and insert the word "eighty."

Add as a new provision:

"*Provided*, That the title to any land disposed of under the provisions of this act shall revert to the United States if the land or any part thereof be sold or cease to be used for the purposes herein provided."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FRENCH, the motion to reconsider the last vote was laid on the table.

CEDING CERTAIN LANDS TO COLORADO STATE AGRICULTURAL COLLEGE.

Mr. BONYNGE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15859) ceding certain lands to the Colorado State Agricultural College.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be issued a patent covering the lands hereinafter described, conveying the fee simple title to same to the Colorado State Agricultural College, located at Fort Collins, in the State of Colorado.

SEC. 2. That the legal description of the lands to be covered by said patent is as follows: The northeast quarter of section 12, township 2 north, range 52, State of Colorado.

SEC. 3. That the lands ceded as hereinbefore provided shall be used by the Colorado State Agricultural College for forestry experimental purposes, and if not so used for a period of five years shall revert to the Government of the United States.

The amendments recommended by the committee were read, as follows:

In line 4, after the word "patent," strike out the words "covering the lands hereinafter described, conveying the fee simple title to same," and insert the words "conveying the northeast quarter of section 12, township 2 north, range 52, State of Colorado."

Also strike out section 2 and renumber section 3.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. BONYNGE, a motion to reconsider the last vote was laid on the table.

RELIEF OF HOMESTEAD AND OTHER ENTRYMEN.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The SPEAKER. The Clerk will report the bill.

Mr. MARTIN. The bill was read once before—a day or two ago.

The SPEAKER. The Clerk will report the title.

The Clerk read, as follows:

A bill (H. R. 22588) for the relief of homestead and other entrymen who have been required to pay more than legal fees, commissions, excesses, and purchase money.

Mr. PAYNE. Mr. Speaker, I withdraw the objection if the gentleman will print in the RECORD the letter which he has from the Land Office.

Mr. MARTIN. I have it here.

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would like to have the letter read.

Mr. MARTIN. The letter may be read by the Clerk.

Just one moment. I can explain the bill, and then if the gentleman from Mississippi [Mr. WILLIAMS] desires the letter read it can be read. The present law authorizes the Secretary of the Interior to make restitution to settlers who pay money into the Land Office in connection with the entry of land by accident, or mistake, or erroneous allowance of claims, in almost all cases. This amendment would allow return in an additional class of cases which are not now provided for, which are these: Where on an entry of public land the settler pays to the Land Office more than the required price for that particular class of land. When the mistake is discovered the amount may be adjusted and returned by the Secretary under the amendment here provided.

Mr. PAYNE. I understand that the letter from the Office says that these claims probably will not amount to more than $10,000.

Mr. MARTIN. Yes, sir.

Mr. WILLIAMS. The letter from the land office does what?

Mr. MARTIN. The gentleman from New York [Mr. PAYNE], when the bill was up once before, not long since, said that he thought it covered a very large amount of disbursements from the Treasury, and upon his suggestion I had the Commissioner of the General Land Office write a letter here, which I will have put in the RECORD, and which shows how much, in all probability, would be required by way of disbursements to return to the settlers entitled thereto these amounts, and the letter places the total amount not to exceed $10,000.

Mr. WILLIAMS. How do they pay sums erroneously? By erroneous bookkeeping, or what?

Mr. MARTIN. In the State of South Dakota, when the Sioux Reservation was opened to homestead settlement, there were three classes of land entries. Homestead entries that should be commuted within a certain period would pay $1.25 an acre, then another period, 75 cents an acre, and after that 50 cents per acre. Some of the local land officers, not giving strict attention to this matter, required certain settlers to pay $1.25 where 75 cents should have been paid and in others where 50 cents should have been paid. Those cases would be adjusted under this act. Separate bills now have to be brought in to correct these matters, and they cumber the Calendar. The Department recommends the passage of the bill.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if this is the bill in the same form as it was the other day?

Mr. MARTIN. It is.

Mr. MANN. While I have no objection to passing a bill to relieve the cases which the gentleman speaks of, I am not willing to let the bill pass in general form.

Mr. MARTIN. I very much regret that.

Mr. MANN. The letter from the Land Office does not cover at all the cases that the gentleman has reference to.

Mr. MARTIN. I have studied it very carefully, and I think that the criticism that the gentleman from Illinois [Mr. MANN] made to me, that the amount reported would not cover all classes of cases provided for in the bill, is clearly in error. I think if he would look into it he would be satisfied.

Mr. MANN. I have a great respect for the gentleman's opinion, but I still think as I did.

Mr. MARTIN. The Department says in regard to this class of cases that this money, in fair dealing, ought to be returned to the parties, and I am sure it is equitable and just, and the amounts provided are not large in the aggregate. To each individual settler it means something, of course.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. MARTIN. The following are the letters to which I referred:

DEPARTMENT OF THE INTERIOR,
*Washington, February 15, 1907.*

The CHAIRMAN OF THE COMMITTEE ON THE PUBLIC LANDS,
*House of Representatives.*

SIR: On the 23d ultimo I reported to you on H. R. 25588, entitled "A bill for the relief of homestead and other entrymen who have been required to pay more than the legal fee, commissions, expenses, and purchase money."

I now have the honor to inclose a supplemental report in the premises by the Acting Commissioner of the General Land Office, under date of the 13th instant, called forth by the verbal request of Hon. E. W. MARTIN, who introduced the bill.

The report covers an estimate of the amount that it is thought would suffice to meet the provisions of the amendments to the bill heretofore suggested by the Department.

Very respectfully,
THOS. RYAN,
*Acting Secretary.*

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DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
*Washington, D. C., February 13, 1907.*

The SECRETARY OF THE INTERIOR.

SIR: I have been verbally requested by Hon. E. W. MARTIN, Member of Congress, to report the probable amount required to make repayment as proposed by the amendment to section 2, act of June 16, 1880 (21 Stat. L., 287), by H. R. bill No. 22588, wherein it is provided that repayment may be made—

"* * * In all cases where parties have been improperly charged the double minimum price for minimum lands, or where they have been required to pay more than *the lawful* fees, *commissions, excesses, or purchase money.*"

The Committee on the Public Lands submits a favorable report on said bill and sets forth the justice and wisdom of the proposed amendment.

The act of June 16, 1880 (supra), section 2, reads:

"* * * And in all cases where parties have paid double minimum price for land which has afterwards been found not to be within the limits of a railroad grant the excess of *one dollar and twenty-five cents* shall in like manner be repaid to the purchaser thereof or to his heirs or assigns."

There is no provision of law authorizing the return of excesses above the lawful amount of fee, commissions, or *purchase money erroneously* collected by the local officers, except those provided for in the quoted portion of the repayment law.

The act of June 16, 1880, does not provide for the return of excesses

where double minimum fees and commissions have been erroneously collected for land that was at date of entry supposed to be within the limits of a railroad land grant but is afterwards found not to be within such limits. (See case of Thomas Foster, decided February 13, 1897, 24 L. D., 159.)

Under the proposed amendment the excess fee and commissions erroneously collected can be refunded. The amount necessary to pay such claims would be comparatively small, as there would only be about $6 in each case to be returned, and the cases are not numerous.

Section 3, act of June 15, 1880 (21 Stat., 237), provides:

"That the price of lands now subject to entry, which were raised to $2.50 per acre and put on the market prior to January, 1861, by reason of the grant of alternate sections for railroad purposes, is hereby reduced to $1.25 per acre."

It was held in the case of William Edmondston (20 L. D., 216), syllabus—

"There is no authority for the repayment of double minimum excess erroneously charged for lands reduced in price by section 3, act June 15, 1880."

There are quite a number of entries in which the local officers erroneously charged the double minimum price for lands that were reduced by said act of June 15, 1880, and under the proposed amendment repayment can justly be made of the amount erroneously collected.

It would seem that *$10,000* would suffice to meet the *provisions of said amendment*, and is money that has been erroneously covered into the Treasury of the United States which can not be withdrawn by reason of inadequate legislation.

The amount necessary to make repayment in future cases, provided for by said amendment, will be comparatively insignificant, inasmuch as the railroad land grants have practically all been definitely located and the local officers rarely make overcharges.

H. R. bill No. 22588 and accompanying papers are transmitted herewith.

Very respectfully,

G. F. POLLOCK,
*Acting Commissioner.*

NATCHEZ ELECTRIC STREET RAILWAY.

Mr. WILLIAMS. Mr. Speaker, in the absence of my colleague [Mr. MCLAIN] I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 19751) to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway across the national cemetery road at Natchez, Miss.

The SPEAKER. Without objection, the substitute will be read.

There was no objection.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That permission is hereby given to the Natchez Electric Street Railway and Power Company, a corporation organized under the laws of the State of Mississippi, their associates, successors, heirs, and assigns, to erect, construct, operate, and maintain an electric railway over and along the national cemetery road at Natchez, Miss., from said city of Natchez northward to the northern boundary of the Government right of way for said road: *Provided*, That a minimum width of 30 feet of the roadway over and above that used by the railway tracks be left all along the said road for a driveway, sidewalks, and gutters; that the licensees, their associates, successors, heirs, and assigns shall repair all damage done to the Government roadway by the contruction of their line of railway and shall maintain their railway and so much of said roadway as shall be occupied by said railway, including the space between said railway tracks and a strip 2 feet wide along the outside of said railway tracks on each side thereof, in a proper state of repair thereafter: *And provided further*, That said electric railway shall be constructed, operated, and maintained under a revocable license to be issued by the Secretary of War and according to plans and specifications to be submitted to and approved by the Secretary of War and under such regulations as may be prescribed by him."

The SPEAKER. Is there objection?

Mr. PAYNE. Reserving the right to object, I would like to ask the gentleman from Mississippi if this is a grant of a right of way over a Government road?

Mr. WILLIAMS. It is; and I will explain briefly what the conditions are. There is a United States road that leads from the city of Natchez out to the national cemetery near Natchez, and it is the property of the United States Government. There are a great many visitors that go out there, and this company wants to build an electric line out to the place. The gentleman knows the geography of that country, and that what are called "the bluffs" come very near to the Mississippi, so that they are compelled to pursue this line. This license is revocable. It is a mere easement, at the will of the Secretary of War, and the road is to be constructed in such a way as he shall prescribe. They are to build the road and keep it in good repair between the tracks and for 2 feet outside of the rails.

Mr. PAYNE. The difficulty that occurs to my mind is that the Government has built this road at a large expense, because all military roads cost a great deal, and it is asked to give the road to this railroad company. I do not feel willing to assent to that.

Mr. WILLIAMS. It is not my bill. It is my colleague's bill, but he explained it fully to me, and I see no objection to it of that sort. I will say that several bills precisely like it have become law. One for a road at Vicksburg, to the Vicksburg National Park there, and I know of several others in other parts of the country. The War Department, I will say, reserves the right to treat it as a license, revocable at the will of the War Department.

Mr. PAYNE. Yes; I know.

Mr. WILLIAMS. And it provides that the company shall put the road back in as good condition as it was, and thereafter keep so much of it as is between the tracks and 2 feet outside of the rail in good order.

Mr. PAYNE. There does not seem to be anything in this bill that requires the electric road to be compelled to keep in repair the road the Government has already constructed.

Mr. WILLIAMS. Oh, yes; the express language of the bill, I beg the gentleman's pardon, in so many words says they must restore the road to its original condition.

Mr. MANN. Is there any provision in the bill relating to the fare?

Mr. WILLIAMS. No.

Mr. MANN. Would the gentleman be willing that the rate of fare should be 3 cents? [Laughter.]

Mr. WILLIAMS. I hardly think in a place that is so sparsely inhabited as the road to the national cemetery that that would do. I think you might make it 5 cents.

Mr. MANN. The gentleman will remember that the House has just inserted a provision for a 3-cent rate of fare on an electric road coming in from a country where there is nobody to speak of living.

Mr. WILLIAMS. I do not think my colleague ought to be held responsible for that.

Mr. MANN. It is a proposition that came from the gentleman's side with a great deal of stress. I ask the attention of the gentleman from Kentucky [Mr. JAMES] to this proposition, so that he may offer his amendment now. [Laughter.]

Mr. PAYNE. This road is to be located in Mississippi, and a different law prevails down there, and a different rule from the District of Columbia.

Mr. WILLIAMS. Mississippi is not going to allow them to charge any more than what is fair.

Mr. PAYNE. With the assurance that a number of other bills like this have gone through the House and the right of way is to be restored, I will not object; although I want to remind the gentleman from Mississippi that it is considerably after 6 o'clock now. [Laughter.]

Mr. WILLIAMS. And I want to remind my friend that the Speaker recognized my colleague before 6 o'clock.

The SPEAKER. Without objection, the amendment will be agreed to.

The substitute was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title of the bill was amended so as to read: "A bill to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss."

LAND ENTRIES IN OKLAHOMA.

The SPEAKER laid before the House the following message from the President of the United States:

*To the House of Representatives:*

I return without approval H. R. 24989, entitled "An act to provide for the commutation for town-site purposes of homestead entries in certain portions of Oklahoma." I call special attention to the letters of the Commissioner of Indian Affairs and the Acting Commissioner of the General Land Office. The bill, if enacted into law, would invite speculation of a very unhealthy kind; it would work hardship and injustice to the Indians, and injustice also to the honest and non-speculative homestead holders, who have purchased their lands at a fair price. The bill is in my judgment indefensible from every standpoint.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 26, 1907.*

Mr. LACEY. I move that that bill be referred to the Committee on the Public Lands. I believe it came from that committee. We had the same matter up in both committees, and I should like to be sure which one had original jurisdiction of it.

The SPEAKER. If there be no objection, the bill will be referred to the Committee on the Public Lands.

There was no objection.

The message and accompanying documents were ordered to be printed.

HEZEKIAH DEZARN.

The SPEAKER also laid before the House the following message from the President of the United States; which, with the accompanying bill, was ordered to be printed and referred to the Committee on Invalid Pensions:

*To the House of Representatives:*

In compliance with the resolution of the House of Representatives (the Senate concurring) of the 21st instant, I return herewith House bill No. 830, entitled "An act granting an increase of pension to Hezekiah Dezarn."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 26, 1907.*

PATRICK CONLIN.

The SPEAKER also laid before the House the following message from the President of the United States:

*To the House of Representatives:*

I return without approval H. R. 22367, entitled "An act for the relief of Patrick Conlin." This seems to me a highly objectionable measure. It requires the falsification of records that should be kept inviolate, and it confers a favor without any warrant whatever, as far as I can see, upon one civilian camp follower out of the legions of such camp followers who rendered service to the troops during the period of the civil war. The bill would establish a most demoralizing and vicious precedent if enacted into law. I accordingly approve of the memorandum of The Military Secretary, herewith submitted.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 26, 1907.*

Mr. PAYNE. I move to refer that message, with the accompanying bill, to the Committee on Military Affairs.

The motion was agreed to.

The message and accompanying documents were ordered to be printed.

CHANGE OF REFERENCE.

By unanimous consent, at the request of Mr. BARTHOLDT, the Committee on Public Buildings and Grounds was discharged from the further consideration of the bill (S. 5418) relinquishing the title of the United States to certain land in the city of Pensacola, Fla., to James Wilkens;

And also from the further consideration of the bill (S. 360) to relinquish the interest of the United States in and to certain land in the city of Pensacola, Fla., to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., and his successors, in trust for the Catholic congregation of Pensacola, Fla.; and the same were referred to the Committee on the Public Lands.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 19312. An act to authorize the Mingo-Martin Coal Land Company to construct a bridge across Tug Fork of Big Sandy River at or near mouth of Wolf Creek;

H. R. 19493. An act to reimburse Oscar Fulgham, ex-sheriff of Madison County, Ala., for judgment and costs rendered against him when acting in the service of the United States;

H. R. 23201. An act to amend the act approved March 1, 1905, entitled "An act to amend section 4 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901;"

H. R. 23218. An act to authorize the Kentucky and West Virginia Bridge Company to construct a bridge across the Tug Fork of Big Sandy River at or near Williamson, in Mingo County, W. Va., to a point on the east side of said river in Pike County, Ky.;

H. R. 22350. An act to authorize the recorder of deeds of the District of Columbia to recopy old records in his office, and for other purposes;

H. R. 24875. An act authorizing the extension of Forty-fifth street NW.;

H. R. 25482. An act to amend section 878 of the Code of Law for the District of Columbia;

H. R. 22334. An act to amend an act to regulate the sitting of the United States courts within the district of South Carolina;

H. R. 13367. An act to amend section 13 of an act of March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California;"

H. R. 22338. An act to bridge Bayou Bartholomew in Louisiana;

H. R. 20223. An act granting an increase of pension to William F. Clendening;

H. R. 129. An act for the opening of a connecting parkway along Piney Branch, between Sixteenth street and Rock Creek Park, District of Columbia;

H. R. 1078. An act for the relief of Hamilton D. South, second lieutenant, United States Marine Corps;

H. R. 4233. An act to reimburse the Harpswell Steamboat Company, of Portland, Me., for expenses incurred and for repairing damages sustained by its steamer *Sebascodegan* in collision with the U. S. S. *Woodbury;*

H. R. 4271. An act for the relief of Patrick J. Madden;

H. R. 5195. An act for the relief of the Milburn Wagon Company, of Toledo, Ohio;

H. R. 5622. An act for the relief of M. D. Wright and Robert Neill;

H. R. 7741. An act waiving the age limit for admission to the Pay Corps of the United States Navy in the case of Pay Clerk Walter Delafield Bollard, United States Navy;

H. R. 14464. An act for the relief of Wiley Corbett;

H. R. 3577. An act for the relief of Barclay H. Warburton;

H. R. 18020. An act for the relief of the Snare & Triest Company;

H. R. 18865. An act for the relief of John and David West;

H. R. 7746. An act for the relief of Columbia Hospital and Dr. A. E. Boozer;

H. R. 7960. An act for the relief of John C. Ray, assignee of John Gafford, of Arkansas;

H. R. 8078. An act for the relief of Miss Bernice Farrell;

H. R. 9289. An act for the relief of the Mitsui Bussan Kaisha;

H. R. 9877. An act for the relief of James P. Barney;

H. R. 11676. An act for the relief of persons who sustained property damage caused by fire at the Rock Island Arsenal;

H. R. 12009. An act for the relief of the heirs at law of M. A. Phelps and the heirs at law of John W. Renner;

H. R. 12686. An act for the relief of Edwin T. Hayward, executor of Columbus F. Hayward and the administrator of Charlotte G. Hayward;

H. R. 14381. An act authorizing and directing the Secretary of the Treasury to pay to the Holtzer-Cabot Electric Company the amount due said company from the Post-Office Department;

H. R. 20718. An act granting an increase of pension to Anne B. Whitcomb;

H. R. 21415. An act granting an increase of pension to Casper W. Tyler;

H. R. 21447. An act granting a pension to William W. Sparks;

H. R. 21639. An act granting an increase of pension to Nanny E. Hayes;

H. R. 23367. An act granting an increase of pension to Asa A. Gardner;

H. R. 23860. An act granting an increase of pension to William G. Cummings;

H. R. 17956. An act granting an increase of pension to John Shinolt;

H. R. 17011. An act granting an increase of pension to Mary E. Brown;

H. R. 10430. An act granting an increase of pension to Samuel Ledgerwood;

H. R. 17212. An act to amend an act to incorporate the Supreme Lodge of the Knights of Pythias;

H. R. 17285. An act for the relief of Second Lieut. Gouverneur V. Packer, Twenty-fourth United States Infantry;

H. R. 5971. An act authorizing the extension of T street (formerly W street) NW.;

H. R. 23576. An act to provide for the extension of New Hampshire avenue, in the District of Columbia, and for other purposes;

H. R. 1371. An act to refund to J. Tennant Steeb certain duties erroneously paid by him, without protest, on goods of domestic production shipped from the United States to Hawaii and thereafter returned;

H. J. Res. 246. Joint resolution authorizing the President to extend an invitation to the Twelfth International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington;

H. R. 25475. An act to amend an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906;

H. R. 2926. An act for the relief of the heirs of John Smith;

H. R. 25601. An act to repeal the act approved January 22, 1903, granting a pension to Minerva Robinson;

H. R. 12858. An act permitting the county of Taos, in the Territory of New Mexico, to refund its indebtedness at a lower rate of interest;

H. R. 5169. An act for the relief of W. B. Sutter;

H. J. Res. 223. A joint resolution relating to the holders of medals of honor;

H. R. 25242. An act to authorize additional aids to navigation in the Light-House Establishment, and for other purposes; and

H. R. 21574. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3627. An act granting an honorable discharge to Benjamin Warner—to the Committee on Military Affairs.

S. 695. An act increasing the pensions of nurses in certain cases—to the Committee on Invalid Pensions.

S. 6068. An act to correct the military record of Conrad Heene—to the Committee on Military Affairs.

S. 6249. An act to provide for the establishment of an agricultural bank in the Philippine Islands—to the Committee on Insular Affairs.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of following title; when the Speaker signed the same:

H. R. 22580. An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908.

The Speaker announced his signature to enrolled bills of the following titles:

S. 4506. An act to provide for better registration of births in the District of Columbia, and for other purposes;

S. 6093. An act to create the Barnaby road, from its intersection with the Livingston road to the District line, a public highway in the District of Columbia;

S. 8208. An act authorizing the extension of Park place NW.;

S. 2011. An act granting a pension to Lucinda L. McCorkle;

S. 5125. An act granting an increase of pension to Nancy A. E. Hoffman;

S. 5144. An act granting an increase of pension to Morgan H. Weeks;

S. 5171. An act granting an increase of pension to Jennie H. Marshall;

S. 5191. An act granting an increase of pension to Robert H. White;

S. 5261. An act granting an increase of pension to Stephen A. Barker;

S. 5361. An act granting an increase of pension to John H. Peters;

S. 5380. An act granting an increase of pension to Richard Jones;

S. 5383. An act granting an increase of pension to Greenbery B. Patterson;

S. 5400. An act granting an increase of pension to John A. Chase;

S. 5420. An act granting an increase of pension to Thomas W. Gilpatrick;

S. 5423. An act granting an increase of pension to William M. Tinsley;

S. 5456. An act granting an increase of pension to Marcellus Cash;

S. 5457. An act granting an increase of pension to Albert Teets;

S. 5558. An act granting an increase of pension to George Payne;

S. 5578. An act granting an increase of pension to Sheffield L. Sherman;

S. 5621. An act granting an increase of pension to Fredrick Buehrle;

S. 5623. An act granting an increase of pension to Nicholas M. Hawkins;

S. 5681. An act granting an increase of pension to William Grant;

S. 5692. An act granting an increase of pension to Margaret E. Craigo;

S. 5718. An act granting an increase of pension to William D. Hoff;

S. 5724. An act granting an increase of pension to George C. Saul;

S. 5730. An act granting an increase of pension to William O. Spelman;

S. 5752. An act granting an increase of pension to Ruth M. Hoag;

S. 5756. An act granting an increase of pension to Charles A. Bell;

S. 5782. An act granting an increase of pension to Octave L. F. E. Fariola;

S. 5813. An act granting an increase of pension to Marshall T. Kennan;

S. 5884. An act granting an increase of pension to Cyrus Palmer;

S. 5940. An act granting an increase of pension to Henry Bittleston;

S. 7708. An act granting an increase of pension to Sue A. Brockway;

S. 7722. An act granting an increase of pension to Henderson Stanley;

S. 7745. An act granting an increase of pension to Frederick Wood;

S. 7763. An act granting an increase of pension to Jacob S. Hawkins;

S. 7764. An act granting an increase of pension to Davis Gilborne;

S. 7768. An act granting an increase of pension to Alonzo P. Mann;

S. 7772. An act granting a pension to Ellen Dougherty;

S. 7782. An act granting an increase of pension to Henry F. Reuter;

S. 7785. An act granting an increase of pension to Carlo J. Emerson;

S. 7786. An act granting an increase of pension to Chauncey M. Snow;

S. 7803. An act granting an increase of pension to William H. Long;

S. 7818. An act granting an increase of pension to Edward Bird;

S. 7820. An act granting an increase of pension to Benjamin B. Cravens;

S. 7822. An act granting an increase of pension to William N. Bronson;

S. 7825. An act granting an increase of pension to Garret P. Rockwell;

S. 7830. An act granting an increase of pension to Wilbur A. Stiles;

S. 7831. An act granting an increase of pension to William H. Grandaw;

S. 7838. An act granting an increase of pension to Ole Gunderson;

S. 7841. An act granting an increase of pension to Frank De Noyer;

S. 7842. An act granting an increase of pension to Evarts C. Stevens;

S. 7843. An act granting an increase of pension to Isaac Oakman;

S. 7862. An act granting an increase of pension to Elias Laughner;

S. 7870. An act granting an increase of pension to Albert Bennington;

S. 7871. An act granting a pension to Catharine Hayes;

S. 7872. An act granting an increase of pension to Gilbert H. Keck;

S. 7877. An act granting an increase of pension to Thomas D. Marsh;

S. 7878. An act granting an increase of pension to Richard J. Gibbs;

S. 7880. An act granting an increase of pension to Sarah E. Stockton;

S. 7890. An act granting an increase of pension to Henry Zacher, alias Charles Stein;

S. 7895. An act granting an increase of pension to William Wallace;

S. 7903. An act granting an increase of pension to Catherine De Rosset Meares;

S. 7907. An act granting an increase of pension to Wilkison B. Ross;

S. 7918. An act granting an increase of pension to Royal T. Melvin;

S. 7912. An act granting an increase of pension to Eleanor P. Bigler;

S. 7915. An act granting an increase of pension to Mary M. Howell;

S. 7923. An act granting an increase of pension to William H. Brady;

S. 7930. An act granting an increase of pension to Joseph Hare, jr.;

S. 7936. An act granting an increase of pension to Liberty W. Foskett;

S. 7938. An act granting an increase of pension to John W. Messick;

S. 7947. An act granting an increase of pension to Charles G. Sweet;

S. 7948. An act granting an increase of pension to Jane Tate;

S. 7968. An act granting an increase of pension to James Slater;

S. 7983. An act granting an increase of pension to Samuel Dubois;

S. 7993. An act granting an increase of pension to George E. Purdy;

S. 7995. An act granting an increase of pension to Ashley White;

S. 7996. An act granting an increase of pension to Robert B. Lucas;

S. 8005. An act granting an increase of pension to Garrett F. Cowan;

S. 8006. An act granting an increase of pension to Epaminondas P. Thurston;

S. 8015. An act granting an increase of pension to Samuel B. Hunter;
S. 8017. An act granting an increase of pension to Watson L. Corner;
S. 8023. An act granting an increase of pension to Harry N. Medbury;
S. 8024. An act granting a pension to Susan J. Rodgers;
S. 8034. An act granting an increase of pension to Jacob M. F. Roberts;
S. 8038. An act granting an increase of pension to John F. Ackley;
S. 8049. An act granting an increase of pension to Daniel C. Swartz.
S. 8056. An act granting an increase of pension to William H. Fountain;
S. 8064. An act granting an increase of pension to Carloss Trowbridge.
S. 8079. An act granting an increase of pension to Joseph Ickstadt.
S. 8081. An act granting an increase of pension to William H. Cochran.
S. 8084. An act granting an increase of pension to John Hazen.
S. 8089. An act granting an increase of pension to Mary E. Jacobs;
S. 8090. An act granting an increase of pension to Inger A. Steensrud;
S. 8101. An act granting an increase of pension to Jacob B. Getter;
S. 8104. An act granting an increase of pension to Henry Shelley;
S. 8105. An act granting an increase of pension to Anna Arnold;
S. 8107. An act granting an increase of pension to Leonidas Obenshain;
S. 8120. An act granting an increase of pension to Benjamin T. Woods;
S. 8125. An act granting an increase of pension to Mary O. Cherry;
S. 8144. An act granting an increase of pension to Elizabeth A. Bonner;
S. 8147. An act granting an increase of pension to Ann E. Macy;
S. 8153. An act granting an increase of pension to Henry B. Johnson;
S. 8195. An act granting an increase of pension to Asa E. Swasey;
S. 8196. An act granting an increase of pension to Michael J. Geary;
S. 8197. An act granting an increase of pension to Arabella J. Farrell;
S. 8201. An act granting an increase of pension to Clara A. Keeting;
S. 8207. An act granting an increase of pension to Peter Wedeman;
S. 8212. An act granting a pension to Azelia Mittag;
S. 8214. An act granting a pension to Jeremiah Bowman;
S. 8215. An act granting an increase of pension to James W. Lendsay;
S. 8225. An act granting an increase of pension to Elizabeth P. Hargrave;
S. 8235. An act granting a pension to James H. Huntington;
S. 8237. An act granting an increase of pension to Lydia Irvine;
S. 8258. An act granting a pension to Mary B. Yerington;
S. 8259. An act granting an increase of pension to Henry B. Love;
S. 8263. An act granting an increase of pension to Martha L. Bohannan;
S. 8278. An act granting an increase of pension to Calvin Herring;
S. 8279. An act granting a pension to Edward Dunscomb;
S. 8302. An act granting a pension to Ella B. Morrow;
S. 8314. An act granting an increase of pension to James P. Worrell;
S. 8317. An act granting an increase of pension to Annie C. Stephens;
S. 8340. An act granting an increase of pension to Maria L. Philbrick;
S. 8345. An act granting a pension to Frank Holderby, alias Frank Giles;
S. 8347. An act granting an increase of pension to Ervin F. Mann;
S. 8348. An act granting an increase of pension to Cornelius E. Bliss;
S. 8349. An act granting a pension to Mary Ellen Van Amringe;
S. 8378. An act granting an increase of pension to Eli B. Woodard;
S. 8379. An act granting an increase of pension to Bertha Maria Johnson;
S. 8390. An act granting an increase of pension to Joseph H. Kinsman;
S. 8397. An act granting an increase of pension to Martin Peacock;
S. 8404. An act granting an increase of pension to Nelson W. Jameson;
S. 8407. An act granting an increase of pension to Reuben C. Webb;
S. 8422. An act granting an increase of pension to Overton E. Harris;
S. 8443. An act granting a pension to Fanny M. Grant;
S. 8456. An act granting an increase of pension to Margaret Baber;
S. 8469. An act granting an increase of pension to Thomas L. Hewitt;
S. 8485. An act granting an increase of pension to Ann Hudson;
S. 8508. An act granting an increase of pension to Miranda W. Howard;
S. 8511. An act granting a pension to George L. Dancy;
S. 7272. An act granting an increase of pension to George W. Cook;
S. 7283. An act granting an increase of pension to William T. Cooper;
S. 7305. An act granting an increase of pension to Robert K. Leech;
S. 7329. An act granting an increase of pension to Nathaniel Lewis Turner;
S. 7334. An act granting an increase of pension to Joshua T. Jellison;
S. 7341. An act granting an increase of pension to Menzo S. Bishop;
S. 7344. An act granting an increase of pension to Clara P. Coleman;
S. 7355. An act granting an increase of pension to William McHenry Plotner;
S. 7357. An act granting an increase of pension to Levi S. Bailey;
S. 7373. An act granting an increase of pension to Jeremiah Thomas;
S. 7379. An act granting an increase of pension to Mary E. Dougherty;
S. 7380. An act granting an increase of pension to Andrew J. Harris;
S. 7394. An act granting an increase of pension to Henrietta C. Cooley;
S. 7420. An act granting a pension to Eleanor N. Sherman;
S. 7427. An act granting an increase of pension to George L. Danforth;
S. 7429. An act granting a pension to Caroline A. Gilmore;
S. 7430. An act granting a pension to Mary F. Johnson;
S. 7452. An act granting an increase of pension to Thomas Harrop;
S. 7470. An act granting an increase of pension to William F. Burnett;
S. 7473. An act granting an increase of pension to John M. Gilliland;
S. 7476. An act granting an increase of pension to Oliver S. Boggs;
S. 7477. An act granting an increase of pension to Patrick Cooney;
S. 7478. An act granting an increase of pension to William H. Brown;
S. 7479. An act granting an increase of pension to George L. Corey;
S. 7480. An act granting an increase of pension to John Bowen;
S. 7481. An act granting an increase of pension to Alanson W. Edwards;
S. 7482. An act granting an increase of pension to Wilford Herrick;
S. 7483. An act granting an increase of pension to Marinda D. Beery;
S. 7485. An act granting an increase of pension to Lester M. P. Griswold;
S. 7491. An act granting an increase of pension to Anna V. Blaney;
S. 7493. An act granting an increase of pension to George Arthur Tappan;

S. 7503. An act granting an increase of pension to George W. Baker;
S. 7504. An act granting an increase of pension to David Decker;
S. 7509. An act granting an increase of pension to William T. Bennett;
S. 7531. An act granting an increase of pension to William F. Letts;
S. 7532. An act granting an increase of pension to Joseph Küchli;
S. 7533. An act granting an increase of pension to Orvil Dodge;
S. 7553. An act granting an increase of pension to Adolphus P. Clark;
S. 7555. An act granting an increase of pension to James T. Piggott;
S. 7561. An act granting an increase of pension to Charles A. Woodward;
S. 7567. An act granting an increase of pension to William Booth;
S. 7570. An act granting an increase of pension to George W. Hapgood;
S. 7572. An act granting an increase of pension to Warren M. Fales;
S. 7574. An act granting an increase of pension to Emily J. Larkham;
S. 7598. An act granting an increase of pension to Jesse C. Newell;
S. 7604. An act granting an increase of pension to John M. Morgan;
S. 7605. An act granting an increase of pension to Judiah B. Smithson;
S. 7606. An act granting an increase of pension to Samuel Reeves;
S. 7609. An act granting an increase of pension to Thomas Strong;
S. 7610. An act granting an increase of pension to Frederick Kurz;
S. 7616. An act granting an increase of pension to Ezekiel C. Ford;
S. 7622. An act granting an increase of pension to George K. Taylor;
S. 7628. An act granting an increase of pension to John P. Wildman;
S. 7632. An act granting an increase of pension to Elias W. Garrett;
S. 7634. An act granting an increase of pension to Charles Shattuck;
S. 7636. An act granting an increase of pension to Samuel M. Breckenridge;
S. 7642. An act granting an increase of pension to Oliver H. P. Rhoads;
S. 7655. An act granting an increase of pension to Francis G. Brown;
S. 7657. An act granting an increase of pension to Harman Grass;
S. 7666. An act granting an increase of pension to True Sanborn, jr.;
S. 7667. An act granting a pension to Henry Lunn;
S. 7668. An act granting an increase of pension to Henry H. Buzzell;
S. 7670. An act granting a pension to Sarah E. Lungren;
S. 7671. An act granting an increase of pension to Charles H. Alden;
S. 7678. An act granting an increase of pension to Joseph Kennedy;
S. 7679. An act granting an increase of pension to George M. Shaffer;
S. 7683. An act granting an increase of pension to William Wakefield;
S. 7685. An act granting an increase of pension to Albion W. Tebbetts;
S. 7696. An act granting an increase of pension to Zadok K. Judd; and
S. 7698. An act granting a pension to Fannie S. Grant.

PETER CLARK.

By unanimous consent, at the request of Mr. MICHALEK, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Peter Clark, Fifty-ninth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. COOPER of Wisconsin, indefinitely, on account of illness.

WATER SUPPLY OF THE DISTRICT OF COLUMBIA.

Mr. WILEY of New Jersey. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9748) to provide for the further purification of the water supply of the District of Columbia.

The bill was read.

Mr. FITZGERALD. Mr. Speaker, I object.

Mr. GROSVENOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 6 o'clock and 13 minutes p. m.) the House adjourned until Wednesday, February 27, 1907, at 11 o'clock a. m.

## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for Rock Island (Ill.) bridge and viaduct—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Director of the Mint submitting an estimate of appropriation for contingencies in the office of Director of the Mint—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the constitutional convention of Oklahoma submitting an estimate of appropriation for expenses of the convention and of an election—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Commissioner of Education submitting a report of the results of investigations and labors in the Department of Education—to the Committee on Education, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a recommendation of legislation relating to the care of the insane in Alaska—to the Committee on the Territories, and ordered to be printed.

A letter from the Secretary of War, transmitting a copy of a letter from the Chief of Engineers recommending legislation for the relief of H. H. Wadsworth, Morton L. Tower, and G. G. McDaniel—to the Committee on Claims, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BURNETT, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 6704) to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905, reported the same with amendment, accompanied by a report (No 8091); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAWES, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 25401) to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls, reported the same without amendment, accompanied by a report (No. 8102); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAMILTON, from the Committee on the Territories, to which was referred the bill of the House (H. R. 25709) to amend sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, and for other purposes, reported the same with amendment, accompanied by a report (No. 8103); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRONNA, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 7994) authorizing the State of North Dakota to select other lands in lieu of lands

erroneously entered in sections 16 and 36, within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations, in said State, reported the same without amendment, accompanied by a report (No. 8105); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25716) to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906, reported the same without amendment, accompanied by a report (No. 8092); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 25717) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906, reported the same without amendment, accompanied by a report (No. 8093); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25769) to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906, reported the same without amendment, accompanied by a report (No. 8094); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25773) permitting the building of a dam across the Savannah River at McDaniel Shoals, reported the same without amendment, accompanied by a report (No. 8095); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 25774) permitting the building of a dam across the Savannah River at Turner Shoals, reported the same without amendment, accompanied by a report (No. 8096); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 25776) permitting the building of a dam across the Savannah River at Middleton Shoals, reported the same without amendment, accompanied by a report (No. 8097); which said bill and report were referred to the House Calendar.

Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25795) to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida, reported the same with amendments, accompanied by a report (No. 8098); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25743) to authorize Washington and Fayette counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River, reported the same with amendments, accompanied by a report (No. 8099); which said bill and report were referred to the House Calendar.

## ADVERSE REPORT.

Under clause 2 of Rule XIII, adverse report was delivered to the Clerk, and laid on the table, as follows:

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4089) to place David Robertson, sergeant, first class, Hospital Corps, on the retired list of the United States Army, reported the same adversely, accompanied by a report (No. 8104); which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred as follows:

By Mr. SLAYDEN: A bill (H. R. 25820) to amend an act granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico, approved February 6, 1907—to the Committee on Pensions.

By Mr. CALDER: A bill (H. R. 25821) concerning wrecks that may occur on the Atlantic coast—to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS: A bill (H. R. 25822) for a site and public building between Las Vegas and East Las Vegas, N. Mex.—to the Committee on Public Buildings and Grounds.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. DICKSON of Illinois: A bill (H. R. 25823) granting an increase of pension to Joseph Loughry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25824) granting an increase of pension to James D. R. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25825) granting an increase of pension to William J. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25826) granting an increase of pension to William W. Halladay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25827) granting an increase of pension to John Wingirt—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 25828) granting a pension to Mary C. Lewellyn—to the Committee on Invalid Pensions.

By Mr. LAMAR: A bill (H. R. 25829) granting an increase of pension to Robert Alsobrook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25830) granting an increase of pension to William S. Davis—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 25831) granting an increase of pension to Mary A. Aitkenhead—to the Committee on Invalid Pensions.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committee was discharged from the consideration of bill of the following title; which was thereupon referred as follows:

A bill (H. R. 25561) for the relief of the heirs of John Schwartzenburg, sr., deceased—Committee on Claims discharged, and referred to Committee on War Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of various organizations in the States and the District of Columbia, against the passage of bill H. R. 13655 (the Littlefield bill)—to the Committee on the Judiciary.

By Mr. BROWN: Petition of Phillips Legion, No. 1390, against the bill to amend and codify the statutes relating to the classification of second-class mail matter and rates of postage thereon—to the Committee on the Post-Office and Post-Roads.

By Mr. CLARK of Florida: Petition of Orange State Lodge, No. 22, International Association of Car Workers, of Sanford, Fla., for a general arbitration treaty—to the Committee on Foreign Affairs.

By Mr. DALE: Paper to accompany bill for relief of Dr. James Carroll—to the Committee on Military Affairs.

Also, petition of citizens of Scranton, Pa., engaged in the engineering professions, for a clause in the sundry civil bill appropriating $250,000 for investigating fuels of the United States—to the Committee on Appropriations.

By Mr. DAWSON: Petition of the National Institute of Arts and Letters, for the enactment of a liberal copyright law—to the Committee on the Post-Office and Post-Roads.

By Mr. FITZGERALD: Petition of the Chamber of Commerce of Porto Rico, for an appropriation to improve San Juan Harbor—to the Committee on Rivers and Harbors.

Also, petition of the United Commercial Travelers, for the Sherman mileage-rate bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the New York Legislative League, for investigation of the condition of woman and child labor in the United States—to the Committee on Labor.

By Mr. GRAHAM: Petition of the A. D. Granger Company, favoring an appropriation to continue the fuel investigation—to the Committee on Appropriations.

Also, petition of the Baltimore and Ohio Railway Company and W. M. Wilkins, favoring the $100,000 appropriation in the sundry civil bill for continuing the structural-material investigation of the Geological Survey at St. Louis—to the Committee on Appropriations.

Also, petition of the Industrial World, of Pittsburg, Pa., against the legislation contemplated in the report of the Joint Postal Commission, presented to Congress in January and re-

ferred to the Committee on the Post-Office and Post-Roads—to the Committee on the Post-Office and Post-Roads.

Also, petition of the practicing structural engineers of Ambridge, Pa., for an appropriation to continue test of structural material—to the Committee on Appropriations.

By Mr. HOWELL of New Jersey: Petition of Pride of Amboy Legion, No. 1705, Order of the National Protective Legion, against the bill to amend and codify the statutes relating to the classification of second-class matter and rates of postage thereon (House Doc. No. 608)—to the Committee on the Post-Office and Post-Roads.

By Mr. HOUSTON: Paper to accompany bill for relief of Joseph H. Blackburn—to the Committee on Invalid Pensions.

By Mr. HULL: Petition of the Iowa State Retail Merchants' Association, favoring legislation for 1-cent postage; also a bill known as the Dixon bill, compelling civil-service employees of United States to pay for the necessaries of life—to the Committee on the Post-Office and Post-Roads.

Also, petition of Des Moines Court, No. 55, Tribe of Ben Hur, against the bill to amend the statutes relating to second-class mail matter and rates of postage thereon, as embodied in the report of the Postal Commission January 28, 1907, and designated as House Document No. 608—to the Committee on the Post-Office and Post-Roads.

By Mr. MADDEN: Petition of citizens of Chicago, Ill., for a sufficient appropriation to test automatic signal devices—to the Committee on Interstate and Foreign Commerce.

By Mr. SHARTEL: Petition of citizens of Missouri, against the proceedings of the authorities of Colorado and Idaho against Pettibone, Moyer, and Heywood—to the Committee on the Judiciary.

By Mr. SOUTHARD: Petition of L. N. Cushman, for legislation to insure a better fractional currency—to the Committee on Banking and Currency.

Also, petition of Legion No. 440, Order of the National Protective Legion, in relation to second-class mail classification, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Lens and Brush Club, of Toledo, Ohio, for clause in the copyright bill to prevent discrediting of American photography—to the Committee on Patents.

By Mr. SMITH of Kentucky: Paper to accompany bill for relief of John H. Ward—to the Committee on War Claims.

## SENATE.

### WEDNESDAY, *February 27, 1907.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

On request of Mr. GALLINGER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with, and it was approved.

#### INSANE IN ALASKA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, requesting that an appropriation of $23,000 be made to enable the Department to provide for the Alaskan insane, etc.; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

#### MEAT-INSPECTION EMPLOYEES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the number of persons employed in meat inspection and the salary or per diem paid to each, etc.; which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

#### TRADE CONDITIONS IN INDIA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting the report of Charles M. Pepper, special agent of the Department of Commerce and Labor, on trade conditions in India, etc.; which, with the accompanying paper, was referred to the Committee on Commerce, and ordered to be printed.

#### RUBBER-PRODUCTION CAPACITY OF THE PHILIPPINES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 18th instant, certain information relative to the rubber-production capacity of the several islands of the Philippine Archipelago that belong to the United States, etc.; which, with the accompanying papers, was referred to the Committee on the Philippines, and ordered to be printed.

#### RULES AND REGULATIONS OF THE TREASURY DEPARTMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 1st instant, copies of all rules and regulations governing the Treasury Department and its various branches; which, with the accompanying papers, was ordered to lie on the table.

#### JAMESTOWN TERCENTENNIAL EXPOSITION.

The VICE-PRESIDENT laid before the Senate the following communication; which was read, and ordered to lie on the table:

NORFOLK, VA., *February 25, 1907.*

*To the President and Senate of the United States, Washington:*

The honor of the presence of the President and the Senate of the United States is requested at the formal opening of the Jamestown Tercentennial Exposition, at Norfolk, Va., on April 26, 1907. The acceptance of this invitation and the attendance of the President and the Senate upon the ceremony of the formal opening will be most gratifying to the president and the directors of the exposition and to all through whose agency the Tercentennial has been made worthy of the cause it represents.

H. ST. GEO. TUCKER, *President.*

#### SPECIAL EMPLOYEES OF DEPARTMENT OF JUSTICE.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 8th instant, a list of special agents and other employees of the Department of Justice; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

#### FINDINGS BY THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting the findings of fact filed by the court in the following causes:

In the cause of D. A. Barbour and Andrew P. Gladden *v.* The United States; and

In the cause of Belle F. Neil, administratrix of James Atkins Fennell, deceased, *v.* The United States.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims, and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 5888. An act authorizing the President to appoint James Carroll a surgeon, with the rank of major, in the United States Army;

S. 7017. An act extending the time for making settlement, final proof, and payment on public lands in certain cases;

S. 8400. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904;

S. 8435. An act granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs;

S. 8446. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk and Southern Railway Company; and

S. 8534. An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof.

The message also announced that the House had passed the following bills with amendments; in which it requested the concurrence of the Senate:

S. 6229. An act to authorize the sale of public lands for cemetery purposes; and

S. 7684. An act to provide and maintain for the port of Galveston, Tex., a customs boarding boat.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24987) to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect.

The message also announced that the House insists upon its amendments to the bill (S. 7840) granting an increase of pension to Lewis A. Towne; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOLLIDAY, Mr. CHANEY, and Mr. WEISSE managers at the conference on the part of the House.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 15859. An act ceding certain lands to Colorado State Agricultural College;

H. R. 19751. An act to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.;

H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River;

H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River; and

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 2011. An act granting a pension to Lucinda L. McCorkle;

S. 4506. An act to provide for the better registration of births in the District of Columbia, and for other purposes;

S. 5125. An act granting an increase of pension to Nancy A. E. Hoffman;

S. 5144. An act granting an increase of pension to Morgan H. Weeks;

S. 5171. An act granting an increase of pension to Jennie H. Marshall;

S. 5191. An act granting an increase of pension to Robert H. White;

S. 5261. An act granting an increase of pension to Stephen A. Barker;

S. 5361. An act granting an increase of pension to John H. Peters;

S. 5380. An act granting an increase of pension to Richard Jones;

S. 5383. An act granting an increase of pension to Greenberry B. Patterson;

S. 5400. An act granting an increase of pension to John A. Chase;

S. 5420. An act granting an increase of pension to Thomas W. Gilpatrick;

S. 5423. An act granting an increase of pension to William M. Tinsley;

S. 5456. An act granting an increase of pension to Marcellus Cash;

S. 5457. An act granting an increase of pension to Albert Teets;

S. 5558. An act granting an increase of pension to George Payne;

S. 5578. An act granting an increase of pension to Sheffield L. Sherman, jr.;

S. 5621. An act granting an increase of pension to Frederick Buehrle;

S. 5623. An act granting an increase of pension to Nicholas M. Hawkins;

S. 5681. An act granting an increase of pension to William Grant;

S. 5692. An act granting an increase of pension to Margaret E. Craigo;

S. 5718. An act granting an increase of pension to William D. Hoff;

S. 5724. An act granting an increase of pension to George C. Saul;

S. 5730. An act granting an increase of pension to William O. Spelman;

S. 5752. An act granting an increase of pension to Ruth M. Hoag;

S. 5756. An act granting an increase of pension to Charles A. Bell;

S. 5782. An act granting an increase of pension to Octave L. F. E. Fariola;

S. 5813. An act granting an increase of pension to Marshall T. Kennan;

S. 5884. An act granting an increase of pension to Cyrus Palmer;

S. 5940. An act granting an increase of pension to Henry Bittleston;

S. 6993. An act to create the Barnaby road, from its intersection with the Livingston road to the District line, a public highway in the District of Columbia;

S. 7272. An act granting an increase of pension to George W. Cook;

S. 7283. An act granting an increase of pension to William T. Cooper;

S. 7305. An act granting an increase of pension to Robert K. Leech;

S. 7329. An act granting an increase of pension to Nathaniel Lewis Turner;

S. 7334. An act granting an increase of pension to Joshua T. Jellison;

S. 7341. An act granting an increase of pension to Menzo S. Bishop;

S. 7344. An act granting an increase of pension to Clara P. Coleman;

S. 7355. An act granting an increase of pension to William McHenry Plotner;

S. 7357. An act granting an increase of pension to Levi S. Bailey;

S. 7373. An act granting an increase of pension to Jeremiah Thomas;

S. 7379. An act granting an increase of pension to Mary E. Dougherty;

S. 7380. An act granting an increase of pension to Andrew J. Harris;

S. 7394. An act granting an increase of pension to Henrietta C. Cooley;

S. 7420. An act granting a pension to Eleanor N. Sherman;

S. 7427. An act granting an increase of pension to George L. Danforth;

S. 7429. An act granting a pension to Caroline A. Gilmore;

S. 7430. An act granting a pension to Mary F. Johnson;

S. 7452. An act granting an increase of pension to Thomas Harrop;

S. 7470. An act granting an increase of pension to William F. Burnett;

S. 7473. An act granting an increase of pension to John M. Gilliland;

S. 7476. An act granting an increase of pension to Oliver S. Boggs;

S. 7477. An act granting an increase of pension to Patrick Cooney;

S. 7478. An act granting an increase of pension to William H. Brown;

S. 7479. An act granting an increase of pension to George L. Corey;

S. 7480. An act granting an increase of pension to John Bowen;

S. 7481. An act granting an increase of pension to Alanson W. Edwards;

S. 7482. An act granting an increase of pension to Wilford Herrick;

S. 7483. An act granting an increase of pension to Marinda D. Beery;

S. 7485. An act granting an increase of pension to Lester M. P. Griswold;

S. 7491. An act granting an increase of pension to Anna V. Blaney;

S. 7493. An act granting an increase of pension to George Arthur Tappan;

S. 7503. An act granting an increase of pension to George W. Baker;

S. 7504. An act granting an increase of pension to David Decker;

S. 7509. An act granting an increase of pension to William T. Bennett;

S. 7531. An act granting an increase of pension to William F. Letts;

S. 7532. An act granting an increase of pension to Joseph Kiichli;

S. 7533. An act granting an increase of pension to Orvil Dodge;

S. 7553. An act granting an increase of pension to Adolphus P. Clark;

S. 7555. An act granting an increase of pension to James T. Piggott;

S. 7561. An act granting an increase of pension to Charles A. Woodward;

S. 7567. An act granting an increase of pension to William Booth;

S. 7570. An act granting an increase of pension to George W. Hapgood;

S. 7572. An act granting an increase of pension to Warren M. Fales;

S. 7574. An act granting an increase of pension to Emily J. Larkham;

S. 7598. An act granting an increase of pension to Jesse C. Newell;
S. 7604. An act granting an increase of pension to John M. Morgan;
S. 7605. An act granting an increase of pension to Judiah B. Smithson;
S. 7606. An act granting an increase of pension to Samuel Reeves;
S. 7609. An act granting an increase of pension to Thomas Strong;
S. 7610. An act granting an increase of pension to Frederick Kurz;
S. 7616. An act granting an increase of pension to Ezekiel C. Ford;
S. 7622. An act granting an increase of pension to George K. Taylor;
S. 7628. An act granting an increase of pension to John P. Wildman;
S. 7632. An act granting an increase of pension to Elias W. Garrett;
S. 7634. An act granting an increase of pension to Charles Shattuck;
S. 7636. An act granting an increase of pension to Samuel M. Breckenridge;
S. 7642. An act granting an increase of pension to Oliver H. P. Rhoads;
S. 7655. An act granting an increase of pension to Francis G. Brown;
S. 7657. An act granting an increase of pension to Harman Grass;
S. 7666. An act granting an increase of pension to True Sanborn, jr.;
S. 7667. An act granting a pension to Henry Lunn;
S. 7668. An act granting an increase of pension to Henry H. Buzzell;
S. 7670. An act granting a pension to Sarah E. Lungren;
S. 7671. An act granting an increase of pension to Charles H. Alden;
S. 7678. An act granting an increase of pension to Joseph Kennedy;
S. 7679. An act granting an increase of pension to George M. Shaffer;
S. 7683. An act granting an increase of pension to William Wakefield;
S. 7685. An act granting an increase of pension to Albion W. Tebbetts;
S. 7696. An act granting an increase of pension to Zadok K. Judd;
S. 7698. An act granting a pension to Fannie S. Grant;
S. 7708. An act granting an increase of pension to Sue A. Brockway;
S. 7722. An act granting an increase of pension to Henderson Stanley;
S. 7745. An act granting an increase of pension to Frederick Wood;
S. 7763. An act granting an increase of pension to Jacob S. Hawkins;
S. 7764. An act granting an increase of pension to Davis Gilborne;
S. 7768. An act granting an increase of pension to Alonzo P. Mann;
S. 7772. An act granting a pension to Ellen Dougherty;
S. 7782. An act granting an increase of pension to Henry F. Reuter;
S. 7785. An act granting an increase of pension to Carlo J. Emerson;
S. 7786. An act granting an increase of pension to Chauncey M. Snow;
S. 7803. An act granting an increase of pension to William H. Long;
S. 7818. An act granting an increase of pension to Edward Bird;
S. 7820. An act granting an increase of pension to Benjamin B. Cravens;
S. 7822. An act granting an increase of pension to William N. Bronson;
S. 7825. An act granting an increase of pension to Garret P. Rockwell;
S. 7830. An act granting an increase of pension to Wilbur A. Stiles;
S. 7831. An act granting an increase of pension to William H. Grandaw;
S. 7838. An act granting an increase of pension to Ole Gunderson;
S. 7841. An act granting an increase of pension to Frank De Noyer;
S. 7842. An act granting an increase of pension to Evarts C. Stevens;
S. 7843. An act granting an increase of pension to Isaac Oakman;
S. 7862. An act granting an increase of pension to Elias Laughner;
S. 7870. An act granting an increase of pension to Albert Bennington;
S. 7871. An act granting a pension to Catharine Hayes;
S. 7872. An act granting an increase of pension to Gilbert H. Keck;
S. 7877. An act granting an increase of pension to Thomas D. Marsh;
S. 7878. An act granting an increase of pension to Richard J. Gibbs;
S. 7880. An act granting an increase of pension to Sarah E. Stockton;
S. 7890. An act granting an increase of pension to Henry Zacher, alias Charles Stein;
S. 7895. An act granting an increase of pension to William Wallace;
S. 7903. An act granting an increase of pension to Catherine De Rosset Meares;
S. 7907. An act granting an increase of pension to Wilkison B. Ross;
S. 7912. An act granting an increase of pension to Eleanor P. Bigler;
S. 7915. An act granting an increase of pension to Mary M. Howell;
S. 7918. An act granting an increase of pension to Royal T. Melvin;
S. 7923. An act granting an increase of pension to William H. Brady;
S. 7930. An act granting an increase of pension to Joseph Hare, jr.;
S. 7936. An act granting an increase of pension to Liberty W. Foskett;
S. 7938. An act granting an increase of pension to John W. Messick;
S. 7947. An act granting an increase of pension to Charles G. Sweet;
S. 7948. An act granting an increase of pension to Jane Tate;
S. 7968. An act granting an increase of pension to James Slater;
S. 7983. An act granting an increase of pension to Samuel Dubois;
S. 7993. An act granting an increase of pension to George E. Purdy;
S. 7995. An act granting an increase of pension to Ashley White;
S. 7996. An act granting an increase of pension to Robert B. Lucas;
S. 8005. An act granting an increase of pension to Garrett F. Cowan;
S. 8006. An act granting an increase of pension to Epaminondas P. Thurston;
S. 8015. An act granting an increase of pension to Samuel B. Hunter;
S. 8017. An act granting an increase of pension to Watson L. Corner;
S. 8023. An act granting an increase of pension to Harry N. Medbury;
S. 8024. An act granting a pension to Susan J. Rogers;
S. 8034. An act granting an increase of pension to Jacob M. F. Roberts;
S. 8038. An act granting an increase of pension to John F. Ackley;
S. 8049. An act granting an increase of pension to Daniel C. Swartz;
S. 8056. An act granting an increase of pension to William H. Fountain;
S. 8064. An act granting an increase of pension to Carioss Trobridge;
S. 8079. An act granting an increase of pension to Joseph Ickstatd;
S. 8081. An act granting an increase of pension to William H. Cochran;
S. 8084. An act granting an increase of pension to John Hazen;
S. 8089. An act granting an increase of pension to Mary E. Jacobs;

S. 8090. An act granting an increase of pension to Inger A. Steensrud;
S. 8101. An act granting an increase of pension to Jacob B. Getter;
S. 8104. An act granting an increase of pension to Henry Shelley;
S. 8105. An act granting an increase of pension to Anna Arnold;
S. 8107. An act granting an increase of pension to Leonidas Obenshain;
S. 8120. An act granting an increase of pension to Benjamin T. Woods;
S. 8125. An act granting an increase of pension to Mary O. Cherry;
S. 8144. An act granting an increase of pension to Elizabeth A. Bonner;
S. 8147. An act granting an increase of pension to Ann E. Macy;
S. 8153. An act granting an increase of pension to Henry B. Johnson;
S. 8195. An act granting an increase of pension to Asa E. Swasey;
S. 8196. An act granting an increase of pension to Michael J. Geary;
S. 8197. An act granting an increase of pension to Arabella J. Farrell;
S. 8201. An act granting an increase of pension to Clara A. Keeting;
S. 8207. An act granting an increase of pension to Peter Wedeman;
S. 8208. An act authorizing the extension of Park place NW.;
S. 8212. An act granting a pension to Azelia Mittag;
S. 8214. An act granting a pension to Jeremiah Bowman;
S. 8215. An act granting an increase of pension to James W. Lendsay;
S. 8225. An act granting an increase of pension to Elizabeth P. Hargrave;
S. 8235. An act granting a pension to James H. Huntington;
S. 8237. An act granting an increase of pension to Lydia Irvine;
S. 8258. An act granting a pension to Mary B. Yerington;
S. 8259. An act granting an increase of pension to Henry B. Love;
S. 8263. An act granting an increase of pension to Martha L. Bohannan;
S. 8278. An act granting an increase of pension to Calvin Herring;
S. 8279. An act granting a pension to Edward Dunscomb;
S. 8302. An act granting a pension to Ella B. Morrow;
S. 8314. An act granting an increase of pension to James P. Worrell;
S. 8317. An act granting an increase of pension to Annie C. Stephens;
S. 8340. An act granting an increase of pension to Maria L. Philbrick;
S. 8345. An act granting an increase of pension to Frank Holderby, alias Frank Giles;
S. 8347. An act granting an increase of pension to Ervin F. Mann;
S. 8348. An act granting an increase of pension to Cornelius E. Bliss;
S. 8349. An act granting a pension to Mary Ellen Van Amringe;
S. 8378. An act granting an increase of pension to Eli B. Woodard;
S. 8379. An act granting an increase of pension to Bertha Maria Johnson;
S. 8390. An act granting an increase of pension to Joseph H. Kinsman;
S. 8397. An act granting an increase of pension to Martin Peacock;
S. 8404. An act granting an increase of pension to Nelson W. Jameson;
S. 8407. An act granting an increase of pension to Reuben C. Webb;
S. 8422. An act granting an increase of pension to Overton E. Harris;
S. 8443. An act granting a pension to Fanny M. Grant;
S. 8456. An act granting an increase of pension to Margaret Baber;
S. 8469. An act granting an increase of pension to Thomas L. Hewitt;
S. 8485. An act granting an increase of pension to Ann Hudson;
S. 8508. An act granting an increase of pension to Miranda W. Howard;
S. 8511. An act granting a pension to George L. Dancy; and
H. R. 22580. An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908.

PETITIONS AND MEMORIALS.

Mr. FRYE presented a memorial of sundry citizens of Cliff Island, Me., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

Mr. PLATT presented a memorial of National Protective Legion No. 275, of Cooks Falls, N. Y., remonstrating against the enactment of legislation to amend and codify the laws relating to the classification of second-class mail matter and the rates of postage thereon; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of Syracuse, N. Y., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Wallkill, Pleasant Plains, and Sprout Brook, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry labor organizations of College Point, Buffalo, Little Valley, Albany, Mechanicsville, Troy, and Newburgh, all in the State of New York, praying for the enactment of legislation for the protection of labor and industry from competition with convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry telegraph operators of Kingston, Starkey, Jamestown, and Dunkirk, all in the State of New York, praying for the enactment of legislation limiting the hours of employment of railway telegraphers to nine consecutive hours in the twenty-four; which were ordered to lie on the table.

Mr. PERKINS presented petitions of sundry citizens of Ventura, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Hamilton City and San Francisco, in the State of California, praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

Mr. KEAN presented the petition of J. R. Pitman, superintendent of the Laflin & Rand Powder Company, of Gaskill, N. J., praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Sharptown, Trenton, Hackettstown, and Red Bank, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of the United States Gutta Percha Paint Company, of Providence, R. I., praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

He also presented petitions of Providence Lodge, No. 62, International Association of Car Workers, of Providence; of Providence Lodge, No. 103, Brotherhood of Railway Clerks, of Providence, and of Textile Workers' Union No. 133, of White Rock, all in the State of Rhode Island, praying for the enactment of legislation for the protection of labor and industries from the competition of convict labor and prison made goods; which were referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Tiverton, R. I., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DICK presented petitions of Thomas M. Scott, of Melissa, Tex.; Josiah Nichol, of Melissa, Tex.; Benjamin H. Edwards, of Florence, Miss.; William W. Dunn, of Forth Worth, Tex.; Joseph A. Smith, of Lawson, Mo.; William L. Martin, of Westminster, Tex.; James M. Chamberlain, of Swift, Tex.; R. Burns, of Grantsville, Utah; Thomas K. Lillard, of Waco, Tex.; Timothy Cronon, of San Francisco, Cal.; Henry Brown, of North Scituate,

Mass.; David P. Clark, of Tupper Lake, N. Y.; George W. Dunn, of Hurricane Mills, Tenn.; David Brooke, of Mesa, Colo.; John P. Valkenburgh, of Big Indian, N. Y.; Thomas W. Bennett, of East Boston, Mass.; Stephen Strange, of Redondo, Cal.; Anderson Harrold, of Needmore, Ind. T.; Sam Sillers, of Stringtown, Miss.; Henry C. Miles, of Los Angeles, Cal.; Joseph W. Kennedy, of Hobart, Okla.; Benjamin Bragg, of Kossuth, Miss.; William O. Flournoy, of Woodville, Ky.; William Focht, of Grant, Iowa; D. C. Keyes, of Silas, Fla.; Garrett C. Maxwell, of Jefferson, Va.; S. C. Tomlinson, of Anthon, Iowa; Nathan Picketts, of Groveport, Ohio; William C. Baxter, of Los Angeles, Cal.; Reuben Daniel, of Magazine, Ark.; John A. Buchanan, of Pasadena, Cal.; John H. Clark, of Winnsboro, Tex.; H. J. Mize, of Gillham, Ark.; Berry Perry, of Shelbina, Tenn.; Thomas J. Myers, of Bowling Green, Fla.; John N. Trimble, of Amos, Ark.; James C. Smith, of Mount Royal, Ala.; S. B. Stagge, of Tascosa, Tex.; James C. Rucker, of Decatur, Tex.; John B. Ligon, of New Salem, Ind.; William S. Bennett, of Ballard, Wash.; William Cainer, of Itasco, Tex.; Ovid Baril, of Lowell, Mass.; Michael Chambers, of Warrington, Fla.; William W. Durham, of Forest, Tex.; Thomas Lancaster, of Huntsville, Ala.; John J. Kilmer, of Hopeville Junction, N. Y.; William P. Markland, of Cuba, Ill.; Joseph Morgan, jr., of Woodbury, N. J.; William H. McCulloch, of New York City, N. Y.; James Grimes, of Evanston, Ind.; John H. Smith, of Sherman, Pa.; Joseph Barnes, of Port Deposit, Md.; William R. Mitchell, of Newman, Ky.; Frederick W. Crusoe, of Dayton, Ohio; H. F. Graves, of Quincy, Ill.; A. T. Gibson, of Detroit, Mich.; Thomas M. Martin, of Benton, Ark.; B. M. Brown, of Bellevue, Mich.; Franklin Pickler, of Chamberlain, Ind. T.; Jesu Newton, of Alba, Tex.; Jacob Cope, of Frederick, Okla.; George E. Burger, of Pittsburg, Pa.; William Patton, of Milford, Iowa; George M. Crews, of Sandusky, Mich.; Jacob Klarman, of Shumway, Ill.; S. A. Smiley, of Marshall, Tex.; Solomon Ingram, of Gustine, Tex.; John P. Sar, of Florisant, Mo.; Peter H. Bruyere, of Waco, Tex.; Emile Brand, of Dutchtown, La.; Richard M. Anderson, of Bluff Point, Tenn.; John W. Chalk, of Pilot Point, Tex.; Charles Goodall, of Hickory, Ind. T.; Jefferson Critchfield, of Arapahoe, Nebr.; Andrew Forrest, of Mushler, Pa.; Sylvester S. Dennis, of Sedgwick, Kans.; Wallace E. Goodnow, of Brandon, Vt.; William A. Foss, of Gladstone, Mich.; James L. Carthart, of New York City, N. Y.; Thomas A. Snoddy, of Meridian, Tex.; Franz Frederick, of Hancock, Wis.; Andrew T. Towley, of Hubbard, Iowa; William M. Miller, of Syracuse, N. Y.; Samuel Avery, of Armow, Ark.; Joseph Kaiser, of Janesville, Minn.; John Strand, of Eastward, Ky.; W. H. H. Rose, of Vida, Mo.; Samuel S. Brand, of Jenco Springs, Mo.; P. M. Dennison, of Houston, Ohio; George Gewugh, of Clinton, Me.; Ambrose Burton, of Kentucky; Henry Taylor, of Eastward, Ky.; John Kincaid, of Logtown, La.; R. A. W. Donovon, of St. Louis, Mo.; Edward Smith, of Madison, Ind.; P. M. Nelson, of Rogers, Tex.; E. F. Barney, of De Leon Springs, Fla.; Stephen H. Brady, of Silas; W. Edmunds, of New Orleans, La.; Charles A. Nelson, of Crevi, Miss.; John Hanby, of Hon, Ark.; E. H. Palmer, of East McKeesport, Pa.; Richard S. Davenport, of McDonough, N. Y., and of General William S. Lincoln Command, No. 18, Union Veterans' Union, of Worcester, Mass., praying for the adoption of a certain amendment to the present service pension law providing for the payment of a specified fee to attorneys in pension claims; which were referred to the Committee on Pensions.

Mr. GALLINGER. Mr. President, I present numerous telegrams just received, and I shall read one of them:

Will you please favor me by supporting Congressman MURPHY'S bill limiting hours of service to railroad telegraph operators to nine hours out of each twenty-four.

I apprehend that that is an amendment that was placed on the so-called "sixteen-hour bill" which passed the Senate some time ago. I will present these telegrams, asking that the names of each of the parties who sent them may be inserted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From A. H. Gilman, of Lakeport, N. H.; from A. Walters, jr., of Penacook, N. H.; from H. M. Clay, of Boscawen, N. H.; from W. H. Meserve, of Penacook, N. H.; from H. W. Wroney, of Lakeport, N. H.; from F. R. Roers, of Franklin, N. H.; from J. M. Guare, of Wing Road, N. H.; from F. H. Gage, of Franklin, N. H.; from R. A. Burgess, of Franklin, N. H.; from H. H. Hughes, of Littleton, N. H.

Mr. GALLINGER presented petitions of Local Union No. 442, International Brotherhood of Blacksmiths and Helpers, of Concord; of Local Union No. 179, American Federation of Labor, of Whitefield, in the State of New Hampshire, and of Local Union No. 125, International Brotherhood of Blacksmiths and Helpers, of Kittery, Me., praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. LONG presented a petition of Subordinate Lodge No. 4, International Brotherhood of Blacksmiths and Helpers, of Rosedale, Kans., praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which was referred to the Committee on Education and Labor.

He also presented a petition of the board of directors of the Trades League of Philadelphia, Pa., praying for the enactment of legislation providing for a charge of 1 cent per ounce on first-class mail matter weighing more than 1 ounce, with a minimum charge of 2 cents for the first ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of Subordinate Orders Nos. 22, 29, 156, 190, 346, 90, and 405, of McCune, St. Paul, Narka, Hallowell, and Falun, all of the Anti-Horse Thief Association, and of Camp No. 2996, Modern Woodmen of America, of St. Paul, all in the State of Kansas, remonstrating against the enactment of legislation to amend the laws relating to the classification of second-class mail matter and the rates of postage thereon; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry petitions of citizens of Howard, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HANSBROUGH presented petitions of sundry citizens of Egeland, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of North Dakota, praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

He also presented memorials of sundry citizens of Osnabrock, N. Dak., and of Washington, D. C., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Auburn and South Berwick, in the State of Maine, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented the petition of Charles D. Woods and sundry other citizens of Maine, praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

Mr. ANKENY presented a petition of sundry citizens of the State of Washington, praying for the enactment of a reciprocal demurrage law; which was referred to the Committee on Interstate Commerce.

Mr. PROCTOR presented a petition of sundry citizens of Fairhaven, Vt., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. HOPKINS presented a petition of sundry citizens of Galena, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Chicago, Huntsville, and Rockford, all in the State of Illinois, praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

He also presented petitions of sundry labor organizations of Springfield, Kingston Mines, Caseyville, Joliet, Carriers Mills, Kewanee, Galesburg, Quincy, Litchfield, Springfield, Mount Vernon, Menard, Peoria, Carlinville, Streator, Chicago, Decatur, Beardstown, Bloomington, and Belleville, all in the State of Illinois, praying for the enactment of legislation to protect labor and industries from the competition of convict labor and manufactures; which were referred to the Committee on Education and Labor.

Mr. LODGE presented petitions of G. B. Burnett & Son, of Amherst; Prof. A. A. Noyes, of the Massachusetts Institute of Technology, of Boston, and of Prof. L. A. Olney, of the Lowell Textile School, of Lowell, all in the State of Massachusetts, praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Worcester, Mass., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. KNOX presented a petition of Camp La Lom, Army of the Philippines, of Uniontown, Pa., praying for the enactment of legislation extending foreign campaign badges to all who served honorably in the United States Army, Navy, and Marine Corps; which was referred to the Committee on Military Affairs.

He also presented a petition of the Trades League of Philadelphia, Pa., praying for the enactment of legislation providing for a charge of 1 cent per ounce on first-class mail matter weighing more than 1 ounce, with a minimum charge of 2 cents for the first ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Lodge No. 33, International Association of Car Workers, of Vilas; Lodge No. 25, Amalgamated Association of Iron, Steel, and Tin Workers, of Danville; Local Union No. 117, Coopers' International Union, of Gibsonton; Local Grinders and Finishers' National Union, of Tidioute; Lodge No. 22, Amalgamated Association of Iron, Steel, and Tin Workers, of Lancaster; Lodge No. 15, Amalgamated Association of Iron, Steel, and Tin Workers, of South Sharon; Branch No. 76, Glass Bottle Blowers' Association, of Sharpsburg; Local Union No. 17, International Association of Marble Workers, of Philadelphia, all in the State of Pennsylvania, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. BEVERIDGE presented petitions of the International Typographical Union; Reed, Willow, and Rattan International Union of America; the Piel Brothers Manufacturing Company; the Capital Rattan Company, all of Indianapolis; of Local Union No. 227, of the United Garment Workers of America, of Richmond, and of Jarvis Lodge, No. 8, of Terre Haute, and the International Brotherhood of Blacksmiths of Hammond, all in the State of Indiana, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. BRANDEGEE presented a petition of the Locomobile Company of America, of Bridgeport, Conn., and a petition of sundry citizens of Middletown, Conn., praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

He also presented a petition of the Epworth League of the Methodist Episcopal Church of New Britain, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings and grounds; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of Local Union No. 180, International Brotherhood of Blacksmiths and Helpers, of New Haven; of Pilgrim Lodge, No. 48, International Association of Car Workers, of New Haven, and of Elm City Lodge, No. 1, Amalgamated Association of Iron, Steel, and Tin Workers of the United States, of New Haven, all in the State of Connecticut, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

### REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 8561) to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906, reported it without amendment, and submitted a report thereon.

Mr. BURROWS, from the Committee on Finance, to whom was referred the bill (H. R. 8) for the relief of the Harbison-Walker Company, of Pittsburg, Pa., reported it without amendment.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (H. R. 25032) to amend an act entitled "An act for the protection of game in Alaska, and for other purposes," approved June 7, 1902, reported it without amendment.

Mr. CARTER (for Mr. PENROSE), from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 13418) for the relief of W. S. Hammaker, reported it without amendment.

### GRAND CALUMET RIVER BRIDGE, IN ILLINOIS.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25671) authorizing the construction of a bridge across the Grand Calumet River in the State of Illinois, to report it favorably without amendment, and I submit a report thereon.

This is an exact copy of a Senate bill which is now on the Calendar, Senate bill 8507. I ask that the House bill be substituted for the Senate bill, and that the Senate bill be indefinitely postponed.

Mr. CULLOM. I ask that the bill just reported be now considered.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE-PRESIDENT. The bill (S. 8507) authorizing the construction of a bridge across the Grand Calumet River, in the State of Illinois, will be indefinitely postponed.

### PROHIBITION OF SHANGHAIING.

Mr. FRYE. I report back favorably from the Committee on Commerce, without amendment, the bill (H. R. 25190) to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend sections 1, 2, and 3 of the act so as to read:

Whoever, with intent that any person shall perform service or labor of any kind on board of any vessel engaged in trade and commerce among the several States or with foreign nations, or on board of any vessel of the United States engaged in navigating the high seas or any navigable water of the United States, shall procure or induce, or attempt to procure or induce, another, by force or threats or by representations which he knows or believes to be untrue, or while the person so procured or induced is intoxicated or under the influence of any drug, to go on board of any such vessel, or to sign or in any wise enter into any agreement to go on board of any such vessel to perform service or labor thereon, or whoever shall knowingly detain on board of any such vessel any person so procured or induced to go on board thereof or to enter into any agreement to go on board thereof by any means herein defined, or whoever shall knowingly aid or abet in the doing of any of the things herein made unlawful shall be fined not more than $1,000 or imprisoned not more than one year, or both.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### COOSA RIVER DAM, IN ALABAMA.

Mr. PETTUS. I ask for the present consideration of the bill (S. 8526) permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river.

I will say that this is a very important bill, and it does not carry a dollar of money. It is for the building of a dam across the Coosa River, in the State of Alabama, at the corporation's own expense.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PETTUS. I desire to ask that the bill which has just been passed may be sent to the other House as speedily as the rules will allow.

The VICE-PRESIDENT. That will be done.

### ESCAMBIA RIVER BRIDGE, IN FLORIDA.

Mr. MALLORY. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 8556) to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River, between the counties of Santa Rosa and Escambia, in the State of Florida, to report it favorably with amendments, and I submit a report thereon. I ask for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the Committee on Commerce were, on page 1, line 9, after the word "War," to insert "in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906;" and to strike out sections 2, 3, 4, 5, and 7 of the bill, and to change the numbering of section 6 to section 2; so as to make the bill read:

*Be it enacted, etc.*, That the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, be, and is hereby, authorized to construct, operate, and maintain a bridge over the Escambia River, between the counties of Escambia and Santa Rosa, in the State of Florida, at such point between the mouth of said river and the Alabama State line to be approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, and repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROSANNA A. MAY.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 8568) granting an increase of pension to Rosanna A. May, to report it favorably with an amendment; and I ask for its present consideration.

Mr. CLAPP. I shall not object to these pension bills, but I shall object to the consideration of any other bills out of their order. It would not take an hour's time to-day to go to the Calendar and clean it up.

Mr. McCUMBER. It will not take a minute now to pass these bills.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill reported by the Senator from North Dakota?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosanna A. May, widow of John T. May, late of Company A, Second Battalion District of Columbia Volunteer Infantry, and to pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS H. ADAMS.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 23612) granting an increase of pension to Thomas H. Adams, to report it favorably without amendment; and I ask that it be put on its passage.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas H. Adams, late of Company H, Twenty-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INDEX TO REPORTS OF NATIONAL PRISON ASSOCIATION.

Mr. PLATT, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That the index to the reports of the National Prison Association for the years 1870, 1873, 1874, and 1883 to 1904 be printed as a document for the use of the Senate, and that 1,000 additional copies be printed for the National Prison Association.

Mr. WHYTE subsequently said: I move to reconsider the vote by which the Senate agreed to the resolution reported to-day by the Senator from New York [Mr. PLATT] providing for the printing of copies of the index to the reports of the National Prison Association for the years 1870, 1873, 1874, and 1883 to 1904.

The motion to reconsider was agreed to.

Mr. WHYTE. I ask leave of the Senate to withdraw the resolution.

The VICE-PRESIDENT. In the absence of objection, the resolution will be withdrawn.

MISSISSIPPI RIVER BRIDGE AT EAST ST. LOUIS.

Mr. STONE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25629) to repeal the act of February 27, 1901, granting authority to the East St. Louis and St. Louis Bridge and Construction Company, of the city of East St. Louis, Ill., to build, own, operate, and maintain a bridge across the Mississippi River, to report it without amendment.

I have been instructed by the Committee on Commerce to ask for the immediate consideration of the bill.

Mr. CURTIS. I ask that the bill may go to the Calendar.

The VICE-PRESIDENT. The bill will go to the Calendar.

ORDER OF BUSINESS.

Mr. HALE. Mr. President, let me suggest in the way of order of business that after the conference reports that are necessary to be finished are disposed of and the speech of the Senator from Colorado [Mr. PATTERSON] there never will be any better time than to-day to go to the Calendar for unobjected cases for an hour.

Mr. GALLINGER and others. That is right.

Mr. HALE. I ask unanimous consent that after the conference reports are submitted and the speech of the Senator from Colorado the Senate shall consider unobjected cases on the Calendar for one hour and a half or two hours. That will relieve a great many Senators who have bills on the Calendar that ought to be passed, and to-day is the best time for their consideration. No other appropriation bill will come in to-day.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that at the conclusion of the remarks of the Senator from Colorado and the completion of the consideration of the conference reports the Senate will proceed to the consideration of unobjected bills on the Calendar for an hour and a half.

Mr. CARTER. Let me ask the Senator why it is necessary to fix a limitation of one hour and a half?

Mr. HALE. I am not at all particular about that. The suggestion has been made to me that we will not need as much time as that.

Mr. CARTER. I presume an agreement could be made that the unobjected cases be disposed of, subject, of course, to interference with the order at any time by conference reports or any privileged business of the Senate. If the limitation is taken off, I suggest to the Senator that it will result in disposing of all the unobjected cases, particularly the House bills.

Mr. HALE. I will ask, then, that we shall proceed at the time I have indicated to the consideration of unobjected cases on the Calendar.

Mr. SPOONER. I think it would be just as well to make no order and not tie the hands of the Senate at this stage of the session until after the Senator from Colorado has finished his speech.

Mr. HALE. The Senator did not understand my suggestion. It was that after the conference reports and the speech of the Senator from Colorado are concluded then we carve out an hour or two for the consideration of cases on the Calendar, an arrangement that will meet the convenience of a great many Senators and be very satisfactory to them.

Mr. SPOONER. I quite agree with the Senator, but we can tell better when to locate the hour if we wait.

Mr. HALE. I am afraid if we do not agree to it now and Senators do not make their preparations accordingly we shall find it more difficult to do this at a future time. I do not see what harm there is in the order.

Mr. SPOONER. There are one or two bills, one with reference to Alaska, which I think the Senate ought to consider and dispose of. There are several bills which the Senate ought to take up.

Mr. HALE. Undoubtedly; but many Senators who are interested in the unobjected cases prefer this course, and it seems to me that we ought to give them the first chance.

Mr. SPOONER. I think they ought to have a chance, but I think there ought to be some discrimination as to the relative importance of measures.

Mr. HALE. There is no discrimination where we take up unobjected cases. I think the Senator will find that he will not get bills which are contested through any more speedily by objecting to going on with the Calendar for the consideration of unobjected cases.

Mr. SPOONER. I was not objecting, and if I were objecting I would not be influenced at all by any minatory suggestions. I do not think the Senator ought to indulge in them.

Mr. HALE. I simply——

Mr. SPOONER. I have the same desire the Senator has to expedite the public business. I merely ventured to suggest that we can tell better after the Senator from Colorado finishes his speech whether there are any matters which ought to be immediately considered. I do not object to the Senator's request.

Mr. HALE. Let the request be submitted to the Senate.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that at the conclusion of the remarks of the Senator from Colorado, and after the consideration of conference reports, the Senate shall proceed to the consideration of unobjected cases on the Calendar for an hour and a half.

Mr. HALE. I will not limit the time—that the Senate shall proceed to the consideration of unobjected cases on the Calendar.

The VICE-PRESIDENT. That the Senate shall proceed to the consideration of unobjected cases on the Calendar. Is there objection? The Chair hears none, and it is so ordered.

Mr. SPOONER. The Chair was so rapid in his decision that

I had no opportunity to say what I desired to say. That puts one in a position of objecting to a bill which he really thinks ought to pass by making it absolutely indefinite as to time.

Mr. ALDRICH. Until the further order of the Senate.

Mr. SPOONER. We can not change a unanimous-consent agreement.

Mr. ALDRICH. It is already the order of the Senate.

DENATURED ALCOHOL.

Mr. HANSBROUGH. I am authorized by the Committee on Finance, to whom was referred the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, to report it favorably with amendments. This is the bill known as the "free-alcohol bill," and I desire to give notice that at the very earliest opportunity I shall move to take up the bill for consideration.

Mr. KEAN. I ask for the reading of the bill.

The VICE-PRESIDENT. Without objection, the Secretary will read the bill.

The Secretary read the bill and the amendments, as follows:

*Be it enacted, etc.,* That notwithstanding anything contained in the act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, domestic alcohol when suitably denatured may be withdrawn from bond without the payment of internal-revenue tax and used in the manufacture of ether and chloroform and other definite chemical substances where said alcohol is changed into some other chemical substance and does not appear in the finished product as alcohol: *Provided, That rum of not less than 150° proof may be withdrawn, for denaturation only, in accordance with the provisions of said act of June 7, 1906, and in accordance with the provisions of this act.*

SEC. 2. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may authorize the establishment of central denaturing bonded warehouses, other than those at distilleries, to which alcohol of the required proof may be transferred from distilleries or distillery bonded warehouses without the payment of internal-revenue tax, and in which such alcohol may be stored and denatured. The establishment, operation, and custody of such warehouses shall be under such regulations and upon the execution of such bonds as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. 3. That alcohol of the required proof may be drawn off, for denaturation only, from receiving cisterns in the cistern room of any distillery for transfer by pipes direct to any denaturing bonded warehouse on the distillery premises or to closed metal storage tanks situated in the distillery bonded warehouse, or from such storage tanks to any denaturing bonded warehouse on the distillery premises, and denatured alcohol may also be transported from the denaturing bonded warehouse, in such manner and by means of such packages, tanks, *or tank cars,* and on the execution of such bonds, and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. And further, alcohol to be denatured may be withdrawn without the payment of internal-revenue tax from the distillery bonded warehouse for shipment to central denaturing plants in such packages, tanks, and tank cars, under such regulations and on the execution of such bonds as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

SEC. 4. That at all distilleries producing alcohol from any substance whatever, for denaturation only, and having a daily spirit-producing capacity of not exceeding 100 proof gallons, the use of cisterns or tanks of such size and construction as may be deemed expedient may be permitted in lieu of distillery bonded warehouses, and the production, storage, the manner and process of denaturing on the distillery premises the alcohol produced, and transportation of such alcohol, and the operation of such distilleries shall be upon the execution of such bonds and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, and such distilleries may by such regulations be exempted from such provisions of the existing laws relating to distilleries *except the provisions of section 3284 of the Revised Statutes,* as may be deemed expedient by said officials.

SEC. 5. That the provisions of this act shall take effect on September 1, 1907.

[The amendments of the Committee on Finance appear in italics.]

Mr. CULLOM. Mr. President, I object to the present consideration of the bill.

The VICE-PRESIDENT. The bill will go to the Calendar.

Mr. HANSBROUGH. I hope the Senator from Illinois will not insist on his objection. I ask that the bill be made the unfinished business.

Mr. CULLOM. I object to that.

The VICE-PRESIDENT. Objection is made.

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of the bill.

Mr. KEAN. That motion is not in order under the unanimous-consent agreement.

Mr. FULTON. Before the motion is put, I should like to ask the Senator from North Dakota if the report will be printed before the bill is brought up for final consideration, in order that we may know just what the amendments are and what change is proposed to be made. With that understanding, I will make no objection at the present time.

Mr. HANSBROUGH. There is no written report with the bill. There are two amendments agreed upon by the committee.

Mr. CULLOM. I ask that the bill go to the Calendar.

Mr. HANSBROUGH. I will withdraw the request that it be made the unfinished business, provided——

Mr. CULLOM. I call for the regular order.

Mr. HANSBROUGH. Provided the clerks will see that the bill goes to the Printer at once, so that we may get it back this afternoon as early as possible.

Mr. FULTON. I wish simply to say that the statement I have made does not come from any hostility to the amendments to the bill, because I do not know just what they are. I do know that the present law requires amendment, and we thought we had an effective law at the last session and discovered we did not. I do not want to have Congress make another mistake.

Mr. HANSBROUGH. I think the Senator will find that this is a very decided improvement on the existing law.

Mr. GALLINGER. The regular order, Mr. President.

The VICE-PRESIDENT. The introduction of bills and joint resolutions is in order.

C. B. M'CLENNY.

Mr. TALIAFERRO. Yesterday I introduced a bill (S. 8579) for the relief of C. B. McClenny, which was referred to the Committee on Public Health and National Quarantine. I ask that the committee be discharged from the further consideration of the bill, and that it be referred to the Committee on Claims.

The VICE-PRESIDENT. Without objection, it is so ordered.

BILLS INTRODUCED.

Mr. STONE introduced a bill (S. 8597) for the relief of the county of Phelps, State of Missouri; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CLAPP introduced a bill (S. 8598) for the relief of John H. Davern; which was read twice by its title, and referred to the Committee on Claims.

Mr. McENERY introduced a bill (S. 8599) granting an increase of pension to Matilda Ann Cheney; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRAZIER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 8600) for the relief of the Grand Lodge Independent Order of Odd Fellows of the State of Tennessee;

A bill (S. 8601) for relief of trustees of Lynn Creek Baptist Church, of Giles County, Tenn.;

A bill (S. 8602) for relief of trustees of Harpeth Academy;

A bill (S. 8603) for relief of the trustees of Porter Female Academy;

A bill (S. 8604) for the relief of the Mount Zion Church, of Williamson County, Tenn.; and

A bill (S. 8605) for the relief of Benjamin F. Harris.

Mr. DANIEL introduced a bill (S. 8606) for the relief of Lucy A. Monroe; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 8607) for the relief of the trustees of Hanover Baptist Church, of King George County, Va.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. McLAURIN introduced a bill (S. 8608) granting an increase of pension to Sylvester Starkey; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. GALLINGER submitted an amendment proposing to extend the time for the completion of the Anacostia, Surrattsville and Brandywine Electric Railroad into the District of Columbia to twelve months from March 3, 1907, intended to be proposed by him to the general deficiency bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate $3,000 to pay Pitman Pulsifer for labor in compiling and indexing the Navy appropriation laws covering what is known as the "new Navy," etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. KNOX submitted an amendment proposing to appropriate $3,000 to pay John N. McDowell, of Council City, Alaska, for services rendered in preparing a new set of indices of the records of the recording district of that city, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. CLAPP submitted an amendment intended to be proposed by him to the omnibus claims bill; which was referred to the Committee on Claims, and ordered to be printed.

HOUSE BILLS REFERRED.

H. R. 15859. An act ceding certain lands to the Colorado State Agricultural College was read twice by its title, and referred to the Committee on Public Lands.

H. R. 19751. An act to authorize the Natchez Electric Railway and Power Company to construct and operate an electric railway along the national cemetery roadway, at Natchez, Miss., was read twice by its title, and referred to the Committee on Military Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River;

H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Cumberland River; and

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906.

GOVERNMENT OWNERSHIP OF RAILROADS.

Mr. PATTERSON. I call up the bill (S. 8436) to provide for the acquisition, purchase, construction, and condemnation by the United States of America of railroads in the several States and Territories of the United States and the District of Columbia engaged in interstate commerce and in carrying the mails, and to provide for the operation of said roads by the United States, which I introduced on the 12th instant, and which is on the Table Calendar.

The VICE-PRESIDENT. The Chair lays the bill before the Senate.

Mr. PATTERSON. Mr. President, in introducing a bill for the condemnation, purchase, and operation of the railways of the country by the Government I am not moved by anticipation of very early legislation for that purpose. Reforms of such character are of slow growth and tardy fulfillment. But public opinion in favor of the step is crystallizing and the movement in its behalf is growing rapidly. In my humble opinion national ownership of railroads will be an accomplished fact within the lifetime of members of this body who have already passed the meridian of life. My purpose in introducing the bill and discussing it in this great forum is to do my share, small as it may be, in forwarding the movement. I am convinced that for the country to know the ground is for the country to occupy it; and to occupy the ground will bring more widespread, more evenly distributed, and greater general prosperity than will any other reform now contemplated by any considerable number of the American people.

Notwithstanding the remedial railway legislation of the last session of Congress, the power and purposes of the great railroad combinations have not changed. Whatever their aggressions were in 1874 and previously, in the face of the interstate-commerce act and its various amendments, all adopted since that date, the railways have increased in power, aggressiveness, and in utter indifference to public rights, and for reasons I will later on explain the recent act will, in the nature of things, accomplish very little toward undoing the evils. Yet in June, 1874, the late President Garfield, then a Member of the House of Representatives, thus characterized the attitude of the railways to the public:

It is painfully evident—

He said—

from the experience of the last few years that the efforts of the States to regulate their railroads have amounted to little more than a feeble annoyance. In many cases the corporations have treated such efforts as impertinent meddling and have brushed away legislative restrictions as easily as Gulliver broke the cords with which the Lilliputians attempted to bind him.

In these contests the corporations have become conscious of their strength and have entered upon the work of controlling the States. Already they have captured some of the best and strongest of them, and these discrowned sovereigns now follow in chains the triumphant chariot of their conquerors. And this does not imply that merely officers and representatives of States have been subjected to the railways, but that the corporations have grasped the sources and fountains of power and control the choice of both officers and representatives.

The consolidation—

He continues—

of our great commercial companies, the power they wield, and the relations they sustain to the State and to the industry of the people do not fall far short of Fourier's definition of commercial and industrial feudalism. The modern barons, more formidable than their military prototype, own our greatest highways and levy tribute at will on all our vast industries. And as the old feudalism was finally controlled and subordinated only by the combined effort of the king and the people of the free cities and towns, so our modern feudalism can be subordinated to the public good only by the great body of the people acting through their governments by wise and just laws.

Mr. President, I can take little time in view of the scope of the discussion I have in mind to enlarge upon the needs—not for the control of the railroads, but for their possession and operation by the General Government. The evils of private ownership became so great that their rigid regulation was declared for in the last national Democratic platform, and the President who was elected without any pledge by his party in that direction was enabled to bring such a public sentiment to bear upon Congress that the modern barons for a time lost control of their servitors, and the legislation promised by the Democratic party was enacted by a Republican Congress. True, this was not accomplished without long and aggressive opposition under various disguises, but the popular sentiment overcame it all and the regulatory legislation was adopted practically as originally urged. But the modern barons have been merely driven to make a detour in their march for practical mastery of the transportation of the country; and as suits and judgments dissolving mergers and trusts and other unlawful combinations in restraint of trade have been readily evaded by those who were prosecuted and were the losers in the litigation, and the combinations continue to exist and multiply and grow in scope and power, so the railroads, in spite of the recent legislation, will remain the masters of transportation and in one way or another will maintain their relentless grip upon the country's commerce, directing its current, curtailing its activities, and forcing it to yield extortionate tribute. They will continue to hold the sources and fountains of power, controlling in a large degree the choice of both State and national officers and Representatives. When this becomes plain to the people, as it must become glaringly clear before many more years, the sentiment for government ownership of the railroads will grow with accelerated speed, and almost before the railroad corporations realize the fact the people will enforce their right to take possession of these great arteries of trade.

WHAT WILL BE DISCUSSED.

Mr. President, there is time to discuss but few of the problems associated with government ownership, and the discussion of those must necessarily be incomplete, but I hope the time I consume will be sufficient to clearly place the propositions I present before the Senate. I propose to discuss them in the following order:

1. The railway as a function of government;

2. The constitutional power to acquire existing railways by condemnation;

3. Method for their valuation and with that the present market value of the railways;

4. How the money may be procured with which to pay for the roads and the relatively small amounts of actual money that will be needed; and

5. Some of the great economies that government ownership will result in and the benefits to accrue to the public generally and to the mass of workmen who will operate the roads.

Mr. President, the bill I had the honor to introduce was prepared as a fairly complete scheme for the acquisition and the operation of the properties. I will not now go into the details of the proposed measure; but I will add it as an appendix to my remarks, and I ask the consent of the Senate for that purpose.

The VICE-PRESIDENT. Without objection, permission is granted.

THE RAILWAY AS A FUNCTION OF GOVERNMENT.

Mr. PATTERSON. There is no question but that the railroads are public highways and are such in the same sense as the common roads, now probably aggregating 2,000,000 miles in extent. It is just as well settled that the administration of the railroads represents a function of government, succeeding the former "king's highways." Governments have always had the right to take private property when necessary to perform their functions, and the building and maintenance of highways is one of the most necessary and useful of the functions. In the United States, however, the General Government did not choose at first to build the railroads itself, but it did while in the throes of the civil war give substantial aid in land grants and the guaranty of bonds to private corporations which undertook to build and operate great trunk transcontinental lines, with some branches connected with them. The States, through legislation, delegated the construction of railroads to individuals or private joint stock companies. Thus private corporations have been enabled through this delegation of governmental powers, for three-quarters of a century, to compel private owners to sell to them rights of way or to submit to the condemnation of their lands for railway uses until now such companies have graded and equipped and are operating upon these rights of way more than 220,000 miles of road.

But, Mr. President, although these railroads, largely with the financial assistance of the State and the Government, were thus privately constructed, the basic fact of their governmental character has never been lost sight of by either the lawmaking powers or the courts. This is seen in the frequent attempts of both Congress and the legislatures to regulate their rates and preferential practices, and by the multifarious rules laid down by the courts defining their duties as public or common carriers. The United States Supreme Court took this view of the matter, as reference to Olcott *v.* The Supervisors of Fond du Lac County (83 U. S., 678) will show. The court in that case said:

That railroads, though constructed by private corporations and owned by them, *are public highways* has been the doctrine of nearly all the courts ever since such conveniences of passage and transportation have had any existence. Very early the question arose whether a State's right of eminent domain could be exercised by a private corporation created for the purpose of constructing a railroad. Clearly it could not, unless taking land for such a purpose by such an agency is taking land for public use. The right of eminent domain nowhere justifies taking property for private use. Yet it is a doctrine universally accepted that a State legislature may authorize a private corporation to take land for the construction of such a road, making compensation to the owner. * * * And the reason why the use has always been held a public one is that such a road is a highway, whether made by the Government itself or by the agency of corporate bodies. * * * It has never been considered a matter of any importance that the road was built by the agency of a private corporation. No matter who is the agent, the function performed is that of the State.

In Smyth *v.* Ames, decided in 1897 (169 U. S.), Olcott *v.* The Supervisors, etc., is cited and approved, and the court in addition declared:

A railroad *is a public highway*, and none the less so because constructed and maintained through the agency of a corporation deriving its existence and powers from the State. Such a corporation was created for public purposes. It performs a function of the State.

If the railroads are exercising *a function of the Government* this is a fact of fundamental importance, because upon this fact depends the rights of the people with regard to the ownership and operation of the roads. Private proprietors may do much as they please with their private properties. The merchant may sell or not sell; or as he chooses he may sell to one patron at a low and to another at a high price, but public officials as to things public that they administer can of right do no such thing; as to them every citizen is entitled to the same treatment, and this, indeed, is only granting the citizen *equality before the law.* A judge in his court exercises the judicial function of government, and grants all suitors juridical equality. The same right attaches in the citizen with regard to any other function of government. This is his constitutional right as a citizen, and the Interstate Commerce Commission well explained this in one of its earlier reports. The following clear expression of its views was published as early as 1892—views that have met with universal public and judicial approval ever since:

The railroad is justly regarded as a public facility which every person may enjoy at pleasure, a common right to which all are admitted and from which none can be excluded. The essence of this right is *equality*, and its enjoyment can be complete only when it is secured on like conditions by all who desire its benefits. The railroad exists by virtue of authority proceeding from the State, and thus differs in its essential nature from every form of private enterprise. The carrier is invested with extraordinary powers which are delegated by the sovereign, and thereby performs a *governmental function.* The favoritism, partiality, and exactions which the law was designed to prevent resulted in large measure from a general misapprehension of the nature of transportation and its vital relation to commercial and industrial progress. So far from being a private possession, it differs from every species of property and is in no sense a commodity. Its office is peculiar, for it is essentially public. The railroad, therefore, can rightfully do nothing which the State itself might not do if it performed this public service through its own agents instead of delegating it to corporations which it has created. The large shipper is entitled to no advantage over his smaller rival in respect of rates or accommodations, for the compensation exacted in every case should be measured by the same standard. To allow any exceptions to this fundamental rule is to subvert the principle upon which free institutions depend and substitute arbitrary caprice for equality of right.

I have felt constrained to quote so largely on this branch of the subject because there is a disposition in many quarters to minimize the obligations of the General Government and the States to control the railroads of the country; a disposition sometimes proceeding from a sense of self-sufficiency natural to the owners of great blocks of railway securities and frequently, I regret to state, from unconsciously interested feelings. But independently of judicial theory or philosophical argument this principle has received universal sanction ever since the invention of the steam railway in the most positive and practical manner possible. Wherever railways have been introduced governments have been found either regulating them with aggressive positiveness, constructing them in whole or in part with the public moneys and operating them for the common good, or, after their construction by private companies, taking them over through public statutes and paying the owners their value, and this whether the owners were willing for the transfer or not. A table showing the different countries and how many miles of railway are publicly and privately owned in each will demonstrate what I maintain. I have had prepared such a table, and it sets out the number of miles of railway in each country in private ownership and the number in public ownership, with summaries at the close of greater or less significance to the question.

*Miles of railway in the different countries of the world and how owned.*

| Countries. | Private ownership. | Public ownership. |
|---|---|---|
| | *Miles.* | *Miles.* |
| Argentina[a] | 12,000 | ..... |
| Austria | 5,040 | 7,620 |
| Algeria[a] | 1,900 | ..... |
| Borneo, British | ..... | 110 |
| Baluchistan | ..... | 82 |
| Belgium | 330 | 2,500 |
| Brazil[a] | 2,200 | 11,800 |
| Bulgaria[a] | 190 | 780 |
| Ceylon, British | ..... | 587 |
| Cyprus (number estimated) | ..... | 100 |
| Cape of Good Hope | 293 | 2,664 |
| Central South Africa | ..... | 2,655 |
| Canada | 16,000 | 3,611 |
| Chile | 1,453 | 1,422 |
| China[b] | 2,870 | ..... |
| Colombia | 210 | 210 |
| Congo Independent State | ..... | 300 |
| Cuba | 1,479 | ..... |
| Denmark | 850 | 1,138 |
| Dutch East Indies | 656 | 800 |
| Egypt | ..... | 1,455 |
| France[b] | 24,500 | 4,000 |
| French West Africa | ..... | 1,000 |
| Germany | 2,450 | 30,354 |
| German Southwest Africa | ..... | 590 |
| Guatemala | ..... | 475 |
| Hungary | 1,900 | 9,198 |
| India | 2,611 | 24,954 |
| Indo-China, French | ..... | 1,600 |
| Italy[c] | 1,240 | 6,600 |
| Jamaica | ..... | 185 |
| Japan | ..... | 4,889 |
| Malay States | 24 | 327 |
| Mauritius | ..... | 131 |
| Mexico[d] | 6,319 | 5,890 |
| Natal | ..... | 776 |
| Newfoundland | 21 | 683 |
| New South Wales | 81 | 3,280 |
| New Zealand | 113 | 2,374 |
| Netherlands | 832 | 985 |
| Nicaragua | 20 | 160 |
| Norway | 219 | 1,329 |
| Panama[e] (now owned by United States) | ..... | 47 |
| Peru | 200 | 846 |
| Portugal | 955 | 531 |
| Queensland | ..... | 3,092 |
| Rhodesia | ..... | 500 |
| Roumania | ..... | 2,295 |
| Russia | 11,452 | 29,055 |
| Straits Settlements | ..... | 100 |
| South Australia | ..... | 1,895 |
| Santo Domingo | 62 | 68 |
| Servia | ..... | 360 |
| Siam | ..... | 350 |
| Spain | 8,520 | ..... |
| Sweden | 5,072 | 2,559 |
| Switzerland[f] | ..... | 2,898 |
| Tasmania | 168 | 462 |
| Turkey | 3,000 | 425 |
| Uganda, British | ..... | 584 |
| Victoria | ..... | 3,429 |
| Venezuela | ..... | 529 |
| West African colonies | ..... | 417 |
| Western Australia | 655 | 1,605 |
| Total | 114,406 | 191,150 |

[a] Government guaranty, subvention, lease—indicating the Government as the initiatory and responsible party.

[b] Lines revert to State under franchises of from thirty to fifty years.

[c] The contracts for the operation of the Italian State railway by private companies, which had been in force since 1885, were terminated by the State on June 30, 1905, and the Government resumed the management of its lines.

[d] The Mexican railways are divided into 5,890 broad gauge and the remainder a gauge of 3 feet and less. The Republic is now acquiring the former in order to promote national commerce and introduce orderly and equitable rates. (See Appendix C 4.)

[e] The only Panama railway, 47 miles in length, is now owned and operated by the United States, the stock of the private owners having been condemned under a recent act of Congress.

[f] In February, 1898, it was decided by a referendum (voting for, 384,382, and against, 176,511) that the railways should be acquired by the Republic.

Analyzing this table, we find that the countries considered are 64; those having publicly owned railroads are 59; those having privately owned railroads are 36. The number having publicly owned railroads exclusively is 29; the number having privately owned railroads exclusively is 5. Of course the table does not include the United States.

Treating Canada, the Australian and African colonies, which are popularly governed, as republics, we have the following distribution of railway ownership in relation to monarchical and republican forms of government: Number of republics having public ownership, 31; number of republics having private own-

ership, 12; number of monarchies having public ownership, 28; number of monarchies having private ownership, 17.

From what has been shown it sufficiently appears that the construction and ownership of railroads is really the business of governments and a function which some fifty-nine out of sixty-four governments have chosen to administer, either in whole or in part, themselves. And in this respect it appears to make no difference whether the form of the government be aristocratic or democratic. A large majority of both kinds of governments—three-fourths of the democracies and about two-thirds of the monarchies—own railroads.

THE CONSTITUTIONAL POWER TO ACQUIRE EXISTING RAILWAYS BY CONDEMNATION.

While with regard to the States it is true, as a general proposition, that this function of government (the construction, condemnation, and operation of railways) appertains to each of them—certainly as to intrastate railways—yet several State constitutions contain prohibitions upon the legislatures appropriating money for railroads or internal improvements. This circumstance would prevent such States from acquiring their railroads until their constitutions would be amended. The situation is different, however, with respect to the General Government. It has been affirmatively decided by the Supreme Court that under the post-road clause and its "plenary power to regulate interstate commerce" Congress has the power to "construct, establish, condemn, and maintain" national railroads from State to State.

In 1888 the case of California *v.* The Central Pacific Railroad Company (127 U. S., 156) was decided. It involved the validity of the old acts of Congress incorporating the Pacific roads. Judge Bradley, speaking for the whole court in that case, said:

The power to construct, or to authorize individuals or corporations to construct, national highways and bridges from State to State is essential to the complete control and regulation of interstate commerce. Without authority in Congress to establish and maintain such highways and bridges it would be without authority to regulate one of the most important adjuncts of commerce. This power in former times was exerted to a very limited extent, the Cumberland or National road being the most notable instance. * * * But since, in consequence of the expansion of the country, the multiplication of its products, and the invention of railroads and locomotion by steam, land transportation has so vastly increased, a sounder consideration of the subject has prevailed and led to the conclusion that Congress has plenary power over the whole subject. Of course, the power of Congress over the Territories and its power to grant franchises exercisable therein are and ever have been undoubted; but the wider power was very freely exercised, and much to the general satisfaction, in the creation of the vast system of railroads connecting the East and the Pacific, traversing States as well as Territories, and employing the agency of States as well as Federal corporations.

In 1892, in the case of Monongahela Navigation Company *v.* United States, the full court again said:

Notice to what the opposite view would lead: A railroad between Columbus, Ohio, and Harrisburg, Pa., is an interstate highway, created under franchises granted by the two States of Ohio and Pennsylvania, franchises not merely to construct, but to take tolls for the carrying of passengers and freight. *In its exercise of its supreme power to regulate commerce Congress may condemn and take that interstate highway, etc.* It may be suggested that the cases are not parallel in that in the present (a river) there is a natural highway, while in that suggested it is wholly artificial. But the power of Congress is not determined by the character of the highway. They are simply the means and instruments of commerce, and the power of Congress to regulate commerce carries with it power over all the means and instrumentalities by which commerce is carried on.

The Supreme Court made it unnecessary this very year to quote from other authorities to sustain the proposition. In the case of Wilson *v.* Shaw, in advance sheets of the opinion which was published on the 15th of the present month, the court cites the cases I have already quoted from, with a large number of others, and affirmatively declares that the principles they announce are the law of the land.

In Wilson *v.* Shaw, Wilson brought suit in the supreme court of the District of Columbia to restrain Shaw, as Secretary of the Treasury, from taking any step to effectuate the payment of the purchase money for the Panama Canal and Railroad as had been authorized by Congress. The case reached the Supreme Court of the United States, and the decision was rendered in the present month, Mr. Justice Brewer delivering the opinion for the full bench. I quote briefly from the opinion:

Again—

Mr. Justice Brewer says—

the plaintiff contends that the Government has no power to engage anywhere in the work of construction a railroad or canal. The decisions of this court are adverse to this contention.

And then the court quotes with approval the previous opinion of the court in California *v.* C. P. R. R. Co. that I have already read. The opinion continues:

These authorities recognize the power of Congress to construct interstate highways. * * * Plaintiff recognizing the force of these decisions seeks to obviate it by saying that the expressions were obiter dicta; but plainly they were not. They announce distinctly the opinions of the court on the questions presented and would have to be overruled if a different doctrine were now announced.

Monongahela Navigation Company *v.* United States, from which I have heretofore quoted, is one of the cases thus specifically and emphatically approved; and from the opinion in the latter case I requote a sentence for its terseness and direct application:

In its exercise of its supreme power to regulate commerce Congress may condemn and take that interstate highway, etc.

This was the court's view of the power of Congress over an interstate railway extending from Ohio into Pennsylvania. And this was not *obiter dicta* is declared by the court in its opinion (Wilson *v.* Shaw) that I have been discussing and that was so recently delivered.

UNITED STATES MAY CONDEMN RAILROAD FRANCHISES.

It is clear then that the power of Congress to order the condemnation of existing roads is full and complete. And the courts have gone further. They have conclusively decided that corporate franchises may be condemned and that proceedings for such an end wold not conflict with the doctrine of the inviolability of contracts. West River Bridge Co. *v.* Town of, etc. (6 Howard, U. S., 507). And what is of equal importance, of course after the right of the Government to condemn, own, and operate the railroads, is the fact that the Government need not wait on the slow process of condemnation proceedings, the determination of values, and the tender of compensation to bring the different roads into its possession and under its control. Congress may authorize an immediate possession of all or so many of the roads as it may conclude is desirable, by providing a remedy against the Government in behalf of the companies for their just compensation for the property and franchises the Government takes over. This was squarely before the Supreme Court in the case of Cherokee Nation *v.* Kansas Railway Company (135 U. S.). In its opinion the court says:

It is further suggested that the act of Congress violates the Constitution in that it does not provide for compensation to be made to the plaintiff before the defendant entered upon these lands for the purpose of constructing its road over them. This objection to the act can not be sustained. The Constitution provides that private property shall not be taken for public use without just compensation. It does not provide or require that compensation shall be actually paid in advance of the occupancy of the land to be taken. But the owner is entitled to reasonable, certain, and adequate provision for obtaining compensation before his occupancy is disturbed.

To provide this reasonable, certain, and adequate provision for securing compensation to the railway companies is the duty of Congress, and it should be provided in any measure that directs the taking over of the roads.

From these and the other cases I have cited it is clear that Congress has the constitutional power to acquire the railways by condemnation of the property and franchises, to maintain and operate them, and, pending the determination of what will be just compensation to be paid the owners, to take them over and subject them to the Government's will and control.

THE CONDEMNATION OF ROADS WHOLLY WITHIN A STATE.

The question whether it is in the power of Congress to condemn roads wholly within one of the States naturally arises. The power of Congress under the interstate-commerce clause of the Constitution "extends to all the instruments by which interstate commerce is carried on." In this sense there is not a single line of railway that does not exist for interstate commerce. Its charter and physical property may be local and wholly within the State, but its object is a participation in interstate commerce. It is accordingly "an instrument" of such commerce. But if any doubt exists as to the power of Congress to condemn roads wholly within a State under the general powers I have pointed out, together with the interstate-commerce clause of the Constitution, there is still the constitutional provision giving Congress the power "to establish post-roads and post-offices."

In the Kohl case I have already cited the Supreme Court held that this post-road and post-office power having been reposed in Congress, Congress could condemn land within the State for post-offices, and that the power of eminent domain appertained to any power or duty of the Government under the Constitution. In that case the Government proceeded to condemn a site for a post-office without resorting to the State courts, but directly through the agency of the Federal courts. In this connection the point to be noticed is this: There is no restriction whatever upon the power of Congress to establish post-roads. The power is granted in the same section with the same words that are used to empower Congress to "establish post-offices." The construction of the part of the clause that relates to post-roads must therefore be identical with the part that relates to post-offices. Congress may, under the express grant of power in the post-office and post-road clause of the Constitution, condemn and operate every intrastate road as a post-road and as an incident of that ownership associate them with interstate roads in moving the commerce and people of the country. Associating the power of Congress under the general one to own

and operate the railroads as public highways, and under the interstate-commerce clause and the post-road clause of the Constitution there is no room to question the right of the Government to condemn, purchase, and operate all railways within the United States, whether they are interstate or wholly intrastate railways.

HOW SHALL COMPENSATION BE MADE AND UPON WHAT BASIS?

I now come to two most interesting phases of the question: Upon what basis shall compensation be made and the method of valuation and the matter of securing the funds for payment for the roads.

As to "just compensation" I conclude that its legal definition includes payment for the market value of "franchises." A considerable moral argument might be made against this definition. However, the bill I introduced accepts the legal standard and adopts the market value criterion as the test of railway compensation. It is quite common in condemnation cases to admit evidence of the prices of surrounding land as evidence of the market value of the land in question. This principle of evidence has received final approval by the courts. But in the case of corporations which have issued bonds and stocks, would evidence of the value or price of the same upon the market be admissible in the fixing of compensation? This question, so relevant in this matter, has been before the courts. In the case of Mifflin Bridge Company *v.* Juniata County (144 Pa. St. Reports) the supreme court of Pennsylvania has decided this very point in the affirmative. This method also permits evidence of annual net profits for a series of years (five is the number suggested in the decisions) as some indication of the value of the corporate property.

Manifestly, the owners of the capital invested in the railroads are to be first considered, and the most approved means should be provided to secure to them the "just compensation" guaranteed by the fundamental law. Despite the extreme opinion often expressed because of overcapitalization and fictitious valuations, the capital invested in railways is among the most useful investments, and its owners are morally entitled to the same treatment accorded by the law to the owners of other property. This means that the stockholders, bondholders, etc., ought to receive the commercial or market value of their holdings. It is fortunate for such a large undertaking that the means for accurately and impartially determining the market value of the railroad properties are at hand and so easy of application that the cost of acquisition can be ascertained in advance, within 5 per cent of what should be paid. I mean by this that the value of any given railway may be found any day by computation based on the selling price of its stocks, bonds, and other debentures.

ACTUAL VALUE OF THE RAILROADS—HOW ASCERTAINED.

Two serious endeavors have been made by the Government to ascertain the actual value of the entire railroad system of the country, one by the Interstate Commerce Commission and the other by the Census Bureau. The former investigation was made at the request of the United States Senate, and its results are given in the report published as Senate Document No. 178, second session of the Fifty-eighth Congress. It was apparently a most painstaking investigation, and resulted in placing the market value of the roads at about $9,000,000,000. This was their ascertained value for the year 1900. The report of the Census Bureau was published in 1905. It was compiled mainly by Prof. H. C. Adams, and this indicated the market value in the year 1904 to be about $11,000,000,000. Let me read them to you:

*Comparative summary of ownership of railway stocks and bonds for the years ending June 30, 1905 to 1900—United States.*

| Item. | Amount outstanding. | Owned by railway corporations. | Not owned by railway corporations. |
|---|---|---|---|
| Stocks: | | | |
| 1905 | $6,554,557,051 | $2,070,052,108 | $4,484,504,943 |
| 1904 | 6,339,899,329 | 1,942,858,359 | 4,397,040,970 |
| 1903 | 6,155,559,032 | 1,798,323,208 | 4,357,235,824 |
| 1902 | 6,024,201,295 | 1,710,145,344 | 4,314,055,951 |
| 1901 | 5,806,566,204 | 1,736,667,211 | 4,069,898,993 |
| 1900 | 5,845,579,593 | 1,470,218,972 | 4,375,360,621 |
| Bonds: | | | |
| 1905 | 6,024,449,023 | 568,100,021 | 5,456,349,002 |
| 1904 | 5,746,898,983 | 558,472,242 | 5,188,426,741 |
| 1903 | 5,426,730,154 | 520,068,745 | 4,906,661,409 |
| 1902 | 5,213,421,911 | 498,373,449 | 4,715,048,462 |
| 1901 | 5,048,811,611 | 468,830,698 | 4,579,980,913 |
| 1900 | 4,900,626,823 | 472,831,377 | 4,427,795,446 |
| Total stocks and bonds: | | | |
| 1905 | 12,579,006,074 | 2,638,152,129 | 9,940,853,945 |
| 1904 | 12,086,798,312 | 2,501,330,601 | 9,585,467,711 |
| 1903 | 11,582,289,186 | 2,318,391,953 | 9,263,897,233 |
| 1902 | 11,237,623,206 | 2,208,518,793 | 9,029,104,413 |
| 1901 | 10,855,377,815 | 2,205,497,909 | 8,649,879,906 |
| 1900 | 10,746,206,416 | 1,943,050,349 | 8,803,156,067 |

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. PATTERSON. Certainly.

Mr. NEWLANDS. I wish to ask the Senator from Colorado whether that valuation was a valuation of the physical properties or whether it was simply an estimate of the value of those properties based upon the market value of the stocks and bonds?

Mr. PATTERSON. It was based upon the market value of the stocks and bonds, which I think is a reasonably safe way of estimating, but certainly the most favorable method for determining the real value of the properties and the franchises.

In reading these tables it will be observed that stocks and bonds of the companies are separated into two classes—those owned by the railway corporations and those not owned by the railway corporations. The significance of this division may not be apparent at first. But reflection will show their importance. For the stocks and bonds given as owned by the railway corporations are the railway securities of one railway company that are owned by another railway company, and the value of the securities so held and owned is represented in the value of the stock and bond issues of the holding companies and should be deducted from the aggregate value of the stock and bond issues of both companies. This would be necessary to avoid a duplication of values. This practice of intercorporate ownership of stock issues is sometimes carried to the third and fourth degree, so that if the separate issues are merely added together a quadruplication of values would result. The statistician of the Interstate Commerce Commission, from whose report for 1905 the table I have quoted is taken, has therefore properly deducted from his aggregate the gross amount of securities owned by the railways themselves. The real total of railway value, as nominally represented by the certificates of stocks and bonds outstanding against our railways is, then, the amount set forth under the headline, "Not owned by railway corporations."

THE TOTAL RAILWAY MILEAGE.

From the documents I have mentioned I find the following: That in 1905 the total mileage of railways in the United States was 216,973; that the market value of the railways in the same year was $9,940,853,945. If we add to this total the amount of current liabilities of the railways, which were at that time $1,221,252,027, we have a compensation to be paid so full and fair that the most ardent champions of justice to the corporations can not complain of it. I would supplement this statement with the suggestion that including the same elements of value as in the computation of "just compensation" in the year 1905, the "just compensation" in 1900 would have been $9,163,170,382.

In view of the general misapprehension as to the commercial or marketable value of our railways it will not be amiss to call attention at this point to the Census Bureau table (Bulletin No. 21), which gives the commercial or market value of the roads by States, the number of miles of single track, the average value per mile, the value placed upon the roads for taxation purposes, and ratio of their assessed taxable value.

*Table, by States, etc., of mileage and commercial and taxed value of the railroads.*

| State, Territory, or District. | Commercial value. | Number of miles of single track. | Average value per mile. | Assessed for taxation. | Ratio of assessment to commercial value. |
|---|---|---|---|---|---|
| | | | | | *Per cent.* |
| United States | $11,244,852,000 | 213,932.13 | $52,600 | ..... | ..... |
| Alabama | 150,211,000 | 4,669.35 | 32,200 | $53,926,026 | 35.9 |
| Arkansas | 124,626,000 | 4,126.44 | 30,200 | 34,709,623 | 27.8 |
| California | 350,694,000 | 6,262.54 | 56,000 | 92,378,550 | 26.3 |
| Colorado | 198,261,000 | 4,976.24 | 39,800 | 49,492,135 | 25.0 |
| Connecticut | 105,369,000 | 1,017.72 | 103,500 | 120,493,648 | 114.4 |
| Delaware | 17,285,000 | 335.93 | 51,500 | ..... | ..... |
| Florida | 80,467,000 | 3,555.84 | 22,600 | 21,817,478 | 27.1 |
| Georgia | 156,603,000 | 6,304.72 | 24,800 | 63,105,810 | 40.3 |
| Idaho | 91,877,000 | 1,461.53 | 62,900 | 10,115,378 | 11.0 |
| Illinois | 805,057,000 | 11,622.74 | 69,300 | 425,709,055 | 63.8 |
| Indiana | 375,541,000 | 6,917.85 | 54,300 | 165,863,367 | 44.2 |
| Iowa | 344,847,000 | 9,859.23 | 35,000 | 57,535,160 | 16.7 |
| Kansas | 356,356,000 | 8,811.43 | 40,400 | 60,093,534 | 16.9 |
| Kentucky | 155,772,000 | 3,253.00 | 47,900 | 77,658,040 | 49.9 |
| Louisiana | 123,401,000 | 3,898.74 | 31,600 | 29,044,195 | 28.9 |
| Maine | 80,146,000 | 2,021.58 | 39,600 | ..... | ..... |
| Maryland | 132,342,000 | 1,421.10 | 93,100 | ..... | ..... |
| Massachusetts | 250,052,000 | 2,118.75 | 118,000 | ..... | ..... |
| Michigan | 277,597,000 | 8,660.29 | 32,100 | 196,795,000 | 70.9 |
| Minnesota | 466,734,000 | 7,811.04 | 59,800 | ..... | ..... |
| Mississippi | 107,884,000 | 3,480.25 | 31,000 | 29,847,640 | 27.7 |
| Missouri | 309,768,000 | 7,711.05 | 40,200 | 97,916,869 | 31.6 |
| Montana | 196,209,000 | 3,267.10 | 60,100 | 36,759,827 | 18.7 |
| Nebraska | 263,170,000 | 5,820.88 | 45,200 | 46,082,853 | 18.5 |
| Nevada | 43,745,000 | 986.56 | 44,300 | 13,778,049 | 31.5 |
| New Hampshire | 79,786,000 | 1,275.97 | 62,500 | 22,625,000 | 28.3 |

*Table, by States, etc., of mileage, etc.*—Continued.

| State, Territory, or District. | Commercial value. | Number of miles of single track. | Average value per mile. | Assessed for taxation. | Ratio of assessment to commercial value. |
|---|---|---|---|---|---|
| | *Dollars.* | | *Dollars.* | *Dollars.* | *Per cent.* |
| New Jersey | 333,568,000 | 2,277.85 | 146,400 | 231,655,525 | 69.5 |
| New York | 898,222,000 | 8,297.29 | 108,300 | 229,582,064 | 25.6 |
| North Carolina | 113,146,000 | 4,075.60 | 27,800 | 69,480,974 | 61.4 |
| North Dakota | 123,300,000 | 3,190.77 | 38,700 | 22,160,304 | 18.0 |
| Ohio | 689,797,000 | 9,196.88 | 75,000 | 133,858,945 | 19.4 |
| Oregon | 75,661,000 | 1,738.84 | 43,500 | ..... | ..... |
| Pennsylvania | 1,420,608,000 | 11,023.24 | 128,900 | ..... | ..... |
| Rhode Island | 25,719,000 | 211.89 | 121,400 | 15,852,003 | 61.6 |
| South Carolina | 75,500,000 | 3,175.28 | 23,800 | 29,467,716 | 39.0 |
| South Dakota | 49,646,000 | 3,047.14 | 16,300 | 14,354,930 | 28.9 |
| Tennessee | 131,166,000 | 3,480.83 | 37,700 | 58,536,566 | 46.6 |
| Texas | 237,718,000 | 11,848.03 | 20,100 | 95,209,785 | 40.0 |
| Utah | 90,225,000 | 1,779.69 | 50,800 | 20,682,461 | 22.9 |
| Vermont | 37,311,000 | 1,063.25 | 35,100 | 27,344,020 | 73.3 |
| Virginia | 221,315,000 | 3,932.33 | 53,700 | 63,269,623 | 37.7 |
| Washington | 182,237,000 | 3,355.83 | 54,500 | 26,066,949 | 14.3 |
| West Virginia | 201,799,000 | 2,836.83 | 71,000 | 28,771,358 | 14.2 |
| Wisconsin | 284,510,000 | 7,048.76 | 40,400 | 218,024,900 | 76.6 |
| Wyoming | 100,307,000 | 1,247.70 | 80,400 | 7,498,232 | 7.5 |
| Alaska | 100,000 | 27.79 | 3,600 | ..... | ..... |
| Arizona | 68,356,000 | 1,751.35 | 39,000 | 6,667,349 | 9.7 |
| District of Columbia | 5,578,000 | 32.00 | 174,300 | 2,486,024 | 44.6 |
| Indian Territory | 79,405,000 | 2,532.00 | 31,400 | ..... | ..... |
| New Mexico | 86,400,000 | 2,504.66 | 34,500 | 8,511,538 | 9.9 |
| Oklahoma | 78,668,000 | 2,611.03 | 30,100 | 11,936,317 | 15.2 |

HOW THE RAILROADS CUT DOWN VALUE OF THEIR ROADS WHEN LISTED FOR TAXATION.

But this table is well worth careful study. It not only gives the facts I have before mentioned, but it serves to show the effectiveness of railroad influence over local public officials and the special favors it is able to secure from them, for in many of the States the value fixed upon railroad property for taxation purposes is less than 20 per cent of the market value of the property. In Idaho, for example, it is but 11 per cent; in Nebraska, but 19.5 per cent; in Wyoming, but 7.5 per cent; in Oklahoma, but 15.2 per cent; in Washington, but 14.3 per cent; in North Dakota, but 18 per cent; in Colorado, but 35 per cent; in New York, but 25.6 per cent, and in Iowa, but 16 per cent.

HOW THE PURCHASE OF THE ROADS MAY BE FINANCED.

The question that next arises, and one that has presented the greatest obstacle to many who on principle favor Government ownership, is the feasibility of financing so stupendous an undertaking. Eleven or twelve billions of dollars is no inconsiderable sum for even as great and prosperous a nation as the United States. But much of the difficulties will disappear if, primarily, it shall be kept in the mind that the operation is not one that requires the raising of eleven or twelve billions of new capital, but that it, in the main, but involves a substitution or exchange of securities. It may be safely estimated that eight or nine tenths of the holders of railway securities will really welcome the substitution of bonds issued by the Government and secured not only by the national faith, but, in effect, by a mortgage upon the railroads and a pledge of their net revenues to pay them off, principal and interest. Indeed, pretty nearly a necessity would exist compelling these holders to take the bonds, arising from the very great difficulty that would be found in seeking satisfactory investments for the money the Government would otherwise pay. A mortgage of the railways, backed by the guaranty of the Government to the new bondholders, would furnish an element of security for the bonds that no other form of debentures, public or private, would possess. With the element of prompt payment certain in the highest degree, the exchange of railway securities at the price levied by the appraisers of the railway property for a like amount of these new Government bonds would possess a charm that few of the great holders of railway securities could resist. But quite independently of the suggested exchange, should the money be necessary the security offered by such Government bonds would make them the very best securities in which to invest that could be placed upon the market. Then what rate of interest should such bonds draw to give them the element of preference I have suggested? If a rate of interest can be set that would secure a permanently stationary condition at par, the transaction would be an ideal one; but as such an achievement is impossible as to any form of security, it remains to determine the rate of interest that would secure absolute justice to the railways at the time of their acquisition.

It will be claimed that to increase the public debt the amount necessary to take over the railways would lessen the value of the bonds unless a far higher rate of interest than the present average Government rate was to be paid. But I submit that such can not be the case. In view of the proposition to treat the railways as mortgaged to the new bondholders it is inaccurate to consider the bonds as an incumbrance upon the national credit or as a real addition to the national debt. The pledge to the holders of our outstanding Government bonds are the revenues of the country. The pledge to the holders of the new bonds would be the net revenues derived from the operation by the Government of the railways, plus the surplus Government revenues, should there ever be deficiency in the former. The per capita debt of Great Britain—nearly $4,000,000,000—is $92.64. The per capita debt of France, including obligations for railways it has taken over—nearly $6,000,000,000—is $150. The per capita debt of the United States—$1,000,000,000 of debt—is but $11.91. Should we add to this debt the entire cost to the Government of the railways—$11,000,000,000—it would make the per capita debt of the United States but $128. Yet Great Britain's bonds bear 2½ per cent interest, and France's, 3 per cent. Does it not follow that 3 per cent interest upon the new issue of bonds would sell them readily at par? Indeed they would likely command a slight premium. I deduce, therefore, that these bonds should bear interest at 3 per cent. France, with a per capita debt of $150, borrows money at 3 per cent, and Great Britain, with a per capita debt of $90, borrows it at from 2½ to 2¾ per cent. Why, then, should not a per capita debt of the United States of but $128 float the bonds that represent it and that draw 3 per cent readily at par? And would not 3 per cent bonds, guaranteed, as would be the railway-purchase bonds, prove an irrestible attraction not only to the present holders of railway securities, but to uninvested capital the world over?

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. PATTERSON. For a question.

Mr. NEWLANDS. I should like to ask the Senator whether it would not add to the simplicity of the plan which he presents if, instead of immediately taking over the bonds, which aggregate about $6,000,000,000, the Government should take over only the stocks, which would involve an expenditure of only $5,000,000,000, leaving the bond issues to be retired later on as they mature by new bonds at lower rates of interest?

Mr. PATTERSON. That is a mere matter of detail, and would be simply the exercise of a sound judgment as to which plan should be pursued. So far as I am concerned, I am not a stickler for any particular method. I have simply endeavored to demonstrate that the financing of the scheme to take over all of the railroads of the country is entirely feasible, and that it would not embarrass the financial affairs of the Government or the business of the people in the slightest degree in so doing.

GOVERNMENT OWNERSHIP WOULD NOT RESULT IN A POLITICAL MACHINE.

I think I have demonstrated that there would be no difficulty in financing the taking over of the American railways. Let us suppose the American mind is ready to require the step to be taken. To very many the greatest obstacles arise when it has been accomplished, for these profess to believe that railway employees would be organized into an immense political machine, and that either party, once in power, would by its aid manage to remain perpetually in power. I see no such danger. Quite independently of every other consideration, when the American people make up their minds that railway ownership must come they will also have made up their minds that the railways shall be operated for the people and not for any political party, and when the people really make up their minds that certain things shall be such things are brought about and they continue as the people want them. It is absolutely certain that in the organization of the machinery to conduct the vast public work of operating the railroads the people would see that the plan of organization was for their benefit and not to make the railroads an annex to a political party.

In the bill I introduced the scheme of such an organization is outlined. It was so outlined not as the perfection of organization for such a purpose, but to show how readily Congress could provide an organization from which the political element was eliminated, so as to be a mere negligible quantity and to effectuate the ends that would be sought by the people.

PROPOSED ORGANIZATION AND DISTRIBUTION OF POWERS.

Having considered the means essential for acquiring the railways, I now take up the organization that would be proper for their operation under national auspices. Of course, what I suggest is tentative—only the suggestion of a plan that I believe would prove effective, both for the satisfactory operation of the roads and to prevent their prostitution to political ends.

Let it be premised, however, that at the beginning no radical change should take place. The rates, rate making, fiscal, legal,

and operating departments would continue until gradually supplanted by more efficient successors. It might be impracticable and unwise to start a complete system of novelties, however sound in themselves, until the old servitors had been thoroughly initiated into their meaning and practice. Thus the classification, passenger, express, postal, and freight rates then existing might continue until ordered changed by the division having power over these subjects; and, in like manner, official duties, regulations, and hours of labor would remain the same as before, subject to alteration by the division of transportation.

It is provided in the bill that the entire power to determine rates and classification be reposed in the Interstate Commerce Commission. This embraces the fixing of express charges, the charge for carrying the mails, passenger rates, and the freight tariffs and classification for the whole country. This Commission, composed of seven members, is perhaps the best informed combination of men in the world on this subject, and has enjoyed a continuous experience with it for nearly twenty years. While there are now multitudinous and confusing classifications of freight, where it is conceived one would suffice, and a hundred thousand different rate schedules filed each year, when it is believed a simple system might be substituted covering the country, yet it is not expected that the Commission will proceed in a hurry to amend all these. Time and great care will be required so as not to jeopardize important interests, and this prudence the Commission may be relied upon to realize.

The establishment of the zone idea, as adopted in other countries, will in all probability be the ultimate method of dealing with the freight and passenger traffic. And this zone order of things already exists in embryo to some extent in relation to our freight traffic.

This commission would continue to be selected as now, at a salary increased in proportion to the increased importance of its duties. The commission should be given exclusive jurisdiction to determine rates, but with the command imposed that rates shall be equal to all persons and places under similar circumstances and against rebates, preferences, and discriminations.

DIVISION OF TRANSPORTATION.

Then there should be established a division of transportation, to which should be consigned the actual operation of the railways, the formulation of rules for administration, to fix wages, assign duties, and adopt plans for the selection of employees, and for all other regulations defining the relations of servants in the organization.

The country might be divided geographically into ten or more groups of States, and the division of transportation should consist of one director from each of the groups, with a chief director selected at large. All should be citizens who had not less than ten years' experience in practical railway superintendence. The first set of directors would be appointed by the President, by and with the advice and consent of the Senate, and the tenure of office should be as many years as there are groups of States. If ten groups, for ten years; if twelve, then for twelve years. Of the first board the term of one director should expire in one year, and of another in two years, and another in three, and so on throughout the list. This would provide for but one new member of the board each year, so that its personnel could not be assailed with each recurring administration nor revolutionized in any one administration. And the successors should all be appointed from a superior efficiency list to be provided by the directory from among those in the service, the standard of efficiency being supplied by the directory. A merit system with provisions for preserving the record of each employee might be established; promotions to be given to those having the best record. The directory should be equally divided between the two political parties, and the terms should be so arranged as that the expiration of the terms would alternate between the members of the two parties. With some such organization and regulations and with additional proper civil-service rules the administration of the railroads would be altogether eliminated from political influences and the army of employees be left free to vote according to their party affiliations. The plan suggested would not interfere with the functions of Congress. Its duties are not administrative. In fact, so large, so differently composed, and so multifariously employed is Congress that it could not, in the nature of things, be considered in the light of an administrative body. Its functions are legislative, and not administrative.

THE REFORMS THAT WOULD FOLLOW.

Mr. President, unless government ownership of railroads and efficient management is to result in substantial benefits to the country, the change would be useless. I need not say that the advocates of the change maintain that it would vastly improve the moral tone of the nation by eliminating the subterfuge, the frauds, and gross injustice now almost universally associated with the railroad business. It would result in economies so great that freight rates should be largely reduced and passenger rates be substantially cut in two. It would permit the enlargement and extension and, in certain classes of postal matters, the great cheapening of the postal service, while it would eliminate that hobgoblin of a postal deficiency always invoked to balk the efforts of those who stand for advanced postal reform. It would secure a system of postal express with reduced rates, based upon the different distances. It would provide for the safety of the traveling millions of the country, as well as for those who operate the trains, the speedy adoption of every approved safety appliance to cars, engines, tracks, and yards, and the best systems for the prevention of collisions between trains in movement. Grade crossings would be abolished and overhead or tunnel crossings of every public highway adopted in their stead. It would result in a pension system that would keep the wolf of want from the doors of faithful employees when they reached the pension age; it would bring about laws under which those injured by accident in service and the surviving dependents of those who might be killed would be compensated upon a just and scientific basis. The construction of new lines in the past has from necessity been sporadic—the motives for construction being wholly private—which has led to duplication and triplication of lines, affording some points and sections accommodations far beyond their needs while others were left without railroads at all adequate for their wants. This want of system in construction, so fraught with favoritism and injustice, would be replaced with provisions for line construction and extension at once just and adequate. It would insure efficiency in service, an adequate supply of cars and motive power; it would render almost impossible the national blockade of traffic that this present winter tied up so much of the vital business of the country and brought extreme want and suffering, especially to the inhabitants of the Northwest, where the railroads abandoned the people to the frightful cold of the blizzards and left them without sufficient fuel and other necessities of life.

We would have the substitution of stable capital, represented by Government bonds, in the place of private and precarious securites, the issues of which resemble more the marked cards of the gambling table than safe investments of the country's capital.

There would follow the eradication from our public life of railway politics and the reestablishment of that equilibrium of power between the States, the Government, and their peoples which obtained in the early history of the country, restoring to both State and national agencies of government their constitution's supremacy in the regulation of the public relations of our citizens.

Nearly all the above results have attended the public ownership of railways in Belgium, Austria, Germany, and the Australasian colonies, and with the conceded superior efficiency of the American worker are, I believe, certain to follow the introduction of that method of ownership here.

WHY REGULATION OF RAILWAYS MUST PROVE A FAILURE.

Mr. President, I suggested when I commenced my remarks that I would point out why the legislation of last session amendatory of the interstate-commerce act must prove a grave disappointment to the people. On the one hand, while the Committee on Interstate Commerce was taking testimony in the recess before the last session convened, the consensus of railway opinion was that the amendments proposed would result in serious loss of revenues to the companies, a great depreciation in their securities, and, finally, by sympathetic process, affright investors at large, with consequences of general business depression. The markets since the law went into effect have dispersed these expressed fears, and railway securities sell as well now or better than before the passage of the act. On the other hand, the people at large were somehow or other led to expect that with the law upon the statute books the country would possess a complete scheme of relief from the evils they had been enduring, and that the Government would be found at every depot insuring them just rates and the necessary accommodations. This, too, has proved to be a delusion, and it is impossible that it should have proved otherwise. That these expectations are and must continue groundless under prevailing conditions can readily be made apparent. I will epitomize some practical demonstrations of this that have been suggested by a friend from Maryland.

A shipment of freight—

He writes—

consigned from Cumberland, Md., to Tyrone, Pa., must traverse the railways of three different companies, the Western Maryland, the Penn-

sylvania Railroad, the Huntington and Broadtop, in a journey of 100 miles on a noncompetitive route. Let it be premised now that the Government, when called upon by a complaining shipper to "regulate" the rate complained of, can not do it as it pleases, but can fix only that rate which will yield a fair return to each of the three companies after paying the cost of transport, taxes, etc. Now, it being required to know what a just rate is, we must ask and answer the following questions: What is the character of the goods to be shipped with regard to hazard of travel? To what class shall it be consigned? The number of miles in each road? What is the value of each road traversed? What did it cost each road to haul the shipment? What proportion is the latter to the cost of the whole operation of the road? What proportion of the whole rate should be paid to each road? What is a fair return on the capital invested in each road? What was the actual amount invested by each road? What are the proper terminal charges at points of consignment and destination? What sum must be allowed for depreciation of railway property? Perhaps as many other equally pertinent questions can be added, but it is not too much to say that it would take three months' litigation in a contested case to answer the above questions and when answered the verdict would be so far from accurate that either the shipper or the railways would be wronged.

Now, furniture is but the representative of *one* class, and there are eight subclasses. When the above questions have been investigated for that class they would still have to be gone over again for each other class. And when conclusions as to rates between Cumberland and Tyrone had been reached sufficiently obvious to pass the courts, would the problem be solved? On the contrary, the whole United States would remain open for like litigation. There are rates, just or unjust, on every article of commerce between every shipping point reached by the railways to and from and every other railway point. Taking Cumberland for the point of consignment, the Government may be called upon to regulate rates on the different classes over even more connecting railways to every other railway station outside of Maryland. And when this task were accomplished, a task impossible to execute in detail, the work would have just begun. The shipper from each other town and village might demand the enumeration of a list of rates to every other freight station in the Union—as President Stickney said, "four and a half billion rates," a system of tariffs requiring omniscience to formulate and nothing less than omnipotence to enforce.

It is not meant that the above condition is actually before us. What is meant is that the full theory of government regulation of the rates exacted by private railway companies involves such a process by the Interstate Commerce Commission subject to reexamination and approval by two successive appellate courts. The common notion that the Government will or can insure the shipper a reasonable rate must be treated as erroneous. Indeed, it may be safely asserted that no considerable proportion of railway rates are accurately investigable under any methods known to the law, since there is no *general basis* applicable to the diverse rights and interests entitled to "due process of law" under the present conflicting ownerships.

HOW GOVERNMENT OWNERSHIP WOULD SIMPLIFY RATE MAKING.

Mr. President, take the converse of this under government or unified ownership. That impediments to the speedy and permanent settlement of rates would vanish is the corrollary of unified ownership.

To illustrate this I quote from a recent work of Professor Parsons, of Boston. Discussing the rate systems employed in Germany under government ownership, he says:

> The basic tariff is contained in a small pamphlet less than an eighth of an inch thick—in fact, the gist of it all, for both express and freight, is in two or three pages. The essence of the tariff system could be printed on one page of this book, and after a five minutes' explanation you could find for yourself the Prussian rate on any ordinary shipment either by freight or express. Cost of service, distance, the zone principle and tapering rates, the flow of traffic, utilization of car space, market conditions, what the traffic will bear, are all considered in making rates. The same general elements enter into the problem as in the case of private railways, which also have to consider cost, distance, market conditions, what the traffic will bear, etc., but the state railways deal with these elements in the light of the public interest, and come to their conclusions on that basis, while the companies consider the question in the light of their own profit and decide upon that basis.

NEED NOT PREVENT PRIVATE RAILROAD CONSTRUCTION.

It must not be understood that, Mr. President, government ownership of the roads would necessarily put a stop to railroad construction by private capital under public authority. The bill I introduced provides for private initiative and permits corporations to construct new lines that may connect with the Government system upon such terms as may be agreed upon, the directory reserving the right after a stated period to acquire the road at the cost of construction with a fair interest upon the capital invested. I believe that this authority would result in road building where the Government might not be willing to immediately venture. In any event it permits the play of the two systems—public and private—the Government, however, always maintaining over the private lines its right to take them over.

FOUR NATIONAL RECRUITS TO GOVERNMENT OWNERSHIP.

Mr. President, in this, as in every other great reform, there is a constant movement; but the changes are all from private to public ownership of the roads. Since the reform was undertaken there has been no backward movement in any part of the world. National recruits to the ranks of government ownership are constantly arriving. Within the past five years Switzerland, Mexico, Italy, and Japan have joined the public-ownership ranks. These countries found the evils with which we are contending unendurable, though their regulatory control of the railroads was much more stringent than any we have adopted. Yet they would no longer submit to the evils the private-ownership system imposed. They had tried every means to overcome them and to materially mitigate them; but finding their efforts foiled by the companies, they applied the supreme remedy. It required courage and steadfastness in those countries to carry the reform. Have the people of the United States less courage and less steadfastness than those of the countries that so recently threw off the yoke of railroad bondage?

Mr. President, the literature upon this subject is informing the country with its swelling volume. Intuitively now the patrons of railways turn to public ownership as their relief from the burdens that private ownership imposes upon them. Magazines, weekly papers, and the daily press find that their readers want to learn about it, and to satisfy them a considerable space of their publications must be devoted to its discussion. Whoever has his interest aroused may find in any public library works going into the details of every feature of railway service and public ownership—this in addition to the educational features of current periodical literature. Therefore there is no need for me to occupy time in giving greater details. I have contented myself with a presentation of the fundamentals of the question, making them, I hope, clear to the average mind. If I have accomplished this even measurably, I am content with the results accomplished.

Mr. President, until public ownership comes the country must expect and submit to unjust rates and to favoritism and extortions in connection with the country's transportation. Private ownership now amounts to a monopoly in private hands of all the highways of commerce, a monopoly that absorbs an unjust proportion of the country's wealth. Injustice to shippers and communities is inherent in private railway management and the most stringent laws for remedying the evils must necessarily fail in accomplishment of any but minor results. Here and there some relief will be afforded, but the great and growing body of the evil will continue and increase. Overcapitalization, the watering of stocks, and manipulation of the markets which swell the capitalization upon which the people must pay the dividends and interest will remain a manacle upon the limbs of commerce. Government by and for the railroads will flourish throughout the land, and what was said by Wendell Phillips years ago is as true now as it was when it was spoken: "The railroad magnate goes through the country with three hundred millions at his back and every legislature in his path gets down on its knees before him." The power of these railway potentates has not diminished with the passing of the independent railroad and the consolidation of all the lines under half a dozen managements with these managements combining to thwart the Government and mold it to their ambitions. Wherever you go, whether to the national capital or to the capitals of the States, there you find powerful railway lobbies binding those elected to serve the people to the railroads' will. California is held in the grip of the Southern Pacific, Kansas submits to the Santa Fe, most of the New England States bow to the Boston and Maine and the New York, New Haven and Hartford, while New York—the great Empire State—asks the New York Central what may be its pleasure. Now and then, by mighty effort, a State temporarily escapes from the railroad yoke, but after a while the railroads pad the yoke though the law of the yoke may remain untouched. These mighty combinations throw their black shadows over every important political convention; they put their guardians in governor's offices and in every legislature; they pollute the Halls of Congress and the public believe they turn many who were elected to serve the public from their duty to their country with the clenched fist and the seductive bribe. This deadening influence extends from the top to the bottom of our political system. Now and then the people of the States elect a Cummins, a Boies, a Van Zant, or a Folk, and the people of the country sometimes elect a Roosevelt. But as a rule even these popular victories do not permanently loosen the railroad grip. The people sleep, but the railroads never. Created ostensibly to serve the people, they hold the people as their enemies and are forever plotting to circumvent and subdue them.

Mr. President, the Government ownership and management of railways carries with it, in my humble opinion, great and broad commercial and moral reforms. The people's ideal of government and governmental duty and responsibility will be immeasurably heightened with its adoption. A free people always advance in moral stature as their duties multiply and their responsibilities broaden. Devolve upon such people in this intensely material age the obligations through the Government

to manage and control the vast system of railways over which the country's products must be transported, an operation that affects the people in every phase of their worldly activities, and the strength, the courage, and the thought of the people are deepened and broadened, while it inspires them with a better and more patriotic citizenship. But the moral fiber of the people will not alone be strengthened—there will come a material improvement that will add substantially to the worldly possessions of the masses. One of the chief agencies through which the immense fortunes that threaten the country will be eradicated and much more of the proceeds of the toil of the workers will reward their industry and add pleasure to their labors. The Government may then truly develop into one of the people, by the people, and for the people; for the vast power and wealth of the railroad corporations will be withdrawn from the political field and the people will have disposed of one of the greatest and by far the most powerful of the enemies to free government that are unceasingly at work undermining our free popular institutions.

Mr. President, there is no mistaking the trend of the popular mind toward the great reform. The experiences of every other country with government ownership of railroads is a preachment in its behalf; the very highest economic authorities support it; the tides of civilization are moving and bearing it upon its crest. It is the bridge over which strife and oppression and danger to our free institutions will cross from our country into outer darkness and upon which cooperation, harmony, and greater material prosperity will enter. Speaking for myself, Mr. President, I will welcome the day when government ownership of the railroads becomes an accomplished fact, believing, as I do, that it will prove to be one of the chief foundation stones of our governmental superstructure, upon which greater and more widely distributed wealth, a higher civilization, and better American patriotism will safely rest.

## APPENDIX.

*Comparative summary of passenger and freight service for the years ending June 30, 1905 and 1901.*

[Interstate Commerce Commission Report.]

| Item. | 1905. | 1901. |
|---|---|---|
| Passengers carried: | | |
| *a.* Number of passengers reported as carried | 738,834,667 | 607,278,121 |
| Passengers carried 1 mile | 23,800,149,436 | 17,353,588,444 |
| Passengers carried 1 mile per mile of line | 109,949 | 89,721 |
| Tons carried: | | |
| *a.* Number of tons reported as carried | 1,427,731,905 | 1,089,226,440 |
| *b.* Number of tons reported carried, excluding tonnage received from connecting roads and other carriers | 784,920,188 | 583,692,427 |
| Tons carried 1 mile | 186,463,109,510 | 147,077,136,040 |
| Tons carried 1 mile per mile of line | 861,396 | 760,414 |
| Passenger-train milcage | 459,827,029 | 385,172,567 |
| Average number of passengers in train | 48 | 42 |
| Average journey per passenger, miles | 32.21 | 28.58 |
| Freight-train mileage | 546,424,405 | 491,942,041 |
| Average number of tons in train | 322.26 | 281.26 |
| Average haul per ton: | | |
| *a.* Typical haul of the average railway, miles | 130.60 | 135.03 |
| *b.* Typical haul of all the railways regarded as a system, miles | 237.56 | 251.98 |
| Total revenue-train mileage | 1,038,441,430 | 908,092,818 |
| Total mileage of freight cars | 15,082,070,763 | 12,811,211,703 |

| Year. | Gross earnings. | Operating expenses. | Net profits (deduct taxes). | Taxes. |
|---|---|---|---|---|
| 1905 | $2,082,482,406 | $1,391,214,670 | $691,267,736 | $63,474,679 |
| 1904 | 1,975,174,091 | 1,339,349,594 | 685,205,467 | 61,696,354 |
| 1903 | 1,900,846,907 | 1,257,538,852 | 643,308,055 | ..... |
| 1902 | 1,725,380,267 | 1,116,248,747 | 610,131,520 | ..... |
| 1901 | 1,588,526,037 | 1,030,397,220 | 558,128,767 | ..... |
| 1900 | 1,487,044,814 | 961,428,511 | 525,616,303 | ..... |
| 1899 | 1,313,610,118 | 856,968,999 | 456,641,119 | ..... |
| 1898 | 1,247,325,621 | 817,973,276 | 429,352,345 | ..... |
| 1897 | 1,122,089,773 | 752,524,764 | 369,565,009 | ..... |
| 1896 | 1,150,169,376 | 772,989,044 | 377,180,332 | ..... |

| Source of income. | Gross amount. | | Proportion to total earnings, 1905. |
|---|---|---|---|
| | 1905. | 1904. | |
| | | | *Per cent.* |
| Passenger revenue | $472,694,732 | $444,326,991 | 22.70 |
| Mail | 45,426,125 | 44,499,732 | 2.18 |
| Express | 45,149,155 | 41,875,636 | 2.17 |
| Other earnings, passenger service | 11,040,142 | 10,914,746 | .53 |
| Freight revenue | 1,450,772,838 | 1,379,002,693 | 69.67 |
| Other earnings, freight service | 5,080,266 | 4,568,282 | .24 |
| Other earnings from operation | 52,319,148 | 49,986,011 | 2.51 |
| Total earnings | 2,082,482,406 | 1,975,174,091 | 100.00 |

*Comparative summary of employees, by class and per 100 miles of line, for the years ending June 30, 1905 and 1895.*

| Class. | 1905. | | 1895. | | Compensation. | | Total wages, 1905. |
|---|---|---|---|---|---|---|---|
| | Number. | Per 100 miles of line. | Number. | Per 100 miles of line. | 1905. | 1895. | |
| General officers | 5,536 | 2 | 5,407 | 3 | $11.74 | $9.01 | $15,155,278 |
| Other officers | 5,706 | 3 | 2,534 | 1 | 6.02 | 5.85 | 11,599,169 |
| General office clerks | 51,284 | 24 | 26,583 | 15 | 2.24 | 2.19 | 37,445,570 |
| Station agents | 35,245 | 16 | 29,014 | 16 | 1.93 | 1.74 | 23,112,137 |
| Other station men | 125,180 | 58 | 73,569 | 41 | 1.71 | 1.62 | 67,012,465 |
| Enginemen | 54,817 | 25 | 34,718 | 20 | 4.12 | 3.65 | 70,626,750 |
| Firemen | 57,892 | 27 | 35,516 | 20 | 2.38 | 2.05 | 41,701,463 |
| Conductors | 41,061 | 19 | 24,776 | 14 | 3.50 | 3.04 | 44,758,533 |
| Other train men | 111,405 | 51 | 62,721 | 35 | 2.31 | 1.90 | 77,416,200 |
| Machinists | 47,018 | 22 | 27,740 | 16 | 2.65 | 2.22 | 37,495,267 |
| Carpenters | 56,089 | 26 | 35,564 | 20 | 2.25 | 2.03 | 36,501,025 |
| Other shopmen | 176,348 | 81 | 88,661 | 50 | 1.92 | 1.70 | 101,164,035 |
| Section foremen | 38,217 | 18 | 29,809 | 17 | 1.79 | 1.70 | 23,041,754 |
| Other trackmen | 311,185 | 143 | 155,146 | 87 | 1.32 | 1.17 | 103,413,280 |
| Switch tenders, crossing tenders, and watchmen | 45,532 | 21 | 43,158 | 24 | 1.79 | 1.75 | 22,355,957 |
| Telegraph operators and dispatchers | 31,963 | 15 | 20,984 | 12 | 2.19 | 1.98 | 22,638,034 |
| Employees (account floating equipment) | 8,753 | 4 | 5,779 | 3 | 2.17 | 1.91 | 5,612,076 |
| All other employees and laborers | 178,965 | 82 | 83,355 | 47 | 1.83 | 1.65 | 94,895,687 |
| Total | 1,382,196 | 637 | 785,034 | 441 | ..... | ..... | 839,944,680 |

*Comparative summary of results deduced from Table III and Table IV for the years ending June 30, 1905 to 1895—United States.*

| Item. | 1905. | 1904. | 1903. | 1902. | 1901. | 1895. |
|---|---|---|---|---|---|---|
| Revenue per passenger per mile | $0.01962 | $0.02006 | $0.02005 | $0.01986 | $0.02013 | $0.02040 |
| Revenue per ton of freight per mile | .00766 | .00780 | .00763 | .00757 | .00750 | .00839 |
| Revenue per train mile, passenger trains | 1.15954 | 1.14135 | 1.11644 | 1.08531 | 1.02721 | .97870 |
| Revenue per train mile, freight trains | 2.49689 | 2.42703 | 2.43967 | 2.27093 | 2.13212 | 1.61190 |
| Revenue per train mile, all trains | 1.97906 | 1.93960 | 1.91380 | 1.82350 | 1.72938 | 1.37723 |
| Average cost of running a train 1 mile, all trains | 1.32140 | 1.31375 | 1.26604 | 1.17960 | 1.12292 | .93029 |

### ECONOMIES CONSEQUENT UPON UNIFIED OWNERSHIP.

[By David J. Lewis, esq., of Cumberland, Md.]

A casual view of the operations of our railways under private auspices brings to light conditions replete with economic waste. In the passenger service the late John K. Cowen, president of the Baltimore and Ohio Railroad Company, when speaking of the advantages to the railways of a pooling bill, instanced the traffic between Cincinnati and Columbus. He stated that between these cities three companies each ran six trains a day each way, or nominally thirty-six trains in all; that if the roads were allowed to pool the thirty-six trains could be reduced to eighteen, and running them at different hours the accommodation to the public would be really doubled. The same waste is observed in the freight traffic, in the circuitous routing of *freight* consequent upon competitive hauling. Professor Ripley, of Harvard, in his book Railway Problems, gives the following as a few of the instances of freight being hauled on the longest instead of over the shortest routes.

Chicago to San Francisco, via New Orleans.
San Francisco to Omaha, via Winnipeg.
One hundred all-rail lines between New York and New Orleans. Shortest route, 1,340 miles; longest, via New Haven, Ind., 2,051 miles.
Chicago to Sioux City, Iowa, via St. Paul.
Chicago to Fort Dodge, Kans., via Des Moines, Iowa.
Chicago to Springfield, Ill., via St. Louis.
Rochester to St. Louis to Minneapolis to California, via New York City.
New York to Salt Lake City, via San Francisco.
Chicago to San Francisco, via Shanghai, China.
Liverpool to New York City, via Montreal and Chicago.
From Illinois to California, via Canada.
From Illinois to New Jersey, via Canada.
From Illinois to Pennsylvania, via Canada.
From Kentucky to Pennsylvania, via Canada.
From Kentucky to New York, via Canada.
From Missouri to Pennsylvania, via Canada.
From Pennsylvania to Missouri, via Canada.
From New York to Kentucky, via Canada.
From New York to Missouri, via Canada.
From New York to Tennessee, via Canada.
From Ohio to Pennsylvania, via Canada.
From Pennsylvania to Ohio, via Canada.
From Ohio to New York, via Canada.
From New York to Ohio, via Canada.

And President Ramsey, of the Wabash, stated before Senate committee that as much as 57 per cent of the traffic between Pittsburg and Philadelphia might be made take a 700-mile roundabout haul.

Besides the above, the necessity for the expenditure of numerous other items would pass away with private ownership, notably the pass system, under which probably 15 per cent of the passenger traffic of 1905 was carried. C. P. Huntington stated before the United States Industrial Commission that the local wastes of New York City alone amounted to a hundred millions in a year; and English railway authorities, such as the secretary of the London and Northwestern Railway, the Lancashire and Yorkshire, and Sir Edwin Chadwick, have estimated the wastes in the country at 24 per cent, although in England there is relatively little competition as compared with the United States.

Professor Newcomb, then editor of the Railway World, in view of these conditions, was led to say:

"The economic advantages of absolute unification are so great that it may be expected that the movement will not cease until unification has been completely accomplished."

Coldly regarding the subject and with no disposition to magnify figures, the following are submitted as economies easily practicable under a single national ownership:

| | |
|---|---|
| Switching charges balance | $4, 201, 050 |
| Car per diem and mileage balance | 18, 835, 325 |
| Hire of equipment balance | 3, 040, 641 |
| Advertising | 5, 959, 380 |
| Outside agencies | 19, 688, 261 |
| Commissions | 233, 987 |
| Rents for tracks, yards, and terminals | 23, 947, 881 |
| Rents of buildings and other property | 4, 814, 407 |
| Half insurance | 3, 442, 966 |
| Add interest saved on capital | 226, 151, 322 |
| Abolition passes (1905) | 50, 000, 000 |
| Reduction 24 per cent, conducting transportation | 185, 104, 879 |
| Total | 548, 420, 099 |

COMPARATIVE FREIGHT RATES IN GERMANY AND THE UNITED STATES.

[Professor Parsons.]

German rates are much lower than those of England or France, and though our average ton-mile rate is below the German, actual rates for similar services are for the most part lower in Germany than with us. For example, take the statement of Hon. Charles A. Prouty, of the Interstate Commerce Commission, comparing rates from his home town, Newport, Vt., to Boston, with rates for the same distance in Prussia, and also in Iowa, where rates are very low for this country.

*Rates in cents per 100 pounds.*

| | Newport, Vt., to Boston. | Iowa rate for same distance. | German rate. |
|---|---|---|---|
| Potatoes | 19 | 12½ | 9.5 |
| Hay | 17 | 11 | 10.5 |
| Butter | 46 | 26 | 36 |
| Sugar | 19 | 17 | 10.9 |
| Lumber | 10½ | 9½ | 6.4 |
| Fertilizers | 17 | 9½ | 8 |

Commissioner Prouty further says: "Last summer a company in which I was interested had occasion to transport considerable quantities of copper wire from Phillipsdale, R. I., to Bradford, Vt., and of dynamos and transformers from Pittsfield, Mass., to the same destination. We paid in less than carloads from Phillipsdale 32 cents per hundred pounds. The corresponding rates in Prussia are 11.08 and 15 cents."

The local rates in America are frequently several hundred per cent above the German charges for the same distance. For example, the rate on dry goods from Springfield, Mass., to Wastfield, Mass., is $1.70 a ton, or 22.4 cents per ton-mile. The Prussian rates for the same distance would be 48 cents, or 6 cents a ton-mile.

Even in populous districts and along lines of water competition, where local rates should be low, if anywhere, our ordinary rates are several times the corresponding Prussian rates. The following table illustrates the situation, by comparing our local rates on dry goods or other first-class freight in small lots with the German figures:

*L. C. L. rates, in cents, per ton-mile.*

| | Miles. | Ton-mile rate on dry goods. | Prussian ton-mile rate for same distance. |
|---|---|---|---|
| Providence to Fall River | 18.0 | 15.0 | 5.0 |
| New London to Norwich | 15.5 | 18.0 | 5.1 |
| Springfield to Westfield | 8.0 | 22.4 | 6.25 |
| Harrisville to Central Falls, R. I | 24.0 | 15.0 | 4.5 |
| Blackstone to Dedham, Mass | 30.0 | 14.0 | 4.4 |

The Prussian local rates, less than a third of ours, apply without distinction of locality to towns in the interior as well as to towns along the waterways. Our through rates are higher than they were sixty-five years ago. We may well wonder whether the local rates have fallen any whatever in the same sixty-five years.

German railway commissioners recently in this country, after studying our rates, declared that they were in many cases four or five times as high as the German rates on the same goods for the same distances. No existing differences in wages or legitimate traffic conditions are sufficient to explain such differences in rates.

The average passenger rate in Prussia is 0.98 of a cent per mile, against 2.02 cents in the United States. The average merchandise rate in Prussia is 1.36 cents per ton-mile, against 0.78 of a cent in this country. But the American rate does not include express, which pays very high rates, while the German rate does include express. It also includes large amounts of traffic which in this country is handled by fast freight and private car lines, the earnings of which are not included in the reported railroad revenues. The American rate is cut down by including large amounts of freight carried for the companies themselves, for which no charge is made, while the German figure includes only freight actually paid for. The German roads carry an immense amount of mail and packages for the parcels post, for which they get no pay, while American roads receive large sums for carrying the mails, and the packages for the most part go by express with us. The proportion of bulky, heavy, low-rate freight such as coal, iron, ore, timber, etc., is very much larger here (where coal alone constitutes one-third of the total tonnage) than in Europe, where the bulk of such traffic is carried by water. The average haul in Germany is 78 miles, against 244 miles in the United States, over three times the German haul, and this cuts down the average mile rate tremendously, so that on two roads run with equal efficiency and charging the same rates for equal service involving the same amount of labor and capital the road with the long average haul will show a much lower ton-mile rate. Our low ton-mile rate is partly due to carriage on circuitous routes and other unnecessary competitive transportation, representing a waste of industrial force. And, worse yet, our average tells the story of the special rates and secret concessions to favored shippers. Our ton-mile rate does not represent the rates the public has to pay, but it is brought below the actual rate level by the rebates and concessions granted the trusts and combines and other big shippers. The German average represents the rates that all the people pay.

Making allowance for express and mail, company freight and private car line traffic, the German commissioners conclude that a proper figure for our average freight rate would be 1.44 cents per ton-mile, while the figure for the Prussian roads would be 0.95 of a cent.

*Average ton-mile and passenger-mile rates (in cents).*

| | Average ton-mile rate. | Average freight haul. | Average passenger rate. | Average passenger haul. |
|---|---|---|---|---|
| United States (private) | 0.78 | 244 | 2.02 | 30 |
| Germany (state) | 1.40 | 78 | 1.2 | 15 |
| Austria-Hungary (mostly state) | 1.50 | 65 | a1 | 25 |
| Belgium (state) | 1.25 | 45 | .75 | 14 |
| Switzerland (state) | 2.56 | 43 | 1.3 | 13 |
| France (private) | 1.55 | 102 | 1.34 | 21 |
| Great Britain (private) | 2.50 | ..... | 2.25 | 12 |
| Norway (state) | 2 | ..... | 1.16 | ..... |
| Norway (private) | 2.6 | ..... | 1.16 | ..... |
| Denmark (state) | 1.44 | ..... | .76 | ..... |

a For straight tickets.

A CENT A MILE PASSENGER RATE—THE ZONE SYSTEM.

[David J. Lewis.]

The United States is the only country in the world where the railways charge as much to haul a passenger a mile as they do to haul a ton of freight a mile; and here they charge on the average three times as much for the passenger mile as they do for the freight mile. In the freight traffic three elements of competition have been at work on the freight rate: (a) Competition between railways between the same points, (b) competition with waterways, (c) competition between producing centers. Thus, before the formation of the anthracite coal trust, different coal fields producing anthracite competed through their carrying railways in the different markets. And even now the cotton and grain of America must compete with the like products of India and Egypt in London and other European markets, and the American railways must make the low rate for export traffic necessary to keep these markets. But the two last elements (b, c) of competition never have applied to the passenger traffic, and as to competition between parallel railways, that has ceased long ago. The net result has been that although the average freight rate of 1867 and the average passenger rate were the same the freight rate has been reduced more than 50 per cent while the passenger rate has been raised slightly.

The different operation of commercial forces as to these two lines of traffic during the last forty years is seen in a table taken from the work of Professor Weyl, of the University of Pennsylvania:

*Decline of passenger fares.*

| Year. | Revenue from freight per ton-mile. | Revenue per ton-mile in per cent of 1867. | Revenue from passengers per mile. | Revenue per passenger mile in per cent of 1867. |
|---|---|---|---|---|
| | *Cents.* | *Per cent.* | *Cents.* | *Per cent.* |
| 1867 | 1.925 | 100.0 | 1.994 | 100.0 |
| 1872 | 1.846 | 95.9 | 2.521 | 126.4 |
| 1877 | 1.286 | 66.9 | 2.458 | 123.3 |
| 1882 | 1.102 | 57.2 | 2.391 | 119.9 |
| 1887 | .984 | 51.1 | 2.245 | 112.6 |
| 1892 | .898 | 46.7 | 2.126 | 106.6 |
| 1896 | .806 | 41.9 | 2.019 | 101.3 |

If the greater area of the United States is such as to require an average haul of commodities of 244 miles as against 78 miles for Germany, 6 miles for Austria-Hungary, and 45 miles in Belgium, an average of 63 miles, it would seem that we might look for the same ratio of passenger mileage, i. e., we should expect to find that the average American travels about four times the distance of the European. Considering the sparsity of population, the great extent of our country—fifteen times as large as Germany, with eight times the railway mileage, two hundred and fifty times as large as Belgium, with a hundred times the railway mileage, twenty-four times as large as Austria-Hungary, with ten times the railway mileage—we would look for a per capita of travel here multiplied almost to a decimal point.

*Table showing number of passengers, trips, and per capita mileage.*

| | Number of passengers. | Per capita trips. | Per capita mileage. |
|---|---|---|---|
| Great Britain, 1898 | 1,062,911,116 | 25 | 336 |
| Germany, 1905 | 900,000,000 | 16 | 321 |
| United States, 1898 | 501,066,681 | 7 | 183 |

The above figures are exclusive of season tickets in England, which would probably raise the figures substantially. Since 1898 the number of trips in the United States have increased to 9 and the per-capita mileage to 299; but our ratio still lingers behind, while data are not at hand for Great Britain for recent years. There are two main reasons to be assigned for the great disparity between American and British travel: First, the average British passenger rate of about a cent a mile, and, second, the greatly reduced distances between points of business and centers of pleasure. Besides having twice the fare to pay per mile, the average American has from three to four times the length of journey to traverse on account of our sparseness of population and grander scale of distances. Cities of the first class in the United Kingdom are seldom more than 75 miles apart, while here

they are usually from two to four hundred miles. With the same, if not a greater, natural disposition to travel, in a country with one language and feeling, with natural objects of great interest and business necessities far exceeding our English cousins, our mobility is impeded by a financial burden, distance alone considered, from three to four times the exaction in Great Britain.

And from private owners we can hardly expect any substantial amelioration, because no argument can be presented to them on social grounds alone. While it may be shown to them that by reducing the average passenger rate to a cent a mile the traffic can be doubled or even tripled, it can not be shown with certainty that they will reap a greater profit. Their primary motive being a private one, which is natural, they are unwilling to risk an assured profit on a social aim, however certain the advantage to the public.

That a reduction of the passenger rate has the effect of multiplying the traffic is seen in every excursion, but that a permanent reduction will have the like effect seems also to have been shown by the test of experience. In 1889 the experiment was made in Austria-Hungary, with the following result:

| | Passengers. | Passenger receipts. |
|---|---|---|
| August, 1888, to July 31, 1889 | 5,684,845 | $3,800,000 |
| August, 1889, to July, 1890 | 13,456,712 | 4,620,000 |

The growth of traffic was so great that the receipts increased in spite of the reduction in rates, and the net receipts were also enlarged, the expenses of operation by no means increasing in proportion to the volume of traffic.

This great multiplication of travel took place in an empire of the most limited social homogeneity and with languages and feelings so diverse that a session of the Imperial Parliament can hardly be held without necessitating the police.

Roumania had the same experience, according to Professor Weyle, who states that in consequence of a radical reduction of fares the passenger traffic in that State rose from 2,906,862 passengers in 1890 to 4,332,813, an increase of 49 per cent in one year, and adds that the increase was hardly due to improved economic conditions.

A like result followed a parliamentary reduction of rates in England. Weyle, in his work on the Passenger Traffic, states in 1846 a radical decrease of rates was enforced, and by the year 1850 there resulted an increase of traffic amounting to 330 per cent, the rate of the reduction being from 3.43 to 2 cents a mile.

On account of the multiplying effect of a reduction to a cent-a-mile rate on the traffic it is believed that its introduction would not result in any depletion of the gross receipts, and with some allowance for the increased number of cars necessary the national administration of the railways might prudently inaugurate the change. That this is possible is shown by the experience of American railways themselves from the years 1895 to 1906, inclusive. The passenger traffic increased from twelve to twenty-three billion passenger miles traveled, while the increase in the number of locomotives devoted to the passenger service was only 18 per cent, and the increase in the number of passenger cars only 23 per cent.

*Annual subscription tickets on Austrian railroads (not transferable).*

[Compiled from data in Report of Massachusetts Board of Railroad Commissioners, 1892, p. 60.]

| | First class. | Second class. | Third class. |
|---|---|---|---|
| Good on all lines, or a little more than 4,000 miles of railroad | $120.00 | $80.00 | $40.00 |
| For 31 miles | 36.80 | 27.60 | 18.40 |
| For 31 miles, per ride | .0613 | .046 | .0307 |
| For 62 miles | 49.20 | 36.80 | 24.90 |
| For 62 miles, per ride | .082 | .0613 | .0415 |
| For 124 miles | 73.60 | 55.20 | 36.80 |
| For 124 miles, per ride | .1227 | .0920 | .613 |

While the above rates are of value mainly to the daily traveler, a zone system prevails for the occasional journey, the rates being as follows:

Tickets, says Professor Parsons, are sold by zones, and are good for all stations within the same zone. The first zone runs from 1 to 15 miles, the next from 16 to 25 miles, and so on, the steps in making the bigger zones being longer, and beyond 140 miles all stations are included in the same zone. The rates are 10 cents third class on ordinary trains and 12 cents on express trains for each zone. If your journey takes you over two zones, as from a station in zone 1 to a station in zone 3, you pay 20 cents (or 24 cents express). If you cover five zones, you pay 50 cents (or 60 cents express), and you can go any distance for $1.60 (or $1.92 express). For local traffic special rates are made, 4 cents to the next station from where you are in the same zone and 6 cents to the second station.

For short distances the rate is about 1 cent a mile or less; for long distances it runs down to about one-third of a cent a mile. From Budapest to Kronstadt, for example, you go 457 miles for $1.60. If we had the same rate here, you could go from New York to Chicago for $3 instead of $20, and from New York to Philadelphia for 32 cents instead of $2.50. We can not expect so much reduction, of course, because costs are greater here, but that difference does not require six to eight times higher rates.

ADDITIONAL COST OF INCREASED PASSENGER TRAFFIC.

The highest average number of passengers to the American train is shown in the report for 1905, when it was 48. Group I, embracing New England, shows 64, while the Pacific coast, in Group X, shows 65, a concurrence produced apparently by the lower rates of New England and the higher wages, while in Group IV, embracing the Virginias and the Carolinas, where neither high wages nor low rates obtain, the average train load falls to 35. The like disparity appears in the annual number of passengers carried per passenger locomotive, the figures varying from 98,130, in Group I, to 25,536, in Group VII. In New England there are 39 passengers to the million passengers carried; in Group IV, 89, and in Group VII, which includes Montana, Wyoming, parts of Colorado, Nebraska, and South Dakota, the number of cars to the million passengers is 143. The average day coach contains 30 seats, and a sleeper, with its smoker, about the same number. Estimating the average main-line train at five passenger cars, there are thus 150 seats, or three times the average train load of 48 persons. The branch and accommodation trains likely average about three cars, with separate seats for 90 passengers; so that, taking average trains and average train loads, the main-line traffic facilities would seem sufficient to accommodate three times the average travel upon them and the accommodation and branch traffic about double their present load. From these data the advocate of a reduced passenger fare will naturally conclude that the traffic could be doubled without a serious addition of expense to the operating cost. For "rush occasions," like the holidays and summer-vacation travel, additional cars would be necessary; but as a good up-to-date day coach can be had for $6,000, with interest and depreciation at 10 per cent a year, a 50 per cent increase in their number would involve an outlay of only $9,000,000 a year. The locomotive crew, depot and other related services would seem to come under the same principle, and computing that traffic as now costing $300,000,000, about two-thirds of its receipts, a claim that the traffic might be doubled at an added cost of $100,000,000 is as accurate as speculation can be.

No argument as to the desirability of this accomplishment is made. From the standpoint of business necessity, education, relaxation, and pleasure the proposal would seem to be more than justified. Professor Weyle, after declaring that the most expensive element in the passenger traffic is the "empty seats," and that the "policy of decreasing the price of railway travel should undoubtedly be continued where there is Government ownership," also adds that "There seems little doubt that this change is possible, and in thickly populated districts the traffic might increase several fold." In countries where the ownership of railways rests with the community such an extension of traffic is not only feasible, but would act as a most powerful lever in elevating the population. There is, of course, still a certain prejudice against traveling which would rapidly disappear when traveling was made more common. There are other factors working against traveling besides that of high fares, but these would largely be remedied by any increase in the traffic.

AN EIGHT-HOUR DAY.

The multiplication of the productive forces of society during the last century has eliminated the necessity of the long workday, remnants of which largely remain in the railway service. The Government has placed this limitation of eight hours upon its own employees engaged in the physical avocations, such as mail carriers, and the institution gives satisfactory results to employers and the public.

Many of the States embrace this idea in their statutes and constitutions, and its expediency is now universally recognized where elemental conditions permit. Public railways make it a rule to thus promote the well-being of the employee, and it is rare that more than eight hours' labor is permitted, although on privately owned railways the long-day rule is universal. It is not at all uncommon for the employee in the United States to remain at his task twelve hours, even when, as an operator, countless lives may depend upon the freshness of his faculties. Railway engineers frequently make thirty-five and forty days a month, and the engineer whose locomotive collided with the train load of passengers at Terra Cotta had had but eight hours' sleep in the preceding forty hours.

An eight-hour day in the United States, when introduced, would be tantamount to an increase of 20 per cent in the wages of the employee, it being assumed that the average day is now about ten hours. This would cost $160,000,000. As a matter of fact, the change would not require the employment of one-fifth more men because the economies of single organization discussed in the Chapter of Economies would more than correspondingly reduce the total of labor required. This reduction to eight hours should not be made to take effect at once, but only gradually, as the eliminations of useless competitive labors might proceed. Perhaps none will dispute that increased efficiency would result from this reform, since a man is certainly stronger for an eight-hour journey than for a ten or twelve hour one. The resulting benefit to the country at large must be admitted unless the critic is prepared to controvert the superiority of twentieth-century over eighteenth-century civilization.

COMPENSATION FOR ACCIDENTS TO EMPLOYEES.

The following table shows the proportion of passengers killed and injured to the total number carried and the proportion of employees killed and injured to the total number employed in different countries, as given by Professor Parsons, of Boston, for the years 1902 and 1904:

| Country. | Passengers. | | Employees. | |
|---|---|---|---|---|
| | Killed, 1 in— | Injured, 1 in— | Killed, 1 in— | Injured, 1 in— |
| United States | 1,957,441 | 84,424 | 364 | 22 |
| Great Britain | 8,073,000 | 445,000 | 736 | 88 |
| Germany | 11,701,354 | 2,113,471 | 1,199 | 451 |
| Belgium | 33,151,173 | 431,937 | 2,266 | 98 |
| Austria-Hungary | 9,432,303 | 1,328,551 | 1,908 | 363 |
| France | 5,260,000 | 1,052,000 | 954 | 355 |
| Switzerland | 12,237,515 | 849,820 | 1,070 | 42 |
| Denmark | 18,935,151 | 9,467,000 | ..... | ..... |
| Norway | 7,690,000 | 4,350,000 | ..... | ..... |
| Sweden | 6,667,000 | 3,450,000 | ..... | ..... |
| Russia | 1,080,000 | 250,000 | ..... | ..... |
| Spain | 2,000,000 | 308,000 | ..... | ..... |
| Canada | 1,120,000 | 158,000 | ..... | ..... |
| Victoria | 20,000,000 | 208,000 | ..... | ..... |
| Tasmania | ..... | 271,000 | ..... | ..... |
| New South Wales | 5,000,000 | 589,000 | ..... | ..... |
| South Australia | 6,667,000 | 2,500,000 | ..... | ..... |

It is not intended here to discuss the causes of the unparalled accident list on American railroads. A brief treatment of the method of monetary compensation to those who suffer as a result of such accidents is deemed to be in place. The legal remedy is effective enough for this purpose, so far as passengers are concerned, but with regard to employees, no scheme of liability law, based upon the charge of neglect in the employer or his employees, is adequate to meet the requirements of the case. Perhaps not 20 per cent of the accidents which happen are chargeable to anybody's neglect, and, of course, it is immaterial to the victim or his dependents what the assignment of cause may be. As a general fact, the injury to the victim is a necessary contribution to railway management, and should be charged up to the cost of operation like taxes or any other unvarying

and inevitable expenditure of railway capital. It is therefore insurance and not damage law which is deemed appropriate to the subject. So constant is the ratio of accidents to the business done on our railways that one can, by the simplest provision, calculate the cost of insurance in advance. The amount allowed under the workman's compensation act of Great Britain is the equivalent of the victim's wages for three years, if killed, and one-half of said amount for permanent disability. It is suggested that this limit ought to be raised to five years as a standard more in harmony with justice. Applying the five-year basis in the United States, we would have the following table as representing the annual cost of compensation for the killed and disabled on our railways:

*Cost of insurance of killed and injured, 1905.*

| | |
|---|---|
| 5 years average wages, $3,000, each to 3,361 killed | $10,098,000 |
| 5 years one-half average wages, $1,500, each to 22,128 disabled | 32,192,000 |
| Total | 43,290,000 |

PENSIONS FOR SUPERANNUATED.

The United States has shown little progress in this matter. Austria, Belgium, France, Germany, the British colony, Russia, even Egypt, Algeria, and Turkey, have introduced pensions for the assistance of railway employees worn out in the service, while in our country only four railway systems, including the Baltimore and Ohio and Pennsylvania Railroad, have made any such provision.

The census shows that the number of people living above the age of 60 in the United States amounts to 9 per cent of persons living above the age of 15, the age at which railway service begins. To pension those above 60, at one-half of the wages formerly received, would accordingly cost only 4½ per cent of the total sum now paid employees on our railways, the exact sum in 1905 being about $800,000,000. Thus the cost of pensioning railway employees who would serve at least ten years and reach the age of assumed incapacity at 60 would be $36,000,000 a year.

RAILWAY BALANCE SHEET UNDER PUBLIC OWNERSHIP.

Having suggested such material additions to the railway service as an eight-hour day, the abolition of grade crossings, the reduction of the passenger rate to a cent a mile, and the introduction of the pension and insurance features proposed in Senator PATTERSON'S bill, it will be interesting to strike a balance between revenue and expenditures of the railways, judged as a single system. Based upon the year 1905, and assuming that the passenger traffic will double under the influence of a-cent-a-mile rate, the following is a summary of expenditures and income under public ownership for the year 1905:

*Revenue and expenditures under public ownership, based on year 1905.*

| | | |
|---|---|---|
| Gross earnings from operation | | $2,082,482,406 |
| Additional earnings from abolition of passes | | 50,000,000 |
| | | 2,132,482,406 |
| Maintenance of way and structures | $275,046,036 | |
| Maintenance of equipment | 288,441,273 | |
| General expenses | 55,319,805 | |
| Conducting transportation, $771,228,666, less 24 per cent for estimated economies | 586,123,787 | |
| Three per cent interest on cost of purchase at $11,000,000,000 | 330,000,000 | |
| Sinking fund, one-half of 1 per cent on cost of purchase | 55,000,000 | |
| Taxes, 1905, to be continued | 63,474,679 | |
| Cost introducing eight-hour day | 160,000,000 | |
| Appropriation to abolish grade crossings | 30,000,000 | |
| Extra expense conducting passenger traffic | 100,000,000 | |
| Bureau compensation for deaths and disabilities of employees and old-age pensions | 79,290,000 | |
| Total expenditures | | 2,022,695,580 |
| Excess of receipts—surplus | | 109,786,826 |

SWITZERLAND.

From the "Message of the National Council to the Federal Assembly concerning the purchase of the principal lines of Swiss railways" (March 25, 1897), and from conversations with the heads of Government departments, including Doctor Zemp, the minister of railways, and Emile Frey, ex-President of the Republic and head of the International Bureau of Telegraphs and Telephones, and a large number of business and professional men in Geneva, Berne, Basle, and Lucerne, I condense the following statement of the main reasons that led to the nationalization of the railroads:

1. "The railways should be managed for the people, not for the profit of private owners." This point in varying form was emphasized over and over again as the fundamental argument and the basis of the movement.

2. "The rates would be lower."

3. "The service would be better. The Government would be more occupied with the interests of the public than the company's."

4. "Considerable economies will be effected by the consolidation of the roads under public management."

5. "Unity of the system is essential to the best results, and the united system must not be subject to speculative management."

6. "The private operation of railways puts too much power in the hands of the managers."

7. "The nation would be better able to open new lines where they are needed. The companies do not develop the out districts. They have refused to build new railways to villages where they think the business may not pay, although there is great need for the roads."

8. "In their pursuit of dividends the companies have sometimes even neglected proper repairs and precautions for safety, so that bad accidents have resulted."

9. "The Government will be more liberal with employees than the companies, as is shown by its treatment of the employees of the Government post and telegraph. It will adjust differences with employees in a better spirit, and we shall not have strikes of railway employees blocking our traffic."

10. "We do not want our railways owned by speculators, and especially we do not want our railway shares owned by foreign capitalists."

11. "The capital of the railways should be gradually extinguished instead of being piled up, as the companies are doing. Provision has been made in Germany and Belgium for the amortization of the capital about the middle of the twentieth century, and the French railways are to come to the State free of debt about that time. We also must extinguish the capital charges on our railways, so that rates may be reduced as nearly as possible to the cost of operation."

12. "National ownership of the railways will tend also to a closer national unity. This is important, for by reason of differences of race, etc., the union of interests among our States is none too strong."

13. "The success of the German roads affords a strong example of the value of State ownership. We are all convinced," said one of the foremost men in Switzerland, "that State management of railways has been a good thing for Germany." (Professor Parsons in Railways, etc.)

JAPAN.

The first railway in Japan was a Government road, and one-third of the roads are now public. The Government fixes maximum and minimum rates and leaves the companies free between those limits, except that the minister of railways has sufficient control to compel fair rates if the companies try to discriminate. The Japanese railway officers I have talked with said that the Government did not intend to have any such arrangements as those which American railways make with the beef trust and other combines.

The Government pays the private roads for carrying the mail at much lower rates than ordinary freight rates. There is no railroad lobby, and the private roads do not give passes to legislators. There are a few railroad directors in parliament, but they have no special influence. The Government roads give premiums and bonuses to firemen and engineers for economy of fuel and efficiency of service.

There is an advisory council appointed by the Government, consisting of railroad officials, senators, representatives, and eminent persons representing various business interests.

The effect of this, as of similar bodies in Germany, Switzerland, Sweden, South Africa, and other countries, is to bring the railways into closer touch with the people, prevent friction and litigation, and adjust the service to the needs of business and the wishes of the public.

There are important differences, however, between the Japanese advisory system and that adopted by Prussia. There are no district councils, as in Germany and Switzerland, and the national council is wholly appointed from above, instead of being mostly elected from below. The Japanese council, which considers questions of location, construction, financiering, and operation, and makes recommendations, is composed of twenty persons, representing the cabinet department, both houses of the legislature, the railways, and business interests.

The law specifically provides for the inclusion of cabinet officers in the council. It is said that bureaucratic influence has not manifested itself, but there is certainly less of a guaranty against it than under the Prussian system, where the law expressly excludes from the council all immediate state officials.

The law as to private railways (passed in May, 1887) contains many excellent provisions, especially in relation to the granting of charters, inspection and control of rates, accounts and service, and provisions for safety.

The Government reserved the right to purchase railways after twenty-five years of chartered existence on the basis of the average price of shares during the five years preceding the purchase.

Notwithstanding the large control already exerted by the Government over private railways, a congress of representatives of Japanese chambers of commerce, after the recent war with Russia, passed resolutions declaring for a more complete control of the railways as to their business methods. The Government has elaborated a plan for nationalizing the private roads on the basis of twenty times the average annual profits for the three years preceding the war. The cost is estimated at $250,000,000. Stock is to be paid for in 5 per cent bonds redeemable within forty-five years and the net revenues of the railways are to be devoted to paying interest and redeeming the bonds, so as to clear off the capital charges as soon as may be reasonably practicable.

This plan, presented in a bill before the parliament this year (1906), has passed the house of representatives by a vote of 243 to 109.

The Japanese, both in war and peace, have shown the most wonderful receptivity and judgment in adopting the best ideas and institutions of other lands. And the skill, efficiency, public spirit, and power of organization they have shown leave no room for doubt of their success in the management of state railways. (Professor Parsons, in Railways, etc.)

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[From the Review of Reviews.]

ITALY—STATE CONTROL OF ITALIAN RAILWAYS.

The present Italian ministry announces semiofficially that, owing to inability to agree with the railroad companies on a new arrangement for the private operation of the roads, the state will, on July 1, assume control of all the systems except the south Italy railroads, according to the provisions of the law of 1862. As the present concession has been in effect since 1885, an entire new order of things is proposed, and views as to what is really best to do are various. Editors, authors, and magazine writers are busy informing the public as to present facts and best future policies. Deputy Maggiorini Ferraris, editor of the Nuova Antologia (Rome), in the first number of his review for January, discusses "How people travel in Italy and abroad," and by comparative tables makes a bad showing for Italy. In the number of trips per inhabitant Italy is ahead of only Russia and Roumania. Its average is 1.82, while in England it is 27.40. Comparing the number of trips with their average length, which is greater in Italy than in several other countries, it still results that Austria makes three times the use of railroads that Italy does, France four times, and Switzerland about six times. In length of railroads, Italy, with 15,494 kilometers, ranks after Hungary, exceeding only little Belgium and Switzerland. In proportion of the length of lines to population, Italy is at the bottom of the list, with 47 kilometers per 100,000 inhabitants, while Switzerland has 113.1 kilometers. Comparing passenger rates, Italy proves to have the highest of any country in Europe for all classes and particularly for third class.

In his second January number Signor Ferraris treats at great length "Railroad anarchy in Italy," and shows that the condition of the roads, of their rolling stock, and fixed plant is anything but advantageous for the Government if it should take them over, owing to the vacillating and penurious policies in the past.

The performances of passenger cars and locomotives are considerably over the normal set in the agreements with the operating companies. This argues a constant deficiency of rolling stock. The age limit set for locomotives was forty years and for cars sixty years, seemingly ample,

but the Mediterranean line is actually using seventy-one locomotives that have passed their two score year mark, at a great waste of fuel, naturally. There is continual car shortage, and reception of freight is often stopped at various stations on account of this. Delays in freight shipments are so numerous that complaints arrive by the thousand, and so many claims are made for refund because shipping agreements have not been carried out that thousands of shipments are actually carried free, and more would be if every shipper knew his rights. Many lines are still single track, and the lack of centrally operated switches and block signals causes much congestion. The rails are too light to allow the use of heavy, high-speed locomotives. This has been especially so on the stretch from Pisa to Rome, where otherwise high speed with few stops could be maintained.

In short, the writer finds that the income of the railways is the least in Europe, the trains are the slowest, and the rolling stock is in the worst condition. The arrangements with the operating companies have failed financially, economically, and technically, and have left the nation with a deficit of several hundred million francs. Travel, commerce, and industry all languish through the shortsighted management. The companies fear to make improvements at the expense of their shareholders and for the benefit of the state. The state fears to spend the taxpayers' money for the benefit of the companies. Signor Ferraris considers any postponement of state control a step backward. The south Italy lines should be gathered in with the others as soon as a basis of agreement can be reached, and the maritime postal lines connecting the islands should later be included.

MEXICO FEARED RAILROAD TRUST, SO MEXICAN GOVERNMENT TOOK ROADS ITSELF, MINISTER SAYS—MERGER ONLY A BEGINNING—VIGOROUS ENTRANCE INTO THE RAILWAY FIELD PROMISED—ECONOMIES IN OPERATION HOPED FOR.

Minister of Finance Limantour, in a speech remarkable for its straightforwardness, presented to Congress last night the reasons which prompted the Government to consummate the great railroad merger by which the Republic comes into possession of the two great trunk lines of the country, together with thousands of miles of subsidiary lines. With the control of the National and Central, together with dependent lines, the Mexican Government practically owns all the big operating lines of the country.

The most remarkable statement in the minister's speech was that the Government was forced to go into the railroad business on a larger scale because of fear of what he styled "the great railroad trusts in the United States." He said that if this defensive action had not been taken by Mexico some of the great railway systems of the United States would enter the Republic and swallow the transportation facilities of the country. This he characterized as a peril which was now alarming the people of the great northern Republic.

In his speech there occurred an important forecast, which intimated that the merger was only the beginning of a great plan, and he declared that the Mexican Government had decided vigorously to enter the railroad field. After delivering his speech he presented a bill at the request of President Diaz, the speaker said, asking that the session of Congress which is about to close be prolonged that the whole situation might be carefully considered by the deputies and senators.

During the address Minister Limantour said that the Government was at first forced to go into the railroad business in 1903, when the National was purchased, because of the fact that a merger between that line and the Central was then about to be consummated. At that time the Government declared that its attitude in railroad affairs would henceforth be passive, but the circumstances mentioned, he said, had been forced by the so-called "railroad trust" of the United States. The minister said:

"Gentlemen, you are familiar with the aspect offered by the transportation question in the neighboring nation; the problem there is only a phase of the trust question, which may be characterized as a peril. Those great corporations are being extended every day, and many of them cover considerable areas of territory. The tendency to expansion has been so pronounced in recent years that it may be added that the aim of most of the financial interests controlling the great transportation systems of the United States is to absorb as many other lines as possible.

"The United States Government, alarmed by the tendency and desirous of initiating a reaction against it, has, as you well know, taken action which aims at combating those organizations and checking their continued expansion. Under these circumstances it was natural that we, on our side, should endeavor to prevent the powerful corporations in question, attacked as they are being by all legal means in their own country, as well as harassed by pressure of public opinion, from coming hither and seeking to absorb those Mexican railroads which are not already under the direct control of the Government."

The minister summed up his argument as follows:

"Thus, gentlemen, there are three main arguments for the incorporation of the two great systems of the National and the Central, first, to avoid friction between the different corporations when the two are competing lines, or when one of them fears being antagonized by a concert in which the Government holds controlling interest; secondly, to avoid the absorption of properties not controlled by the Government by one of the great railway systems of the United States, and, third, the prospect of realizing considerable economies through the consolidation of all the great railways under a single management."

The speech throughout its delivery was frequently applauded. There seemed to be an overwhelming sentiment in favor of the idea advanced by Senator Limantour. (Baltimore Sun, Dec. 15, 1906.)

MEXICO AND GOVERNMENT OWNERSHIP.

The Mexican Government has entered the field of public ownership. Associated Press dispatches follow:

CITY OF MEXICO, *December 14.*

The details of the railway merger by which the Mexican Government takes control of the independent lines in the Republic are now known. By the terms of the contract the Government secures absolute control of the Mexican Central, the National, the International, the Interoceanic, and the Hidalgo and Northeastern, all of which will be merged into one great railroad system. The Government also comes into control of the Texas-Mexican, a railroad at Laredo, Tex., which is owned by the National. The mileage of the system will, with extensions which are rapidly nearing completion, aggregate approximately 10,000 miles. The Tehuantepec National and Vera Cruz and Pacific, two others controlled by the Government, will continue to be run as independent companies.

A Mexican company, of which a majority of the stock will be held by the Mexican Government, will be organized with headquarters in Mexico City. The company will issue its securities in exchange for the securities outstanding of the two companies, and the new company will acquire all the physical property and concessions held by the old companies.

It is contemplated to create a board of twenty-one directors, to be divided into a general board which will reside in Mexico, and a local board with headquarters in New York. The board in Mexico will consist of twelve members, and the New York board of nine.

The new company will make a limited issue of prior liens at 4½ per cent and general mortgage bonds at 4 per cent, the principal and interest of the latter being guaranteed by the Mexican Government. In addition to the bond issue, the company will issue first and second preferred and common stock. It is proposed to leave an ample reserve in cash and securities for future improvement, development, and extension of the lines of the company and for the acquisition of additional rolling stock and motive power. The new company will take over the holdings of the National Railroad of Mexico and the Mexican International and Interoceanic railroads, which it will thus control, as they are at present in the control of the National. It is believed that by a reduction of the general charges, the elimination of competition, the economical routing of freight, and by the increased development of the properties the new company will not only be able to meet its fixed charges, but will earn at an early date dividends on its first and second preferred stock. (The Commoner.)

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15434) to regulate appeals in criminal prosecutions.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23551) making appropriation for the support of the Army for the fiscal year ending June 30, 1908, recedes from its disagreement to amendment No. 20 to the bill, and agrees to the same; further insists upon its disagreement to amendment No. 25, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. PARKER, and Mr. HAY managers at the conference on the part of the House.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes, and insists on its disagreement to the amendment of the Senate No. 1 to the bill.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

H. R. 17814. An act granting an increase of pension to Simon E. Chamberiin;

H. R. 21413. An act granting an increase of pension to Mary S. Platt;

H. R. 21788. An act granting an increase of pension to Satina A. Waymer;

H. R. 21818. An act granting an increase of pension to William Hardesty;

H. R. 21827. An act granting an increase of pension to Francis Murray;

H. R. 21899. An act granting an increase of pension to Catharine Koch;

H. R. 21911. An act granting an increase of pension to George Newton;

H. R. 21914. An act granting an increase of pension to Ferdinand Pahl;

H. R. 21974. An act granting an increase of pension to John W. Lowell;

H. R. 21983. An act granting an increase of pension to James E. Pusey;

H. R. 22055. An act granting an increase of pension to Maria Lorch;

H. R. 22063. An act granting an increase of pension to Horace F. Packard;

H. R. 22093. An act granting an increase of pension to Lars Isaacson;

H. R. 22165. An act granting an increase of pension to John Hand;

H. R. 22169. An act granting an increase of pension to Cynthia M. Bryson;

H. R. 22170. An act granting an increase of pension to Benjamin James;

H. R. 22175. An act granting an increase of pension to Charles Prendeville;

H. R. 22199. An act granting an increase of pension to William Templin;

H. R. 22216. An act granting an increase of pension to Griffin A. Coffin;

H. R. 22251. An act granting an increase of pension to Samuel Manly;
H. R. 22260. An act granting an increase of pension to James E. Bissell;
H. R. 22283. An act granting an increase of pension to Stoddard Caswell;
H. R. 22294. An act granting an increase of pension to Perry Lamphere;
H. R. 22302. An act granting an increase of pension to Burrell H. Gillam;
H. R. 22326. An act granting an increase of pension to Mary Levina Williams;
H. R. 22327. An act granting an increase of pension to Isabel Manney;
H. R. 22328. An act granting an increase of pension to Susan Baker;
H. R. 22329. An act granting an increase of pension to Margaret L. James;
H. R. 22330. An act granting an increase of pension to Mary C. Jones;
H. R. 22426. An act granting an increase of pension to Louisa E. Robertson;
H. R. 22441. An act granting an increase of pension to Jacob Mose;
H. R. 22468. An act granting an increase of pension to William Kelso;
H. R. 22503. An act granting an increase of pension to William A. Clarke;
H. R. 22529. An act granting an increase of pension to William Truett;
H. R. 22540. An act granting an increase of pension to Richard Turnbull;
H. R. 22547. An act granting an increase of pension to John Hickcox, jr.;
H.R. 22548. An act granting an increase of pension to Franklin H. Davis;
H. R. 22562. An act granting an increase of pension to George J. Abbey;
H. R. 22592. An act granting an increase of pension to Andrew J. Frayer;
H. R. 22613. An act granting an increase of pension to Isaac G. McKibban;
H. R. 22617. An act granting an increase of pension to Margaret O'Reilly;
H. R. 22629. An act granting an increase of pension to Josiah N. Pratt;
H. R. 22630. An act granting an increase of pension to George Wiley;
H. R. 22650. An act granting an increase of pension to Thomas T. Baldwin;
H. R. 22701. An act granting an increase of pension to James R. Fairbrother;
H. R. 22703. An act granting an increase of pension to Benjamin F. Richards;
H. R. 22707. An act granting an increase of pension to Sebastian Gerhardt;
H. R. 22727. An act granting an increase of pension to John Miller;
H. R. 22763. An act granting an increase of pension to Charles H. Slocum;
H. R. 22785. An act granting an increase of pension to Morton A. Pratt;
H. R. 22788. An act granting an increase of pension to Isaac B. Gilmore;
H. R. 22798. An act granting an increase of pension to George W. Robinson;
H. R. 22801. An act granting an increase of pension to Robert McMillen;
H. R. 22823. An act granting an increase of pension to John Tipton;
H. R. 22859. An act granting an increase of pension to Samuel Boyd;
H. R. 22863. An act granting an increase of pension to Oscar A. Fuller;
H. R. 22894. An act granting an increase of pension to Louisa Berry;
H. R. 22947. An act granting an increase of pension to Benjamin F. Sibert;
H. R. 22949. An act granting an increase of pension to George W. Wells;
H. R. 22950. An act granting an increase of pension to Hezekiah Poffenberger;
H. R. 22964. An act granting an increase of pension to Eudocia Arnett;
H. R. 22986. An act granting an increase of pension to George W. Beeny;
H. R. 22987. An act granting an increase of pension to John D. Lane;
H. R. 22988. An act granting an increase of pension to Benjamin F. Horton;
H. R. 23031. An act granting an increase of pension to John H. Terry;
H. R. 23034. An act granting an increase of pension to Thomas A. Snoddy;
H. R. 23148. An act granting an increase of pension to Robert Liddell;
H. R. 23150. An act granting an increase of pension to Samuel H. W. Riter;
H. R. 23175. An act granting an increase of pension to Henry A. Fuller;
H. R. 23198. An act granting an increase of pension to Lucie A. Allyn;
H. R. 23280. An act granting an increase of pension to Bartholomew Burke;
H. R. 23282. An act granting an increase of pension to John W. Tumey;
H. R. 23311. An act granting an increase of pension to Jeremiah Burke;
H. R. 23312. An act granting an increase of pension to William Lewis;
H. R. 23313. An act granting an increase of pension to Benjamin D. Reed;
H. R. 23323. An act granting an increase of pension to Robert Foote;
H. R. 23360. An act granting an increase of pension to Robert Hastie;
H. R. 23407. An act granting an increase of pension to Hurd L. Miller;
H. R. 23411. An act granting an increase of pension to George H. Martin;
H. R. 23414. An act granting an increase of pension to Joseph Riddle;
H. R. 23426. An act granting an increase of pension to John S. Bergen;
H. R. 23442. An act granting an increase of pension to James J. Lawley;
H. R. 23443. An act granting an increase of pension to Louisa R. Matthews;
H. R. 23467. An act granting an increase of pension to Michael Flanagan;
H. R. 23609. An act granting an increase of pension to Samuel P. Wallis;
H. R. 23626. An act granting an increase of pension to Richard C. Taylor;
H. R. 23627. An act granting an increase of pension to William B. Walton;
H. R. 23628. An act granting an increase of pension to Clara E. Daniels;
H. R. 23660. An act granting an increase of pension to Harriet U. Burgess;
H. R. 23673. An act granting an increase of pension to John T. Grayson;
H. R. 23675. An act granting an increase of pension to Watson F. Bisbee;
H. R. 23677. An act granting an increase of pension to John D. Dryden;
H. R. 23682. An act granting an increase of pension to Joseph R. Bartlett;
H. R. 23685. An act granting an increase of pension to Robert Brake;
H. R. 23698. An act granting an increase of pension to William H. Wyman;
H. R. 23709. An act granting an increase of pension to James M. Dick;
H. R. 23729. An act granting an increase of pension to John Vandegrift;
H. R. 23732. An act granting an increase of pension to Rosanna Kaogan;
H. R. 23733. An act granting an increase of pension to Gifford M. Bridge;
H. R. 23744. An act granting an increase of pension to John O. Cravens;
H. R. 23748. An act granting an increase of pension to Emily J. Vanbeber;
H. R. 23751. An act granting an increase of pension to Charles D. Moody;
H. R. 23763. An act granting an increase of pension to James Riley;

H. R. 23791. An act granting an increase of pension to Calvin B. Fowlkes;

H. R. 23797. An act granting an increase of pension to James D. Tomson;

H. R. 23802. An act granting an increase of pension to Thomas J. Brown;

H. R. 23806. An act granting an increase of pension to William F. Barker;

H. R. 23834. An act granting an increase of pension to Samuel Langmaid;

H. R. 23849. An act granting an increase of pension to Charles A. Mathews;

H. R. 23850. An act granting an increase of pension to William Freeman;

H. R. 23852. An act granting an increase of pension to James G. Crozer; and

H. R. 23857. An act granting an increase of pension to Isaac C. Smith.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. FRYE. I move that the Senate proceed to the consideration of the report of the committee of conferenee on the river and harbor appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The VICE-PRESIDENT. The Secretary will read the report.

The Secretary read the report.

[For report see Senate proceedings of the 26th instant.]

The VICE-PRESIDENT. The question is, Will the Senate agree to the report?

Mr. HOPKINS. Mr. President, before the report is disposed of I should like to ask the honorable chairman of the committee a question or two with reference to amendment No. 59, where $650,000 per annum was to be expended on the Mississippi River between the mouth of the Missouri and the mouth of the Ohio. I will state my understanding is that the engineers reported that $650,000 per annum could be expended advantageously on the river between the points I have indicated, and that section of the river is one of the most important in the whole length of the river. The State of Illinois, as well as the State of Missouri, are both greatly interested in having the improvements made at that point in accordance with the suggestions of the engineers.

This matter was brought up in the Committee on Commerce and was discussed there somewhat, and the Committee on Commerce felt that the public requirements would be best subserved by having the amendment made that was finally reported by that committee and approved by the Senate.

It is not my purpose, Mr. President, to antagonize the chairman of this committee, but it is with great regret that I learn the Senate conferees have yielded to the importunities of the conferees on the part of the House and permitted that amendment to be stricken from the bill.

The recommendation made by the Senate is, it seems to me, one of the most valuable in the entire bill. If we are to take the money from the Treasury and improve these great waterways it seems to me that this is the one point which should be carefully considered and the recommendations of the engineers carried out to the letter.

Mr. FRYE. I noted down the objections which were made to this amendment when it came up before the committee of conference, and if the Senator desires I will read it.

Mr. CULLOM. I should like to hear it read myself.

Mr. FRYE (reading)—

MISSISSIPPI RIVER BETWEEN THE MOUTH OF THE MISSOURI RIVER AND THE MOUTH OF THE OHIO.

"We have been spending on the river within the last twenty-five years more money per annum than is expended by the Government of Germany on the Rhine, on which there is a traffic of between thirty and forty millions of tons. The total traffic on this stretch of the river has dropped off in ten years from 1,260,000 tons to 440,000 tons.

"Second. An extensive plan of improvement was adopted in 1881 which it was thought would cost for completion $16,000,000. This has proved entirely ineffective. In 1903, after twenty-two years, nearly eleven millions had been expended when the estimate was made for the completion of the project of 1881, and the report of the board of engineers was to the effect that it would cost twenty millions to complete the project, four millions more than the original estimate, although eleven millions had been expended.

"Third. For three years past, with the exception of a few days, there has been 8 feet of water, the total amount sought to be obtained by the project; nevertheless the traffic has been rapidly diminishing, and in 1904 the barge company which conducted most of the traffic sold out its barges and went out of business. For that year, 1904, and the three years previous we were providing $650,000 per year.

"Fourth. Freight rates from St. Louis to New Orleans are per ton per mile only about one-third more than in deep water from Duluth to Buffalo, where they have also superior facilities for loading and unloading, such as elevators."

That was about the statement which was made before the conference committee, which seemed to be borne out by the facts of history.

Mr. HOPKINS. I am very much obliged to the chairman of the committee for that information. I will state to him, however, that a large part of it was entirely familiar to the people who are seeking to obtain the appropriation suggested by the engineers and to improve that section of the river.

The loss of the traffic from the river, it is claimed by those who are most familiar with the subject, is due largely to the influence of the railroads, who have purchased the interest of the company or the individuals who owned the barges which were plying up and down there, for the purpose of diverting the trade of the river to the railroads themselves. There are a hundred and one causes, which I can not take the time of the Senate to state, and of which, perhaps, I am not sufficiently informed to fully explain to the Senate, why the traffic has decreased there for a number of years.

It is true, I understand, that we have appropriated quite a number of millions of money and expended the same upon that section of the river, but my understanding is that that money has been well and profitably expended in the interest of commerce. What it needs is that instead of taking the amount here proposed, the pittance of only $250,000 per year, the amount proposed in the bill as it came from the House, we should take the larger amount approved by the Senate and add more money to it, and put that section of the river in a condition where the commerce of the country can float down that mighty river to the sea.

It is true that we are putting forth extra efforts to put the river in a commercial condition between the mouth of the Missouri and its source. Appropriations have been made from year to year prior to this time, putting the river in better condition for commerce; and in this bill appropriations have been made to the amount of $500,000, to be expended between the mouth of the Missouri and Minneapolis and St. Paul for deepening and improving the channel of the river and looking to an ultimate channel of 6 feet at low watermark. That will have a tendency to increase the commerce of that great river. But it will be to little purpose if from the Missouri River to the mouth of the Ohio River we permit the river to remain in the condition practically that it will be in if the amendment agreed to by the Senate is not adopted by the conferees.

I appreciate the fact that the chairman of the Committee on Commerce of the Senate has taken a deep interest in all the great expenditures on our rivers and harbors, and I wish to acquit him of any lack of interest in the Mississippi River. But it seems to me, Mr. President, that he has not felt the great interest of the people of Illinois and the people of Missouri and of the States adjoining upon that river. If he had, he would have held to the amendment that was made by the Senate itself.

The larger part of this bill is composed of appropriations that have been made by the House. The Senate was very moderate in any suggestions that it made; and in my judgment it was exceedingly modest in the appropriations covering this portion of the Mississippi River. The reports show that it requires a very large sum of money to put that portion of the river in good condition. In my judgment, it would have been better to have increased the recommendations of the engineers rather than to have decreased them.

That commerce has fallen away there, instead of being an argument, in my judgment, which should cause Congress to refrain from making a proper appropriation, should redouble the efforts of Congress in putting that section of the river in good commercial condition. There is nothing that will regulate the rates of the railroads from the Atlantic to the Pacific so perfectly and so well as to have that river in such a condition that the great crops which are raised on the farms of the Dakotas, Minnesota, Wisconsin, Iowa, and Illinois can find a highway to the sea over that river, because the moment that is done the competing railroads East and West will put their transportation rates at a figure that will enable the farmers of the States I have named to reach the seaboard from the East and the West as well as the South.

These considerations have moved me to ask the chairman of the Committee on Commerce to recede from that agreement and again place this amendment in conference. It seems to me if he realized the vast importance to the 14,000,000 people who live where they can be benefited by that great waterway he would take the same position I do and would recede from the position of the conferees and insist that the House shall accept the amendment of the Senate.

Mr. BERRY. Mr. President, I had not intended to say anything, and I would not have done so but for one remark made by the Senator from Illinois in which he said he thought the chairman had not taken the interest in this matter its importance demanded. I think everyone here knows that naturally from my location there is no public improvement in which I have felt such an interest and for which I have worked so hard as the improvement of the Mississippi River during the years that I have been on the Committee on Commerce of the Senate, and I want to say here to-day that no man in the Senate, I care not where he lives, has ever been a truer, a better, a more loyal and devoted friend to the Mississippi River than the chairman of the Committee on Commerce, the Senator from Maine. He has been its friend from the time I came to the Senate, and has done probably more to get appropriations for it than any Senator here.

In addition to what the chairman said, I wish to say to the Senator from Illinois that we did everything in conference that it was possible to do. We urged the amendment in every way we knew how to urge it. The House conferees, however, insisted in addition to the reasons given by the chairman—and I want the special attention of the Senator from Illinois to this—that a survey is provided for in the bill for the canal proposed to be built between Chicago and St. Louis, and also for a survey of the Mississippi River between Cairo and the mouth of the Missouri. A commission of very great power and great ability is created by the bill. It is proposed to make the depth of the canal 14 feet. If it should eventually be determined to build the canal, the other scheme on the Mississippi River of which the chairman spoke, which is one by revetment, and which will cost $20,000,000 from the mouth of the Missouri River down to Cairo, would as a matter of course be provided for if there were a 14-foot channel from there to Chicago. But the House conferees insisted that they would not enter upon the expensive scheme of improvement costing $20,000,000 between these points until the other matter was finally determined, or at least until the Commission had reported on both the canal and the river.

They also insisted that the amount in the bill was amply sufficient for dredging, to keep the Mississippi River from the mouth of the Missouri down to Cairo at probably 8 feet of water except in a very low stage, or, in other words, that the amount was sufficient for every purpose except for the scheme of revetment which they would not undertake.

Now, that is the condition. A part of the old appropriation has been left unexpended, I think $200,000.

I will state also it was stated there that the matter was fought out in the House after full investigation, and I think only 17 votes were secured against the House provision. In view of that the House conferees stated that our contention was useless; that they would not agree to it; that they could not go back to the House and defend it after the House had so persistently stated that they would not increase it. Therefore the Senate conferees were compelled, knowing the situation, to yield.

I will state that it would be no benefit whatever to send it back to the conference committee, because I feel sure that under the surrounding circumstances the House conferees will never agree to the amendment of the Senate. The Senator from Illinois can not regret it any more than I do. I would have been glad to have got every dollar given by the Senate and more. We did all we could, and it was simply an impossibility to get them to agree to it. We either had to yield the amendment or lose the bill, and this the conferees on the part of the Senate were not willing to do.

Mr. CULLOM. Mr. President, I do not know that it is worth while for me or anyone else to say anything against this report. These conference reports are generally agreed upon by a sufficient number of members to secure their ratification in almost all cases.

When this bill was first reported to the House my understanding was that it carried some $84,000,000. Subsequently, when it came to the Senate and was considered by the Committee on Commerce of the Senate, the amount was increased to over $92,000,000. It occurred to me that in view of the fact that there was such a tremendous appropriation to be made in the interest of the commerce of the country, which I was gratified to hear was being done, surely the interests of Illinois and our western Mississippi River would be well attended to. I do not know now but that it is, so far as the lower Mississippi is concerned and so far as the upper Mississippi is concerned. I do not know just how much the lower Mississippi carries in this bill. Perhaps the Senator from Arkansas can tell me.

Mr. BERRY. That is all right. The lower Mississippi, from Cairo down to the Gulf, carries an appropriation of $3,000,000 for one year and $2,000,000 for three years more. It is $3,000,000 for the first year and then $2,000,000 each for three years, the appropriation being made for four years—$9,000,000 for the four years.

Mr. CULLOM. So the lower Mississippi gets between one and two million dollars a year for immediate use.

Mr. BERRY. A little over $2,000,000.

Mr. CULLOM. And yet when it comes to Cairo or the mouth of the Ohio River, and from there up to St. Louis and the mouth of the Missouri, we do not get anything like the appropriation apparently that has been given to the lower Mississippi and to the upper Mississippi as well.

I can not quite understand why that should be so. I see in this bill that the House provision was stricken out and a substitute for it put in. I think the substitute put in does not carry as much money as the original provision.

Mr. BERRY. That is a mistake, as the Senate amendment will show.

Mr. CULLOM. I have not looked over it carefully.

Mr. BERRY. The chairman can answer as to that.

Mr. FRYE. The House provision gave $250,000 a year and the Senate amendment proposed $650,000 a year.

Mr. CULLOM. That was decided against by the conference. How much is the actual appropriation made?

Mr. FRYE. Two hundred and fifty thousand dollars.

Mr. BERRY. Just what the House gave.

Mr. CULLOM. We retain the same amount, then. I thought you had reduced it somewhat.

Mr. FRYE. No; it was not reduced.

Mr. CULLOM. But the thing we object to is that there has not been retained in the bill the appropriation of $650,000, or whatever exact sum has been given heretofore, so that the work on that stretch of river can be continued, and that appropriation should not go out at all until we could finally settle upon some general proposition that ought to be adopted.

So far as I am concerned, I am in favor of a general waterway improvement from the Lakes to the Gulf, so that we can have 14 feet of water all the way from Chicago, for instance, I may say, to the Gulf of Mexico.

I anticipated when the appropriation was being made of such a large amount for the general purposes of improvement of the rivers and harbors that we would get that work started, but we not only failed in getting it started, but we have failed also in getting in the amount that we have heretofore had appropriated for the stretch of river between Cairo and St. Louis.

It seems to me, Mr. President, that we have not fared as well as usual, notwithstanding the tremendous appropriation that the Government is making in the interest of commerce throughout the whole country.

I suppose we have got to submit and allow this conference report to be adopted; but I want to give notice now that another year, when the river and harbor bill comes up, unless this general improvement of the waterways is provided for, and unless the stretch of river between Cairo and St. Louis is also provided for, so far as I am concerned, I shall resist the enactment of any river and harbor bill whatever.

Mr. MALLORY. I should like to ask the Secretary to read the amendments that the Senate conferees receded from.

Mr. BERRY. The report is printed in the RECORD.

Mr. MALLORY. I will get it there.

Mr. OVERMAN. I notice, Mr. President, on page 119, line 10, that there is a clerical error. I understand the conference report is to be adopted in the Senate before it goes back to the House for action, and I desire to know whether this clerical error can not be changed and corrected here?

The VICE-PRESIDENT. The Chair has not the print from which the Senator is reading before him.

Mr. OVERMAN. It is on page 119.

Mr. FRYE. Will the Senator from North Carolina yield to me a moment?

Mr. OVERMAN. I will.

Mr. FRYE. There is a mistake in the name of a river in one of the surveys, and the Senator from North Carolina would like to have that mistake corrected. I do not feel certain whether it can be corrected by unanimous consent, but I understand from the chairman of the conferees on the part of the House that it could be corrected there. The Senator from North Carolina desires

to know whether by unanimous consent we can correct that name.

The VICE-PRESIDENT. It would be necessary, in that event, to send the report back to conference.

Mr. FRYE. I think it has been usual, where it has been found that there has been a mistake, for a joint resolution to be passed correcting the mistake.

The VICE-PRESIDENT. It has been the practice heretofore to pass a joint resolution requesting the enrolling clerk of the House, in enrolling the bill, to make the correction, and that would be the proper course in this case.

Mr. FRYE. I think that can be done. It has been done within my knowledge.

The VICE-PRESIDENT. It has been done heretofore.

Mr. OVERMAN. Mr. President, I desire to protest against some of the methods which have been adopted in regard to the report upon items which had been adopted and placed upon the bill as it passed the Senate. I introduced an amendment in the Senate for the appropriation of $200,000 to be expended in the construction of locks and dams upon the upper Cape Fear River. That question has been before Congress for several years. The scheme is feasible, and it has been estimated for by the engineers. The amount estimated for is $1,300,000. The statement concerning it is:

> The act of June 13, 1902, appropriated $50,000 for the purchase of sites for locks and dams. A careful survey, consuming more than eleven months' time, was made for the purpose of locating the sites. This survey has been completed, the sites tentatively located, a number of borings made at each site, the locations approved, and prices obtained on all the lands necessary.

And the money has been appropriated to purchase the sites, as is shown in this report.

I understand the land necessary for one of the locks and dams has been purchased. Now, we have here the printed reports as sent by the engineers; but when the amendment is adopted by the Senate and it goes before the committee of conference we are met with a written supplemental report, or some sort of report. How it got here I do not know. Somebody has sent certain engineers down there since Congress has been in session, as I have been informed. I understand they went there and simply rode down the river. They sent to the House a written report to the effect that probably they might adopt another scheme for this improvement which would be cheaper. I protest against that way of doing business. It is unfair to the Senate, to say the least of it. That report ought to be before the Senate here, and printed, as all other reports upon this subject. If the Secretary of War or the engineer wanted to have the matter investigated, it should have been done before this session of Congress assembled, and the report should have come up here as other reports have come. I have not been able to get a copy of the report, although I have tried time and time again to do so. I repeat they had some sort of a report before the conference committee suggesting that in lieu of the proposition contained in the amendment adopted by the Senate another survey be made. I should like to get some information regarding the matter. I should like to know why these engineers were sent there and by whose authority, and why this matter was not reported on before, and why it comes up here in this way, with a written report that I have not been able to get. It seems to me to have been done for some purpose, in order to prevent this appropriation. It is an outrage upon the Senate. We are entitled to see that report.

I repeat, I want to protest against that method of doing business. I think if the reports had been submitted as they have been made from time to time this amendment which was adopted by the Senate would have been retained in the bill, because I believe the conferees on the part of the Senate would have insisted on its retention, and that it would have been incorporated and the appropriation made. But here comes this report saying that there might be another plan adopted by which some money might be saved to the Government. I want to know why that report has been made just at this particular time. It is evident that some one has been trying to defeat this appropriation by unfair means.

I want to incorporate in my remarks, Mr. President, some information in regard to the Cape Fear River improvement. I send it to the desk and ask to have it incorporated in the RECORD as a part of my remarks.

I wish to say further and to give notice that if this appropriation is defeated by these methods, at the next session of Congress, when the river and harbor bill comes up for consideration and the upper Cape Fear River is not provided for, I shall do all in my power to see that no bill of this kind passes.

The VICE-PRESIDENT. In the absence of objection, permission is granted to the Senator from North Carolina to insert in the RECORD the matter referred to by him.

The matter referred to is as follows:

*Improvement of the Cape Fear River, by E. J. Hale.*

[Published by order of the Chamber of Commerce.]

PREFACE.

In 1886 two English gentlemen (Lord Egerton of Statton and Sir Joseph Lee, afterwards the chairman and vice-chairman of the Manchester Ship Canal Company) asked the writer to make a report upon the Manchester Ship Canal. I inquired where it was. They said, "here," pointing to the forehead. I asked if it was feasible as an engineering problem to bring big ships to Manchester, an interior city. They sent their engineer to explain that. In reply to the same question, he said that anything was possible in engineering, provided the money necessary to pay its cost were forthcoming. The project then was a commercial one.

The commercial part of the problem was very simple when once presented—like Columbus's demonstration of how to make the egg stand on end, or any other of the great problems of man's conquest of nature that turn often upon the least complex of conditions if they are but comprehended. It was this: A circle described about a seaport lies half in the sea, where people do not dwell. A similar circle about an interior town lies wholly on the land. If it be convenient to convert the interior town into a seaport, it is manifest that it starts off with double the population—other things being equal—dependent upon it for transportation, to begin with. But it was found that, though Manchester was less than 40 miles from Liverpool, there were seven and a half millions of people nearer to it than to Liverpool or any other port. As it was certain that these seven and a half millions were bound, sooner or later, under the rule that all forces proceed along the line of least resistance, to seek Manchester as their port, the proposed port of Manchester became practically a city of seven and a half millions. Manchester was an interior mill center, dependent upon outports for ingress and egress from and to the world. Fayetteville had been such a center before 1865. The Manchester Ship Canal, using the waters of the Irwell and upper Mersey, was but 35½ miles long and cost $75,000,000. The distance from Fayetteville to deep water was twice as great, whereas, on the commercial side, the population of Fayetteville was but 5,000, while that of Manchester and contiguous suburbs was over a million. Even under the rule that gave Manchester 7,500,000 of population, Fayetteville could show only 2,000,000 of population. So that Manchester had half the distance to canalize that Fayetteville required and nearly four times the population—eight to one against Fayetteville—but Manchester had to dig nearly the whole distance. Fayetteville had its canal already dug, which needed only to be narrowed by longitudinal dikes or plugged up with cross dikes, as the flow of water might be found to require. Therefore if the Cape Fear could be canalized for the distance of 70 miles for, say, $1,500,000, that would be $20,000 a mile against Manchester's $2,000,000 per mile, and if it could be demonstrated that, say, 2,000,000 of people would be nearer to the port of Fayetteville than to any other port, then an expenditure of $1,500,000 by our Government for the benefit of that 2,000,000 of its citizens would be but 75 cents a head, as against the British expenditure of $75,000,000 for seven and a half millions of British subjects, or $10 per head—plainly a proposition commercially sound.

Attention is especially asked to the fact that the jutting coast line of North Carolina and the situation of Fayetteville on what would be the normal coast line, is the crux of the matter. Our jutting coast line has rendered it impossible for the greater portion of the population of North Carolina to enjoy freight rates on equal terms with the people of other seaboard States, except approach be had through the port of Fayetteville. This peculiarity differentiates this from all other river propositions offered to the Government.

The following pages contain the literature on this subject worth perusing, and the whole is presented to the people of North Carolina—whose interests, as the legislature has repeatedly declared, will be so greatly affected by the restoration of Fayetteville to its former commercial relation to the interior—for their information and consideration.

E. J. HALE,
*Chairman of Citizens' Committee on Improvement of the Cape Fear.*

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*Presentation of case before the Committee on Rivers and Harbors January 14, 1902, by E. J. Hale, chairman of citizens' committee, of Fayetteville, N. C.*

IMPROVEMENT OF THE CAPE FEAR RIVER.

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE: By your courtesy I have the honor to present to you the grounds upon which the people of North Carolina ask that you retain in the bill which you are to report to the House of Representatives the item providing for an appropriation for the improvement of the Cape Fear River between Wilmington and Fayetteville. I say the "people of North Carolina," because, by a resolution of the last legislature (a copy of which I hand to you, and which I have marked "Exhibit No. 1"), the State has adopted this project as a State affair, a course which it has pursued toward no other scheme of river or harbor improvement within its borders.

On the 1st of June, 1900, a bill was passed by Congress for a survey, with a view to obtaining a navigable channel from Wilmington to Fayetteville of 4, 6, or 8 feet depth at mean low water.

On the 24th of November the Government engineer officer at Wilmington, Captain Lucas, submitted his report of the survey which he had made, recommending a plan for slack-water navigation with a minimum depth of 8 feet of water, the difference in the cost of securing 4, 6, or 8 feet being insignificant. The plan recommended provides for three locks, with a lift of 9 feet each, with a chamber 150 feet long and 28 feet wide, and a movable dam some 170 feet long, the form of lock and dam proposed being similar to those used in the Kanawha River. His report will be found in House Document No. 180 of the second session of the last Congress.

By a misunderstanding on the part of those having charge of the promotion of this improvement, the statistics necessary to prove a "commercial case" for it were not supplied to Captain Lucas in time for his regular report, which is required to be started on its way to the Secretary of War by the 20th of November. His report upon this subject, therefore, did not come to your committee from the Secretary of War until after your bill had practically been drawn; and the item for the carrying out of Captain Lucas's recommendation was for this reason—I trust I am right in saying for this reason only—not included in the bill reported by you. It was added in the Senate, and an appropriation of $250,000 voted to begin the work, which sum was

reduced to $150,000 in the conference committee of the two Houses; and, with the item in this form, the bill was passed by the House.

We now ask that you retain this item in the new bill which you are about to report.

North Carolina was once called "a strip of land between two States." As the State was the third in population at the First Census, and as it has a record of which anyone may be proud, being inferior to that of none of the original thirteen which achieved our independence, I assume that the gibe had reference to our commercial attainments, which have been inferior to those of our neighbors. This inferiority was palpably the result of our want of large seaports, but the reason for this deficiency, which has been the theme of unnumbered discussions, was obscured by the overworking of the railroad idea, under which railroads were held to be "annihilators of space." Recently the conception of the unit of transportation value as "per ton per mile" has revealed the real reason to students of our geography.

If you will be good enough to look at the map which I submit, and which I have marked "Exhibit No. 2," you will observe that the coast line of North Carolina juts out far beyond the general coast line—namely, the line running from New York, where the first great recession takes place at the North, to Savannah, where the last recession culminates at the South. The effect of this peculiarity is to place our seaports at such a great distance from the back country that the ports of our neighbors, Richmond on the north and Charleston on the south, are nearer to much of it than they. The normal seaport is on a line with its rivals. The ideal seaport is on a line (between its rivals) that presents a salient angle to landward and the reentrant angle to seaward. With us, our jutting seacoast causes those angles to be reversed in the case of lines drawn from any of our seaports to Richmond on the one side and Charleston on the other. Now, the traffic influence of any port, under the rule of equal charges per ton per mile, reaches half way to the next port. If, therefore, we should delimit the territory traffically tributary to the ports under consideration by drawing lines at right angles across the halfway points of air lines between them, we would find that these right-angle lines converge until they meet within the territory of our own State, instead of remaining parallel, as they would do in the normal port, or diverging, as in the case of the ideal port. The result of these physical conditions is such that if, instead of the commerce-repelling Hatteras, the eastern beak of North Carolina inclosed the best harbor in the world and a four-track railway connected it with the interior, it would remain as insignificant as Morehead City is to-day, which has a fine harbor and is connected with the interior by a State railway.

Before the railroad era, and when conditions were much nearer to nature than now, the force of the wagon-borne traffic in a wide area proceeded along the line of least resistance and found water at Fayetteville, which is the head of navigation on the Cape Fear and the inland end of the improvement now asked for. By reference to the map it will be seen that Fayetteville lies 50 miles west of a line from Norfolk to Charleston, the nearest existing "basing points for freight rates;" a little to the west of a line from Richmond to Charleston, and on the line from New York to Savannah, the normal coast line. Wagon-borne traffic a century ago from central and western North Carolina, southwestern Virginia, and northeastern South Carolina naturally, therefore, fixed upon this town as its port, for it was nearer to them than any other. By a striking, but entirely logical, coincidence the territory whence this ancient traffic came is almost precisely the same as that which this improvement would delimit under the rule of equal railway charges per ton per mile.

What we are asking, then, is not the establishment of novel conditions, disturbing natural ones, but the restoration of conditions as old as our civilization and as natural as the flow of water.

These conditions have been changed by circumstances which it would consume too much of your time to recount in detail—antagonisms resulting from the different origin of the immediate settlers of the Cape Fear and the Albemarle sections; errors of State policy, as in the attempt to build up a great port near the eastern coast line; the novelty of through railway trains which the necessities of the Confederacy caused to be established on north and south going railways; the partial destruction of the town by war in 1865; and deforestation at the headwaters of the Cape Fear, which curtailed the boating period in summer and rendered the river an easy prey to those competing railways.

While these circumstances have retarded the restoration of normal conditions in Fayetteville, the same fierce competition which has hammered out the unit of railway transportation has caused the establishment there of many thriving industries—cotton mills, silk mills, and the like—and the cheap freight rates which they enjoy have turned the eyes of the State again to this ancient capital. The result is the recognition of the geographical peculiarities which I have referred to, and which are more fully described in the note appended to the map which I have submitted; the realization that, except approach be had through the port of Fayetteville, freight rates on equal terms with those enjoyed by the people of other seaboard States are impossible for North Carolina; and the embodiment of these facts in the unanimous resolution of the general assembly, asking for this appropriation, which I presented to you at the outset.

Now, while it is plain that the reasons recited amply justify the State in her present attitude toward this proposed work, and while it is true that the General Government has, by its action in taking over this river and making it a national highway, "undertaken the serious responsibility of improving and developing it," it does not follow that it is called upon to undertake a scheme of improvement more costly than a reasonable expectation of results would justify. We have therefore made an estimate of these results based upon the method employed in England for "proving" a commercial reason for the granting of a charter by Parliament for works of this kind. This method, which is self-evidently sound, is described on pages 5 and 9 of the United States Government report on the Manchester Ship Canal, a copy of which I submit, marked "Exhibit No. 3." It is assumed that the population which is nearer to a given port than to any other port is bound sooner or later to become traffically tributary to it.

The existing traffic on the Cape Fear River between Wilmington and Fayetteville amounts to 115,000 tons, valued at $1,150,000. The existing railway traffic in and out of Fayetteville is 112,285 tons, valued at $5,812,614. The population in the territory shown on the map between the lines AA, B, and CC, and which is nearer to Fayetteville and the part of the river involved than to any other port, is some 2,000,000. The population concerned in the production of the existing river and railway traffic in and out of Fayetteville is 61,000. The territory, then, which is nearer to Fayetteville than to any other port contains a population thirty times as great as the population at present tributary to Fayetteville.

We therefore have this proposition:

| | Tons. | Value. |
|---|---|---|
| Existing river traffic | 115,000 | $1,150,000 |
| Three-fourths (the divertible portion) of existing railway traffic in and out of Fayetteville—¾×112,295 tons and ¾×$5,812,614 | 84,221 | 4,359,460 |
| In round numbers | 200,000 | 5,500,000 |
| Thirty times these figures would give the tonnage and value of traffic which, other things being equal, would find a cheaper route to and from the great markets by way of the Cape Fear River if improved as suggested—that is, 30×200,000 tons and 30×$5,500,000 | 6,000,000 | 165,000,000 |

If the proposed improvement were a private undertaking requiring tonnage charges for the payment of interest on its cost, it will be seen that a tax of 1 cent a ton on the estimated traffic would pay 5 per cent interest on a million and a quarter of dollars. An elaboration of this calculation and other details will be found in the Report of the Citizens' Committee on Improvement of the Cape Fear and the accompanying "note," which I also submit, marked "Exhibit No. 4."

Some other considerations in favor of this project may be briefly noted:

The proposed appropriation would merely replace the present scheme, which calls for an expenditure of $275,000, about half of which has been expended, and which is worthless, as declared by the Government engineer.

The two millions of people affected by the proposed improvement, and whose traffic has been diverted from the river by railroads and deforestation, developments of civilization, are as much entitled to consideration as if they were herded in a seaport whose harbor had been made relatively shallower by the use of deeper drafted ships, another development of civilization.

Formerly, vessels were adapted to rivers and harbors. Now, harbors are being adapted to vessels, and rivers should be also.

The Manchester Ship Canal cost $75,000,000, or $2,000,000 per mile. The canal for 8 feet of water from Wilmington to Fayetteville, 120 miles, is already dug, and an expenditure of $11,000 a mile (or $1,350,000) will complete it. Seven million five hundred thousand people are affected by the English work, 2,000,000 by the proposed American work—or $10 per capita for the Englishman and 75 cents for the American. Our commercial status in the world should justify at least this small per capita contribution to such a large body of our people, for we are not less wealthy than England.

I do not know, Mr. Chairman and gentlemen, how far you may feel influenced by the sentiment that a great State asks you for this appropriation, nor how far its relation to the nation, under our political system, may attract your attention to its requests, but I think I have made out a "commercial case" for the proposed legislation, and I would ask that you add the other two considerations for good measure.

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EXHIBIT No. 1.

*Resolution of the general assembly of North Carolina requesting the Senators and Representatives in Congress from that State to exert their united influence to secure the adoption of the plan for improveing the Cape Fear, recommended by Captain Lucas, United States Army, as transmitted to Congress by the Secretary of War.*

Whereas the maintenance of water transportation in competition with rail is of the greatest importance to all of the citizens of the entire Cape Fear section; and

Whereas the Chamber of Commerce of the city of Fayetteville, and the Chamber of Commerce, the Produce Exchange, and the Merchants' Association of the city of Wilmington have secured a survey and a recommendation for an appropriation for the improvement of the Upper Cape Fear River; Therefore,

*Resolved by the senate (the house of representatives concurring)*, First. That our Senators and Representatives in Congress be requested to exert their united influence to secure the passage of an amendment to the river and harbor bill at this session authorizing the adoption of the plan for improving the Cape Fear River, recommended by E. Van C. Lucas, Corps of Engineers, United States Army, Wilmington, N. C., as transmitted to Congress by the honorable Secretary of War.

Second. That a copy of this resolution be forwarded to each of our Senators and Representatives.

In the general assembly read three times, and ratified this the 18th day of January, A. D. 1901.

[Captain Lucas's plan provided for slack-water navigation between Wilmington and Fayetteville so as to secure an 8-foot channel at low water. The bill for this purpose was adopted in the conference committee of the Senate and House, and an appropriation made for beginning the work. It was, however, lost along with the rest of the rivers and harbors bill, on March 4, 1901. In April, 1902, the scheme for canalization, as above, costing $1,350,000, was adopted by Congress, and $50,000 appropriated for buying sites for locks and dams. The reports of the Chief Engineer of the Army, General Mackenzie, for 1904, 1905, and 1906, carried this scheme among his recommendations.]

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EXHIBIT No. 2.

*Extract from report of Consul Hale to Department of State, June 1, 1888, describing the grounds upon which Parliament passed the act providing for the construction of the Manchester Ship Canal.*

Before an act could be obtained for the construction of the ship canal it was, amongst other things, necessary to prove that the traffic was sufficient to justify the construction of so great a work; and it may be of interest to merchants if I name some of the figures established in spite of the most able opposition, for the scheme was opposed by all of the railway companies and by the enormous influence brought to bear by Liverpool.

In my general report upon the Manchester Ship Canal undertaking I stated that more than 150 industrial towns would be affected by that great enterprise. Exhibit No. 1 is a map upon which the area is indicated within which these industrial towns are comprised, the boundary of which area includes 7,500 square miles. This is equal to one-sixteenth of the entire area of the United Kingdom.

The population inhabiting this area is quite 7,500,000, representing

about one-fifth of the total population of the United Kingdom. The principle upon which the boundary line of this area has been fixed is the illustration of the mean distance between the nearest ocean-steamer ports now existing and the ship canal which is now in course of construction. A glance at this map will show that the most remote point from the canal in any part of the area is quite as near to the ship canal as to any of the ports named on the map which are the existing ocean-steamer ports.

E. J. HALE, *Consul.*

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EXHIBIT No. 3.

IMPROVEMENT OF THE CAPE FEAR RIVER.

FAYETTEVILLE, N. C., *December 6, 1900.*

DEAR SIR: Some fifteen months ago the business men of this section began to agitate the subject of improving the Cape Fear River between this city and Wilmington, so as to secure a uniform minimum depth of water throughout the year of 4, 6, or 8 feet. Such control of internal waterways by engineering devices is common in the highly civilized states of Western Europe, and it seemed to us that there was no reason why our great country, with its greater wealth, should lag behind those naturally less favored nations in its treatment of such an important matter.

In North Carolina the Cape Fear River would, of course, first attract the Government's attention, if it should share our views on the general subject, because of the commercial history of the river, and of Fayetteville as the head of navigation thereon, in the period before the railroad era disturbed natural conditions. Even since that era set in, and in the face of changed conditions of transportation which it established, the Government has felt called upon to take over control of the river between Wilmington and Fayetteville and to make Fayetteville a port of entry. Replacing the old Cape Fear Navigation Company, which operated under the State's charter, it has sought, by a system of jetties, to arrest the effect of deforestation upon the river's water supply. The object of the movement which we are now bringing to your attention is to induce the Government to substitute for this crude and insufficient method the modern system of treatment of internal waterways which is employed in Europe and which is now being taken up in some portions of this country.

The proposition to this end at once engaged the attention of Captain Lucas, the enlightened engineer officer of the United States Army stationed at Wilmington. At his suggestion an appropriation for a preliminary survey of the river between Wilmington and Fayetteville was secured just before the adjournment of Congress in June last. The survey was completed in November, and the fact demonstrated that by the construction of two or more locks a uniform minimum depth of water 4, 6, or 8 feet could be secured throughout the year, according to the appropriation which might be made by Congress.

The movement for this appropriation has been chiefly conducted by the Chamber of Commerce of Fayetteville, but it has been heartily taken up and approved by the Chamber of Commerce of Wilmington and by the Produce Exchange and the Merchants' Association of that city. It has also attracted widespread interest beyond the Cape Fear section and, so far as we are informed, is approved throughout the State. The Raleigh News and Observer, for example, said, "The improvement of the Cape Fear becomes a matter of great importance in which the whole State will cooperate with Fayetteville." More recently, Justice Walter Clark, in a paper which he was requested by the Raleigh Chamber of Commerce to write on the subject of the commercial needs of that city, urged the importance of securing "the competition of water rates at our nearest river port," Fayetteville.

On the 15th of November just past, Captain Lucas explained to a meeting of our citizens the necessity for demonstrating that the interests involved were sufficient to justify the Government's action, before he could recommend such an appropriation as would be required. The undersigned were appointed a committee for that purpose, and their report is appended. By this you will see that the "commercial case" is proved many times over and that the pecuniary interest of nearly the whole population of North Carolina, as well as the convenience of most of them, is involved.

Attention is asked to the obvious fact that while the proposed improvement would result in a relocation of the points of freight dispersion entirely in the interests of North Carolina, the effect upon the railways within our borders would be to secure eventually a large accession of business which the restoration of the natural trade route of the State would create and that this would many times repay them for the comparatively small business which they would lose. (See also note herewith inclosed.)

Our object in addressing this communication to you is to ask your earnest cooperation with us in bringing every available influence to bear on Congress in behalf of this great work.

We request a reply, with such suggestions as may occur to you, and have the honor to be, dear sir,

Yours, respectfully,

E. J. Hale, R. L. Williams, A. H. Slocomb, W. L. Holt, W. M. Morgan, H. C. Bash, F. R. Rose, W. S. Cook, J. A. King.

REPORT OF THE COMMITTEE.

FAYETTEVILLE, N. C., *November 21, 1900.*

Capt. E. W. VAN C. LUCAS,
*Corps of Engineers, U. S. Army, Wilmington, N. C.*

SIR: The undersigned, the committee appointed at the citizens' meeting held on the occasion of your visit on Thursday last, have taken up the subjects of inquiry suggested by you, and have pleasure in reporting as follows:

*The present river traffic.*—The tonnage of the traffic by the steamboats between this city and Wilmington, as reported to the United States engineer's office at Wilmington for the year ending December 31, 1899, was, in round numbers, 115,000. We are informed that its value would average $10 per ton, which would give a total value of $1,150,000.

*Existing local railway traffic which would seek the river if improved.*—In reply to printed forms issued to our merchants, traders, and manufacturers, made out where necessary under our supervision, we find that there have been received at and shipped from Fayetteville by rail during the past twelve months 112,295 tons of merchandise of all kinds, valued at $5,812,614. It is estimated that at least three-fourths of this would at once be diverted to the river for transportation if the proposed improvements were made and the speedy and regular dispatch of freight which it would make possible were established.

*Traffic from a distance which would be diverted to the river if Fayetteville were made a "basing point."*—We are informed that as soon as the proposed improvement in navigation and the dispatch of freights is effected Fayetteville would be made what the traffic managers call a basing point for freight rates. The effect of this, we are informed, will be to cause all railways which run within the territory thus tributary to Fayetteville to make rates from Fayetteville. By the term "the territory thus tributary to Fayetteville" we mean all the country which is nearer to Fayetteville than to any other basing point, the railway commission laws requiring the rates therein to be proportionately less than to such other basing points.

We inclose a map which will show the territory thus delimited as tributary to Fayetteville. The basing points nearest to Fayetteville are Richmond and Norfolk, Va., on the north, and Charleston, S. C., on the south. We have drawn lines at right angles across air lines between Fayetteville and the three cities named, respectively, and at points midway between Fayetteville and them. Line A is the dividing line between Richmond and Fayetteville; line B, the dividing line between Norfolk and Fayetteville, and line C, that between Charleston and Fayetteville. It will be seen that while the northeast section of North Carolina falls within the territory allotted to Richmond and Norfolk, a considerable portion of southwest Virginia and a considerable portion of northeast South Carolina, each larger than the first mentioned, falls within the territory of Fayetteville. As the improvements referred to would also cause Wilmington to be made a basing point, the map would be changed thereby to a comparatively small extent, the effect of the change being to add more to the joint territory of Wilmington and Fayetteville.

We also inclose a copy of a United States Government report on the Manchester Ship Canal (see preface), in which is described the manner employed in Great Britain for "proving" a commercial reason for the granting of a charter by Parliament for such an undertaking. We shall, in this case, employ the same method in a general way, because such matters in the older countries have necessarily reached a more exact standard. An important consideration in our favor in relying upon such a method is the fact that the railway commission laws in this country now require connecting lines to transport freight delivered to them whether a tariff of through rates has been established or not, and, as before mentioned, at rates proportioned to the "length of haul."

Without entering upon a consideration of how far westward beyond the borders of North Carolina the traffic influence of the proposed improvement would extend, we ask attention to the significant coincidence that the territory now delimited on our map is almost the same as that which was tributary to Fayetteville in the last of the eighteenth century and in the first part of the present century up to the railroad era. The fact that Canova's statue of Washington was brought from Italy to Wilmington, was thence landed at Fayetteville, and finally hauled overland to Raleigh in the latter period is merely an illustration of the general conditions of transportation at that time. The proposed improvement, therefore, would not establish a novel condition, but would restore the normal relation of the Cape Fear to a vast territory which the overworking of the railroad idea and the effect of deforestation upon the water courses have disturbed. Or we may state the case this way: That it would be the reestablishment of normal conditions by a development of the problem of transportation, which conditions had been disturbed by a cruder stage of the movement.

Within the limitations of our map, as thus restricted, it will be seen that there is a population equal to that of the State of North Carolina (some 1,900,000). The population, which by a liberal estimate might be considered as involved in one way or another in the production of the existing river traffic and the existing railway traffic divertible to the river, in and out of Fayetteville, may be said to include that of Cumberland County, in which Fayetteville lies (30,000), and one-fourth of that of the contiguous counties of Sampson (7,000), Bladen (5,000), Robeson (9,000), Moore (6,000), and Harnett (4,000)—a total of 61,000. The territory, then, on the map this side of the Blue Ridge contains a population thirty times as great as the population at present tributary to Fayetteville.

We therefore have this proposition:

| | Tons. | Value. |
|---|---|---|
| Existing river traffic | 115,000 | $1,150,000 |
| Three-fourths (the divertible portion) of existing railway traffic in and out of Fayetteville—¾×112,295 tons and ¾×$5,812,614 | 84,221 | 4,359,460 |
| In round numbers | 200,000 | 5,500,000 |
| Thirty times these figures would give the tonnage and value of traffic which, other things being equal, would find a cheaper route to and from the great markets by way of the Cape Fear River if improved as suggested—that is, 30×200,000 tons and 30×$5,500,000 | 6,000,000 | 165,000,000 |

In this connection it is worth noting that Mr. Walter L. Holt, one of the chief owners of cotton mills in this county and in Alamance County, a hundred miles distant, finds that he gets his oils, dyes, and machinery and ships his finished products by river from his Fayetteville (Cumberland) mills for an average of but half the freight rate which he is obliged to pay by rail to and from his Alamance mills.

*The railway commission's figures.*—We further inclose a letter from the North Carolina corporation (railway) commission (see envelope marked "Exhibit C"), from which it will be seen that the actual freight traffic movement for the past year over the roads converging at Fayetteville and within the territory indicated on our map amounted to 1,497,979 tons, or one-fourth of the tonnage (6,000,000) which we have estimated by the per capita method for the whole territory east of the mountains. It will be observed also that the commission's letter expresses the hope that "the Government will see the importance of this station (Fayetteville), which, by reason of its situation, should again become the distributing point for the central and western North Carolina territory."

Attention may also be called to the fact that Fayetteville, at the head of navigation 100 miles inland, is the only point on the Atlantic Coast Line between Richmond and Charleston (the present basing points) which is situated on navigable water.

How far the inertia of settled routes of trade may act in restraint of the possibilities indicated above is, of course, a matter of conjecture.

*The commercial case.*—We assume that while the Government undertakes works of the kind now proposed for the public benefit and with-

out expectation of a direct return for the outlay, it is nevertheless influenced by the same considerations which influence private capitalists—that is to say, if the cost of the proposed improvement should be $1,000,000, it would be a sound commercial undertaking, commending itself to the Government from this point of view, if the additional traffic secured by reason of the outlay, or the resultant economies of transportation on existing traffic, should yield 5 per cent on that amount. Five per cent on $1,000,000 is $50,000. It is apparent that the economies of transportation which such an improvement would render possible—twelve months' running of the boats instead of nine months, the cheaper proportionate handling of larger loads, etc.—would leave a margin for tolls for the use of the improved waterway, if the work were done by a private corporation, far in excess of the reasonable rate of 5 per cent on a million dollars. An average of 25 cents a ton on the class of freight (115,000 tons now carried by the river and of 50 cents a ton on the class of freight (84,221 tons) now carried by the railways in and out of Fayetteville, but divertible to the river, would produce a revenue of $70,860, or over 7 per cent on the existing Fayetteville traffic alone. A toll of 10 cents a ton would more than pay for the whole investment of $1,000,000 in two years, if all the traffic of the tributary country were diverted this way. Such speculations as to what might be done if the river were the property of private capitalists instead of that of the Government are useful as indicating how very far within the margin of commercial safety the Government would be acting if it should make such an expenditure.

We desire, in conclusion, to heartily reiterate for ourselves the expression of thanks which the meeting that appointed us unanimously voted to you, sir, for the interest which you have taken in this great work.

We remain, with high esteem,

Yours, obediently, THE COMMITTEE AS ABOVE.

NOTE TO EXHIBIT NO. 3.

If it be asked why Government aid for such a large scheme of improvement should be sought for this particular river, a glance at a map of the Atlantic seaboard States will answer the question. It will be seen that the coast of North Carolina juts out far beyond the general coast line; that Fayetteville, at the head of navigation on the Cape Fear River, and 100 miles inland, lies on an air line between the seaports of New York and Savannah; that it is 50 miles farther west (that is, farther inland) than an air line between Norfolk and Charleston, the nearest existing "basing points for freight rates;" that the Cape Fear is the only river in North Carolina with its 300 miles of seacoast which flows directly into the sea; that it reaches the sea at a point where the abnormal coast line has receded almost to the general line, and that these geographical peculiarities result in placing the head of navigation of this river nearer to a large, populous, and highly developed territory than that of any other river south of the James. In harmony with this fact and before natural conditions were disturbed by the north-and-south-going railways and by deforestation at the headwaters of the river, Fayetteville was the shipping and receiving port for the immense territory comprised in central and western North Carolina and for parts of Virginia and South Carolina; its banking capital in 1827, when the population of this tributary territory was but half a million, was a million and fifty thousand dollars, whereas its present banking capital is but $200,000, with the population increased to two millions; it was in that former period the seat of the only branch of the Bank of the United States in the State, and of the arsenal the largest, with one exception, in the Union, and it has since been distinguished from other river towns by being made a port of entry. Finally, by this last-named act, the Government in effect converted the river from Wilmington to Fayetteville into the harbor of Fayetteville and placed itself under obligations to treat the port of Fayetteville on a plane with other ports having 2,000,000 of people dependent on them for economy in transportation.

*Copy of letter addressed to the Senators and Members of the House of Representatives from North Carolina.*

CITIZENS' COMMITTEE ON IMPROVEMENT OF THE CAPE FEAR,
*Fayetteville, N. C., February 17, 1902.*

Hon ——— ———, *Washington, D. C.*

DEAR SIR: A newspaper correspondent has stated that at the recent hearing of the North Carolina delegation before the Rivers and Harbors Committee the suggestion was made that the granting of the appropriation asked for for the improvement of the Cape Fear River between Wilmington and Fayetteville would render it necessary to grant "at least $175,000,000 elsewhere." We would ask your attention to the fact that the reported suggestion is without weight for the following reasons:

1. The improvement of the sundry rivers scattered over the United States, which might require the expenditure of $175,000,000 if improved in the manner proposed for the Cape Fear, would establish novel conditions—that is, it would create trade routes that never existed in the past, whereas the proposed improvement of the Cape Fear would merely restore natural conditions; that is, reestablish trade routes disturbed by an incomplete development of the problem of transportation.

2. Fayetteville is the only port in the United States lying nearer to 2,000,000 of people than any other port, which is not a "basing point for freight rates," the condition precedent of economical transportation service. Yet it is the only port so situated which has received nothing from the Government calculated to render it capable of becoming such a basing point.

3. Fayetteville is precisely on all fours with Richmond, Va. Both are upriver ports, Richmond being just below the first falls of the James and Fayetteville just below the first falls of the Cape Fear, and both having a large back country dependent upon them for economy of transportation. There are no other ports on the seaboard similarly circumstanced; yet the Government has granted millions since the war (and properly, too) to Richmond in order to improve the James in such a way as to preserve Richmond's relative position as a port, and not a cent to preserve Fayetteville's.

4. The appropriation asked for for the Cape Fear is distinguished from all others in the Union in the respect that it is asked for by the State—a State that contains one-fortieth of the population of all the States and about one-twentieth of the population of all the seaboard States; whereas its total askings ($515,000) amount to less than the hundredth part of the sixty millions proposed for the total rivers and harbors bill.

5. Lastly, the appropriation for the improvement of the Cape Fear was included in the bill which was passed by the House a year ago, and which, nevertheless, included appropriations for none of the rivers upon which the alleged one hundred and seventy-five millions would have to be spent.

Trusting that you will find it convenient to bring the foregoing points to the attention of the proper parties, if need be, we remain, dear sir,

Yours, obediently, E. J. HALE, *Chairman.*

*Resolution of the general assembly of North Carolina, passed February 6, 1905, requesting the Senators and Representatives in Congress from North Carolina to use their united influence to secure proper appropriation for carrying out the scheme to improve the Cape Fear River, as recommended by General Mackenzie, Chief Engineer of the Army.*

Whereas the maintenance of water transportation in competition with rail is of the greatest importance to the entire Cape Fear section; and

Whereas the citizens and commercial associations of Fayetteville and Wilmington secured a survey and recommendation by Capt. E. Van C. Lucas, Corps of Engineers, United States Army, for the improvement of the upper Cape Fear River; and

Whereas the scheme as recommended for the canalization of said river, contemplating an expenditure of $1,350,000, was adopted by Congress in April, 1902, and an appropriation of $50,000 made for purchasing sites for locks and dams; and

Whereas General Mackenzie, Chief Engineer of the Army, has recommended in his report, both last year and this, that this great scheme be carried out as adopted: Therefore,

*Resolved by the senate (the house of representatives concurring)*, First. That our Senators and Representatives in Congress be requested to use their united influence to secure the passage of an amendment to the river and harbor bill at this session making a liberal appropriation for this great scheme for improving the upper Cape Fear River.

Second. That a copy of this resolution be sent to each of our Senators and Representatives in Congress.

Mr. STONE. Mr. President, I desire to enter my protest as positively as I can against the adoption of this conference report. The amendment adopted by the Senate for continuing the improvement of that stretch of the Mississippi River between the mouth of the Missouri and Cairo ought to be insisted upon. The bill as it came from the House provided $250,000 per year for four years for that stretch, and the Senate increased that amount to $650,000 per year. The Senate conferees report that they have agreed to recede from that amendment, and it is against that I enter my protest.

I have heard what the Senator from Arkansas [Mr. BERRY] said about it; that the Senate conferees had insisted as strenuously as they could on retaining the Senate amendment, but that it was impossible to secure the concurrence of the House conferees. Of course I must accept that as the judgment of the Senator from Arkansas, but I must say that if I had been a conferee I would not have brought that report in here, if I could have kept it back, without the concurrence of the House conferees in this amendment. The Senate amendment ought not to have been abandoned. It is a great mistake from the standpoint of the public interest, and it is a gross injustice to the people of the upper Mississippi Valley—aye, of the whole Mississippi Valley—to strike this Senate amendment out, for, in effect, it amounts to a practical abandonment of all work looking to the permanent improvement of that very important section of the river.

There is no more important stretch of this great river than that between the mouth of the Missouri and the mouth of the Ohio. The appropriation made for the improvement of the Mississippi River above the mouth of the Missouri has been largely increased over former years, and wisely so, and there is also an adequate appropriation made for the improvement of the Mississippi below the mouth of the Ohio; but here is a stretch of approximately 200 miles, between the mouths of the Missouri and Ohio, which is practically deserted, so far as permanent improvement goes. This stretch runs down between the States of Illinois and Missouri and by several of the most important commercial points in the great valley of the Mississippi, and yet the disastrous and fatal policy of practically deserting and abandoning it is here proposed.

Mr. President, is it sensible from a business point of view, is it the exercise of wisdom and sound judgment, to expend millions to improve, deepen, and control the channel above the mouth of the Missouri and at the same time neglect the continuing stretch between the Missouri and the Ohio? Of course, I heartily approve the improvement between St. Paul and the Missouri, but are the ends of commerce properly subserved if the stretch below the Missouri is slighted, discriminated against, and neglected? What comes down from the north must pass St. Louis and Cairo if it goes to the Gulf.

Some years ago all work of consequence on the Missouri River was abandoned. The Missouri River Commission was abolished, and appropriations, except in small sums for specific purposes, were discontinued. But once more an effort is being made to put the Missouri on the map again. This year and in this bill $400,000 are appropriated for improving the Missouri

River. The commercial interests of Kansas City, St. Joseph, and Omaha have projects for establishing boat lines on the river. Some $250,000 have been subscribed at Kansas City to provide a line of boats and barges for use on the Missouri between Kansas City and St. Louis, and several boats are already in commission. Omaha is moving in the same direction. What this bill does for the Missouri is not much, but it is better than nothing. I hope it is the beginning of a wiser, better, and more liberal policy toward the Missouri. It is an encouragement, and it is designed to encourage—aye, to invite—the great commercial forces along the Missouri to turn their attention to river transportation; but whatever goes down the Missouri must cross this stretch of the Mississippi between the mouth of the Missouri and the mouth of the Ohio if it is to go to the sea. Here we are proposing to improve the Missouri and the upper Mississippi and to improve the lower Mississippi, and for those three purposes we are to appropriate between eleven and twelve million dollars, and yet for this great connecting link, nearly 200 miles in length, we propose to appropriate only $250,000 a year, not more than enough to provide, maintain, and operate two or three dredge boats, and let all permanent improvement go to the demnition bow-wows. It is simply amazing.

Mr. President, I beg the indulgence of the Senate while I endeavor to make this matter more clearly understood. In 1881 the plan for improving this stretch of the Mississippi was determined upon. It contemplated confining the flow of the river to a single channel having an approximate width below St. Louis of 2,500 feet at bank-full stage, the natural width in places being a mile or more at mean high water. In confining the volume of water to a channel of this width the velocity increases and, if the width be maintained, the river cleans its own channel and deepens its own bed. This result was to be attempted by closing sloughs and secondary channels and by building out new banks where the natural width is excessive, using for this purpose permeable dikes or hurdles of piling that collect and hold the solid matter that is carried in suspension or rolled on the bottom by the river. The banks, both new and old, were to be revetted, or otherwise protected where necessary, to secure permanency and prevent erosion. The object of this improvement was to obtain eventually a minimum depth of 6 feet from the mouth of the Missouri to St. Louis and of 8 feet from St. Louis to the mouth of the Ohio at standard low water.

Mr. President, this scheme is what is known as the "permanent work," and has repeatedly been declared to be practicable from a technical standpoint. I hold in my hand an extract from the report of the Board of Engineers on Rivers and Harbors, commonly called the "reviewing board," made in 1903–4, as to the feasibility or practicability of this scheme. Here is what the Board said:

> The Board has the honor to submit the following statement of its recommendations and conclusions:
> (*a*) A suitable channel in the Mississippi River between St. Louis and Cairo is one 8 feet deep, 200 feet wide where alignment is favorable and of suitably greater width where alignment is unfavorable, adapted to a barge navigation throughout all seasons of the year, except when the river is closed by ice. A suitable channel from the mouth of the Missouri to St. Louis is a steamboat channel 6 feet deep at low stages.
> (*b*) To secure this result by contraction work and shore protection is practicable.

There is the statement made by this board of engineers, as late as two or three years ago, concurred in by all the members of the board, and made after a special and exhaustive examination on the ground. Ten or fifteen years after the scheme was adopted, and after a great part of the work had been constructed at large expense, the Board of Review, the highest engineering authority connected with the work of improving rivers and harbors, unanimously reports that the scheme is practicable and that the work can be successfully completed. Who speaks to the contrary?

Mr. President, in 1896 the original plan of 1881 was somewhat modified so as to provide for incidental dredging, and two dredges were supplied by the provisions of the river and harbor act of that year for use on that stretch of the river. A resolution of the House Committee on Rivers and Harbors, which was transmitted to the Chief of Engineers by the honorable chairman of the Rivers and Harbors Committee of the House on April 25, 1903, directed the board of engineers to investigate, with a view to ascertaining whether by dredging or otherwise a suitable channel could not be maintained at less expense than in accordance with the project of 1881. The board investigated, in pursuance of that resolution, and in November, 1903, recommended that a dredging plant be provided by Congress, so that the work might be extensively prosecuted by dredging and temporary expedients until the permanent work should be completed. The board believed that dredging would provide the results desired at a minimum expense and in the shortest practicable time, if used more extensively in connection with the permanent work. Tentative estimates were submitted, with a specific recommendation that $1,200,000 should be appropriated for the dredging plant in one sum, to insure operation for at least three years. It was estimated that the annual cost of maintaining and operating the dredging plant would be $250,000.

Mr. CULLOM. Where was the dredging to take place?

Mr. STONE. Between St. Louis and Cairo.

Mr. CULLOM. That is what I wanted to know.

Mr. STONE. Two hundred and fifty thousand dollars was the amount it was estimated that the maintenance and operation of a dredging plant would cost, and yet this bill as it came from the House provides only $250,000 all told and for everything for this stretch of the river. How, then, is there to be any permanent work, and how is the permanent work already done to be protected? I understood the Senator from Arkansas to say that $250,000 would be ample to carry on the dredging and protect the permanent works. But the Senator in saying that puts his judgment against that of the engineers.

Mr. BERRY. Will the Senator permit me to interrupt him?

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. STONE. Certainly.

Mr. BERRY. I said that the conferees upon the part of the House claimed that $250,000 per year would be amply sufficient to do the dredging and to take care of whatever might be necessary to prevent the destruction of the other works, and they claimed that the engineers had so reported. I was quoting them. The Senate conferees were on the other side of the question and did everything they could to keep the provision in the bill. The Senator from Missouri was there himself and heard the proceedings before the conference committee.

Mr. President, the statement of the chairman of the House committee was that of the appropriation made in 1905 some $200,000 yet remained unexpended. He insisted that the reason why much more was required then for this stretch of the river than now was to purchase the dredges, which have been purchased already and paid for out of the previous appropriation. He then insisted that, unless we continued the revetment scheme, which was abandoned in part, as the Senator from Missouri says, the amount provided in the House bill was amply sufficient to do the dredging, to protect the other work there, and to keep an 8-foot channel, except in certain very low stages of water, at which times it could not be done at all, even with the additional money, except by the revetment scheme. From the beginning his argument was that until the commissioners reported as to whether or not the canal was to be built from Chicago to St. Louis, the Government ought not to enter upon the revetment scheme, which was originally estimated at $18,000,000, for which $11,000,000 have already been expended, and the last estimate for which was that it would take $20,000,000 more. This bill also provides for a commission of three members, I believe, of the Mississippi River Commission, who shall again investigate the scheme.

The House conferees never would consent to an appropriation in the present bill to carry on this revetment work. Mr. BURTON insisted over and over again—and we tried to combat it—that the amount was sufficient to do the dredging, and that even if more were appropriated it could not be used in that stretch of river at the present time because the plan had been changed. That was their idea.

The Senator from Missouri said—and I did not quite like the intimation—that the Senate conferees ought to have either stood out or insisted on this amendment. There are a great many other appropriations in this bill, Mr. President. I think almost every Senator here whose State is deeply interested would have been glad that his amendment, too, should not have been yielded, but the conferees felt that we were not justified in killing this great bill, in which so many parts of the country are interested, simply because they would not give what we thought they ought to give and what we urged them in every way to give, particularly the amendment adopted on the suggestion of the Senator from Missouri, in regard to which he himself came and urged favorable action. We did all that was possible to do, except to say, "For this one item we will kill the entire bill." That we were unwilling to do. That is the reason why we consented to let the amendment go out.

I repeat, that it will do no possible good to send the bill back to conference, because the House conferees will not agree to the amendment proposed by the Senator from Missouri, which was adopted by the Senate.

Mr. STONE. Mr. President, as to killing this bill, with due respect to the Senator, I have not said that. If he understood me——

Mr. BERRY. I did not say that. I said the conferees. I did not make the reference to the Senator from Missouri. I said the Senate conferees could not say, "We will have this amendment or we will make no agreement." We were satisfied that the conferees on the part of the House would never yield the point, and we were unwilling to take that stand on this amendment, especially when it was said that there was ample money appropriated for that stretch of the river under the scheme of dredging, which is the present scheme, the other one having been practically abandoned by the resolution which the Senator read a while ago. I was most anxious to get them to agree to the amendment of the Senator from Missouri; but I was not willing to lose the entire bill because they would not consent to this or any other single amendment.

Mr. STONE. I have not said, Mr. President, that I desired the defeat of this bill. I appreciate as much as anyone the importance of the appropriations made for other sections of the country, those for use along the coast and those for improving the great harbors and ports and rivers of the country. Yet I want to say that I was greatly gratified to hear the distinguished Senator from Illinois [Mr. CULLOM] say a little while ago that the next time we have this question up he intended to make a fight even to the furthest extreme to compel a just recognition of the rights of the people and their great industries and commerce out in the Middle West and along the Mississippi Valley. I am in sympathy with that, Mr. President, and I say now that I shall be glad to follow the leadership of the Senator from Illinois when the time comes to make that fight.

Mr. President, $250,000 is not an adequate sum to maintain and operate this dredging plant and preserve even the permanent work already done. No engineer or board of engineers, collectively or singly, has ever made a statement of that kind. The statement of the engineers is to the contrary. If the Senator from Arkansas believes what he says the House conferees asserted in this behalf, he must rest his faith on their assertion, not on the official opinions of the engineers. It may be that the assertion is based on the opinion of a certain distinguished gentleman who seems to be able in some way to dominate the legislation of Congress—this House as well as the other—in all matters pertaining to the improvement of rivers and harbors. I do not call his name; I do not state where he lives or whether he holds official place; there are parliamentary proprieties I may not violate. But there is such a man somewhere in this broad land, and he seems to hold the whip hand over Congress. His word is law, his edict a command. He delivers his mandate, and there seems to be nothing left but to obey. This august and mighty man has proclaimed it abroad—and it is possible that information from him may have percolated through the conference room—that $250,000 was ample for this work. His opinion may be all-sufficient for some, but it does not convince me that the scientific opinion of trained engineers is unreliable. The engineers have declared that it will require $250,000 per year to maintain and operate the dredging plant; and if that be true, how, with this appropriation, can the work already constructed at a cost of $11,000,000 be protected and preserved?

The Senator from Arkansas [Mr. BERRY] says it is estimated that it will require $20,000,000 more to complete the permanent work, the original estimate being something more than $16,000,000. I have not the reports at hand so that I can refer to them, and I may be in error as to my recollection, but my understanding is that the present estimate of total cost for the work is about $22,000,000 instead of $16,000,000. But the Senator from Arkansas may be right in what he says as to that. He has had a long and distinguished service on the Committee on Commerce; his information concerning these matters is extensive, and he may be correct as to this detail.

As to the $200,000 balance of the last appropriation still on hand, I wish to say that the engineers report that it will be absorbed and expended by July 1 of the present year, so that there will be no balance on hand at the end of the current fiscal year. So, Mr. President, there is nothing in that.

Mr. President, I have shown from the reports of the engineers the character of the plan agreed upon for improving this stretch of the river, and have shown from their reports that their faith in the technical and practical efficiency of the plan is undiminished.

Major Burr, who is a member of the general board, and who accompanied that board three years ago when the work was inspected, did not agree with his colleagues in all their recommendations. He was for several years in charge of the work on this stretch of the river, and therefore had great personal familiarity with it. He dissented from some of the recommendations of the majority of the board and favored the employment of dredges only as a temporary expedient, with chief attention to the permanent work. He declared:

> My experience in charge of this improvement during the low-water seasons of 1899, 1900, and 1901 leads me to believe that the permanent improvement of this river is feasible from a technical standpoint, and that such an improvement will produce a low-water barge channel so superior in location, width, permanence, and certainty to any temporary dredged channel that it is much to be preferred to the latter even at a conceded greater cost.

He further declared that his experience showed that a suitable barge channel can not be maintained at all points by dredging alone. He apprehended that the appropriations would not be sufficient to carry on the dredging work planned and complete the permanent work, or even keep the latter in repair. Therefore he predicted the deterioration of the permanent works and consequent increased dependence upon this temporary expedient—dredging—to maintain a suitable channel. And his prediction has been verified.

Mr. President, the engineers say that if this work should be along the lines of the original plan—that is, by using dikes, dams, and hurdles and by revetting the banks, thus confining the channel—the velocity of the current would be so increased that it would cut its own way, very much as the jetties at New Orleans open the way to the Gulf. This work has been carried on successfully, and all the engineers who have examined it advise that the work be continued, and they say it is necessary that it should be continued if we are to establish an 8-foot channel and maintain it permanently in this stretch of the river.

The river and harbor act of 1905, in accordance with the majority recommendations made in 1903, authorized the Secretary of War to prosecute the dredging contemplated in this report and to purchase or cause to be constructed two dredges; also making available the balance then remaining on hand for use in adding to or repairing the permanent works. The sundry civil act of that year appropriated $650,000 for continuing this improvement. General Mackenzie interpreted that act as contemplating that more attention should be given to dredging and less to permanent improvement, and under that construction there has been no continuation, or practically none, of the permanent work, but for the last two or three years the engineers have devoted themselves almost exclusively to dredging.

Major Casey, who is in charge of the work and has been for some time past, says that the interpretation of this act virtually stopped all construction work for the permanent improvement of the river within the district except for the small unexpended balances from previous appropriations.

Owing to the lack of funds no work was done in the year ending July 1, 1906, on the permanent location of the channel, except at two places, both in St. Louis Harbor.

In each bill passed by Congress in recent years carrying appropriations for rivers and harbors the appropriation for this stretch of the river has amounted to $650,000 per year.

General Mackenzie, Chief of Engineers, concurring with the engineer in charge, recommends that the amount that can be profitably expended for the fiscal year ending June 30, 1908, is $650,000 in addition to the balances unexpended July 1, 1906. He says that the appropriation asked for is the estimated expenditure for one year only, and should be increased by authorization under continuing contracts for other years by at least the same sum annually. (P. 463, vol. 1, Rept. of 1906.)

There has been expended on this stretch for all purposes, principally for the so-called "permanent work," $10,903,082.59.

This is a great work, and ought to be prosecuted with a view to as speedy completion as possible. Major Burr very properly says (p. 2150, Rept. of 1903) that the appropriations should be sufficient in amount to insure the completion of the permanent work within a reasonable time. The Board of Engineers for Rivers and Harbors in 1903 (p. 2147 of Rept. of 1903) declared that the channel, to be efficient commercially, must be maintained for a considerable period of years. The Board's conclusion is, in effect, the same as the expressed opinion of Mr. John Franklin Crowell, at that time an internal-commerce expert in the employ of the Department of Commerce and Labor, whose assistance was procured by the Board of Engineers in its investigation of 1903. Mr. Crowell, in his report, which was not printed, but is still on file with the Board of Engineers, declared:

> Nothing short of a declared policy of continued improvement for a period of not less than ten years on the main lines hitherto followed by the Engineer's Office will suffice to place the waterway in position to serve in domestic commerce and foreign competition to the extent that is commercially advisable.

Major BURR—and, Senators, here is an engineer of high standing who for years was in charge of the work—expresses it as his opinion that this channel can not be successfully maintained

by dredging alone. Such statements as these coming from such high sources, coupled with the fact that no engineer or board has insisted that the channel can be so maintained, have an undoubted effect upon the minds of capitalists who can not be expected to furnish a fleet until confidence is established in the ability and purpose of the Government to maintain a channel. Two hundred and fifty thousand dollars is not sufficient to maintain and operate a dredging plant and preserve works already constructed, much less to continue and extend them, and thus carry out the plan adopted and which seems to be so near to success—for the engineers report that an 8-foot channel has been maintained during the whole of the last year, as well as for the most of the time during the past two years. The Board of Engineers in 1903, in recommending that more attention be paid to dredging, with a view to reducing the ultimate cost of the work, *estimated that $250,000 would be necessary annually for operation, maintenance, and renewal of dredging plant alone*, while large appropriations should be made for permanent work and temporary expedients, aside from dredging.

The pending bill as it passed the House appropriated $250,000 a year for four years, and provided that the money should be expended in operation and maintenance of the dredging plant already constructed and authorized and to make temporary expedients for channel regulation in connection with the dredging, and in maintaining and repairing the permanent work already constructed and in the construction of permanent work.

I repeat what I said a few moments ago, that no estimate has ever been made showing that work of that extent and dimensions could possibly be carried on with an expenditure of $250,000. The Board of Engineers, as has been seen, estimates that amount for dredging alone. To make an appropriation of only that amount looks like the preliminary step to the final and complete abandonment of that stretch of the river. This course would fulfill the prediction of Major Burr, that the policy of relying on dredging alone would grow out of the plan recommended by the majority of the Board of Engineers in 1903, although the entire Board specifically declared that they did not so intend, and committed themselves to the practicability and advisability of continuing the permanent work. Manifestly, with small appropriations which can not furnish adequate available funds for permanent work, deterioration of the work already constructed follows, and it becomes necessary to rely on the dredges to maintain a channel. Ultimately this means the loss of all the money expended for permanent work, for the sum of $250,000 annually is not sufficient for more than the work of the dredges. The Board of Engineers declared that sum to be necessary for that purpose.

The dredged channel is only a temporary channel, which may prove a great failure any year, particularly if recent high-water records should be followed by low water in subsequent seasons.

The contraction work, dikes, dams, revetments, etc., with incidental dredging, mean a permanent channel upon which commerce can rely.

Mr. President, I desire now to say a few words concerning the commercial importance of this improvement. St. Louis is the chief city of the Mississippi Valley, as New Orleans is the chief port on the Gulf. St. Louis ranks among the great manufacturing centers of the country and is the center of an enormous mining and agricultural country; and just across the river from St. Louis is the great city of East St. Louis, which is one of the most important and extensive manufacturing points in all the Central West. These two cities alone, with their outlying suburbs, contain a population of three-quarters of a million. Scores of millions are invested in all kinds of manufacturing enterprises, and tens of thousands are employed in carrying those enterprises on. But all this is so well known that it is hardly worth while to amplify upon it.

The through tonnage between St. Louis and New Orleans, which was 3,941,000 tons in 1896, has grown steadily from year to year until in 1906 it amounted to 9,260,000 tons. What the tonnage is between St. Louis and intermediate points on the Mississippi River I can not state, but it is enormous. This I know: That St. Louis and other Mississippi River towns and cities and those tributary to them, in common with the balance of the country, suffer for lack of adequate transportation facilities. The railways, though numerous and well equipped, are not able to handle the traffic with satisfactory and proper expedition. There are great coal fields in Missouri and Illinois, and south of St. Louis, on the Missouri side of the river and not far distant from the river, are among the most extensive lead mines and smelters in the country, and in the two States named—Illinois and Missouri—alone, to say nothing of the States along the upper Mississippi and Missouri rivers, vast quantities of grain and fruit are produced. There is not a more fertile or productive region in America. The country contiguous to this river is populous. The river flows by the doors of several of the largest manufacturing centers in the Middle West and through the very heart of one of the most productive regions in the world. The importance and necessity of this improvement ought not to be in controversy. The Board of Engineers for Rivers and Harbors, in their report of 1903, said:

> The report submitted by Doctor Crowell confirms the Board in its opinion that a barge channel from St. Louis to Cairo, 8 feet deep at the lowest stages, would, as an actual potential freight route, confer benefits upon a wide section of country far beyond its cost.

Mr. President, it has been contended that the present tonnage on the stretch between the Missouri and Ohio rivers is not sufficiently large to justify the expenditure necessary to complete the improvement, and it has been said that the volume carried and the means of transportation have decreased in recent years. The Report of the Engineer, 1906, shows that in 1905 the tonnage between St. Louis and Cairo was only 417,021 tons, and it has been said with truth that the number of craft plying on this stretch of the river and the tonnage carried decreased in the last few years. That is true, but it is also true that if all the points of shipment and delivery of freight be taken into account, the total tonnage would be greater far than that stated in the report.

The disparity in the tonnage between that carried over the stretch in question and that carried between Cairo and Memphis, between Memphis and Vicksburg, and between Vicksburg and New Orleans is due to the enormous amount of coke and coal carried over the Ohio for lower Mississippi River points. Eliminate that particular tonnage, and it will be found that the tonnage over the lower Mississippi, which includes everything coming out of the Mississippi above Cairo and out of the Ohio and Tennessee rivers and other great tributaries, is not so much greater than the tonnage on the St. Louis-Cairo stretch as it would otherwise seem to be; and this despite the fact that the Ohio and lower Mississippi have been put in fairly good navigable condition, while the stretch from St. Louis to Cairo has not been put in a condition of safe or even reliable navigation. In this connection I call attention to the fact that the statistics reported by the engineers in 1905 show the number of river passengers between St. Louis and Cairo was 61,232; between Cairo and Memphis, 41,696; between Memphis and Vicksburg, 114,179; between Vicksburg and New Orleans, 84,225. It should be remembered that between St. Louis and Cairo and between Cairo and Memphis the river is paralleled by several railroads, and that the railway competition is sharper along those stretches than along the stretches below Memphis. Besides the 61,232 passengers going over the river between St. Louis and Cairo the same statistics show that more than 800,000 excursionists passed in and out of St. Louis on Mississippi River boats during 1905.

Mr. President, it has been said in another place that there is not a boat owned in St. Louis running upon this stretch of the river. Regarding that statement I desire to read a letter from Mr. W. F. Saunders, secretary of the Business Men's League of St. Louis. It is as follows:

> ST. LOUIS, MO., *February 6, 1907.*
>
> Hon. WILLIAM J. STONE,
> *United States Senate, Washington, D. C.*
>
> MY DEAR SENATOR: For your information allow me to tell you that the following boat lines, owned almost entirely by St. Louis capital, operate on the Mississippi River:
>
> St. Louis and Tennessee River Packet Company, eight boats; Eagle Packet Company, five; Chester Line steamers, two; St. Louis and Cape Girardeau Transportation Company, one; Columbia Excursion Company, one; New Union Sand Company, two; Wiggins Ferry Company, ten; Interstate Car and Transfer Company, four; Madison Ferry Company, three; Venice and Carondelet Transportation Company, two; Ivory Transfer Company, two, and many smaller boats and a number of barges.
>
> I think you may need this information as Mr. DAVIDSON, in the House of Representatives Tuesday, made the statement that St. Louis capital owned no boats on the Mississippi.
>
> Very truly, yours,
>
> W. F. SAUNDERS, *Secretary.*

Mr. President, the main argument made against this increased appropriation is that the commerce passing over this stretch of the river is not sufficient to warrant it, and that it has decreased in recent years. I have assurances in the form of numerous letters from among the most prominent business men of St. Louis, some of which I have here, in which they say that if assurance could be given, such as business men could rely upon, that a channel 8 feet in depth would be maintained from St. Louis to Cairo, in ninety days a barge line worth more than $2,000,000 would be put upon the river.

The Senator from Maine [Mr. FRYE] read some statements in answer to a question propounded by the junior Senator from Illinois [Mr. HOPKINS] that a barge line that formerly operated on this stretch of the river has been sold and taken elsewhere. That is true. But I am going to take time at this juncture to

read a letter, which, I think, will throw some light upon that situation. It is also a letter from the secretary of the Business Men's League, which is the leading commercial body of St. Louis. In this letter Mr. Saunders explains the cause of the falling off of river traffic and gives the views of capable and experienced men as to the future of that traffic under improved conditions:

ST. LOUIS, *February 6, 1907.*

Hon. WILLIAM J. STONE,
*United States Senate, Washington, D. C.*

MY DEAR SENATOR STONE: I have consulted with Mr. W. P. Kennett, of the Merchants' Exchange, whom you know, and with Mr. William K. Kavanaugh, in order to answer your question.

Mr. Kennett is an expert river man, understands all the river's conditions, and is a partner of D. R. Francis in business. Mr. Kavanaugh is president of the Wiggins Ferry Company, and has been in the river business for years. They agree on this statement:

In 1897 the river business in St. Louis was at its greatest degree of prosperity. The St. Louis Anchor Line was running packets to New Orleans. The Mississippi Valley Transportation Company, a towboat and barge line, was carrying grain to New Orleans, and the St. Louis Steel Barge Company was also carrying grain to New Orleans. About that time we had a succession of years of low water, and the two barge lines frequently had their boats on the bars. The railroad competition was very keen, and an appropriation for carrying out the plan for permanent improvement of the river, made by the United States engineers in 1881, seemed to be very uncertain. The Anchor Line lost several boats by fire. The river conditions made the insurance companies put their rates up until they were almost prohibitive. Henry Haartsick, the owner of the Mississippi Valley Transportation Company, had made a fortune in this business and wanted to get out, so he sold his line. The St. Louis Steel Barge Company, of which Henry S. Potter was the president, became discouraged and did the same thing. About this time Senator CARTER talked the river and harbor bill to death, and that completed the loss of confidence in the intention of the Government to keep the river navigable. It became impossible to make capital believe that the Government intended to carry out the permanent improvement of the Mississippi River, and the Rivers and Harbors Committee indicated that they would not guarantee to carry out those plans. Everybody in this part of the country became discouraged as to river navigation, and the traffic decreased rapidly. For the last two or three years there has been approximately 8 feet of water between here and Cairo, but it could not be relied upon because everybody knew that it was due to the exceptional conditions in all the rivers, all of them having been much higher during the last three years than usual. If the policy of Congress had been defined to be a permanent improvement of the Mississippi River, the traffic would never have decreased; and if the policy of Congress were defined now as the maintaining of the navigability of the Mississippi between St. Louis and Cairo, we would have a two-million-dollar towboat and barge line in commission between St. Louis and New Orleans within three months.

In considering the demand of that part of the Mississippi River between St. Louis and Cairo for that improvement which we are asking, it must not be considered as a river between St. Louis and Cairo, but as a link in the Mississippi River between St. Paul and New Orleans and between St. Louis and New Orleans. Capt. Henry C. Haartsick, president of the Mississippi Valley Transportation Company, says that plenty of capital is waiting in St. Louis to be invested in a barge-line business, because it has been shown to be profitable, but it will not be invested until the Government insures the channel.

Why should it be?

Henry S. Potter, president of the St. Louis Steel Barge Company, says: "Give us a guaranteed, safe stage of water throughout the year and the export trade of the Mississippi will reach a magnitude to justify the Government's expenditure of money necessary." John Franklin Crowell, internal-commerce expert of the Department of Commerce and Labor, who investigated for the Government the question of the commercial advantage of the river between St. Louis and Cairo, in making his report to the United States engineers, concluded by saying: "If the value of the Mississippi River above Cairo as a transportation line is to be made commercially effective it will be necessary to keep an open channel from St. Louis to Cairo of 8 feet, except when navigation is closed by ice. In order to realize this it is only necessary to carry to completion the project of permanent improvement, which has already eliminated the obstacle to navigation over fully 40 per cent of the course in question from St. Louis southward. Nothing short of a declared policy of continuous improvement for a period of not less than ten years on the main lines hitherto followed by the engineer's office will suffice to place the waterway in position to serve in domestic commerce and foreign competition to the extent that is commercially advisable."

St. Louis is insisting on the appropriation of $650,000, and that because nothing less than that will carry out the plan of permanent improvement made by the engineers in 1881, and nothing less than that will declare the policy of continuous improvement.

In announcing an appropriation of only $250,000 a year for the Mississippi River between St. Louis and Cairo it would seem that an effort has been purposely made to entirely make the Mississippi River unnavigable, because upper Mississippi River improvement will do no good unless the St. Louis-Cairo stretch receives care.

Sincerely, yours,

W. F. SAUNDERS, *Secretary.*

Unless a navigable channel of 8 feet or more is established and maintained between St. Louis and Cairo it is unreasonable to expect that large capital will be invested in boats, barges, etc., for river transportation. Necessarily the improvement work was for years experimental, and capital was timid about investments. This timidity or fear was accentuated by the low water which prevailed for several years following 1897 and the consequent difficulty and loss incident to river navigation. There is plenty of capital in St. Louis ready and willing to invest in river fleets whenever assurance can be given that the necessary channel has been established and that it will be consistently maintained. Major Casey, the engineer in charge, reports that during the last year an 8-foot channel was obtained and maintained between St. Louis and Cairo. The accuracy of that statement has been questioned by some practical river men. I am told that Major Casey has informed the House Rivers and Harbors Committee that no one questions that the 8-foot channel has been maintained for the year as reported except "some cranky pilots." I do not, of course, take sides in that controversy, if, indeed, controversy it can be called; but this I affirm, that when any river pilot, although cranky, makes a statement of this character it is calculated to impair confidence. But far more is confidence impaired by a vacillating course on the part of the Congress. The whole plan of improvement was changed, or greatly modified, in 1905 against the judgment, and I can almost say against the protest, or over the protest, of the engineers who had been more immediately in charge of the work. This did not tend to restore confidence in the efficiency of permanency of the work, and it could hardly be expected that large investments would be made under such circumstances. And now, just as we are told by the engineers that they have been successful in opening and maintaining a navigable channel, and when we might expect capital to begin venturing upon experiments, it is proposed to cut down the appropriation to less than one-half the amount of former years and less than one-half the amount the engineers say is necessary to carry on and maintain the work.

Yet we wonder why the commerce on that stretch of the river goes down, and why the capitalists of St. Louis do not invest in boats and barges for river navigation. There is neither justice nor reason in such a contention. A policy such as we are following creates uncertainty, destroys confidence, and retards the development of that immense commerce that would almost certainly follow if more assuring conditions prevailed.

The Mississippi River Commission, in their report of 1905, speaking generally on this subject, said:

It is evident, however, that the confidence of the capitalist who must provide the means for building river craft and the steamboat man who navigates it can only be secured by the complete and uninterrupted maintenance of an adequate channel for a period of several years, and the assurance that an ample plant will at all times be maintained and operated by the Government to meet all the difficulties that may arise. The success achieved in the past and the consequent faith the Commission has in the efficacy of dredging in the maintenance of a satisfactory navigable channel is too important a matter to be subject to interruption through the possible failure of appropriation bills. One failure of that kind would destroy the confidence established by many years of successful maintenance of the channel.

That is what we are doing now—destroying confidence. Just as faith was reviving and confidence was beginning to assert itself; just when the people out there were preparing to venture upon investments that would supply the needs and means of river transportation, we confront them with this demoralizing proposition. I can not characterize as I would like without offending.

The Senator from Arkansas [Mr. BERRY] said it was objected by the conferees on the part of the House that this work of permanently improving the river according to the plans adopted by the engineers should not be carried on now because a survey has been ordered with a view to deep water from the Lakes to the Gulf. Mr. President, the gentleman who interposes that objection is opposed to the deep-water scheme. He has been obliged to give some attention to the great and ever-augmenting demand of the Central West for this deep waterway, and at last he consents to a survey. The survey is necessary; it is all right; and I think the work will be in very capable hands. But are we to have the deep waterway? And if so, when are we to have it? Mr. President, this deep-water scheme is one of stupendous proportions. It means years in time and untold millions in expenditure. I am for it, of course—very heartily for it. But, Mr. President, under conditions prevailing here, legislative conditions here, that scheme will hardly mature or eventuate in any practical solution for years to come. In the meantime is this great river improvement to wait on this yet uncertain and distant project? If so, why should not the lower Mississippi wait upon it also? Why, sir, I can not believe that this argument is seriously advanced. It is almost like adding insult to injury.

Mr. President, I know that this conference report will be agreed to, but I could not let this great injustice to the States of the West pass by without entering an earnest protest against it. I shall vote against agreeing to the report. My only regret is that I am unable to do anything more effective.

Mr. HOPKINS. Mr. President, it is not my purpose to delay the Senate at any length in coming to a vote on the report of the committee of conference, but I feel that in duty to the people whom I in part represent and to the general public I should emphasize the fact that in the abandonment of the amendment which was adopted by the Senate making the appropriation of $650,000 per year the conference committee abandoned a settled policy which was inaugurated many years

ago by Congress on this very subject. It appears that under representations made by the general engineers permanent works were inaugurated on this section of the Mississippi River, and to-day more than $10,000,000 have been expended for the purpose of establishing a clear waterway of a depth of at least 8 feet at low-water mark.

Is it possible, Mr. President, that because the conferees on the part of the House refuse to adopt this amendment they are going to control the action of Congress and the eleven million of money that has already been expended upon this part of the river is to be abandoned, and we are only to appropriate a little pittance of $250,000 a year simply for dredging purposes?

It appears from what has already been said that the amount of money that is proposed by the conference committee here is not to maintain the works that have already been established on the river between the mouth of the Missouri River and Cairo; it is simply for dredging purposes.

It seems to me that in the interest of economy, to say nothing of the benefits that would come to the great commerce of the Middle West, we should adhere to the amendment that was agreed to by the Senate and use the amount of money that the engineers of the Government say can safely and properly be expended, and that is $650,000.

If it shall be the will of the Senate that this conference report shall be returned and the Senate conferees enter into new negotiations with the conferees on the part of the House, there is one other amendment to which I wish to call the attention of the committee—that is the amendment of $400,000 that was made for the Chicago River. It was with surprise and regret, Mr. President, that I discovered in looking over the proposed amendments here that the Senate conferees had yielded to the House upon that meritorious amendment.

Some eight or ten years or longer ago Congress embarked upon a permanent system of improvement of the Chicago River. A considerable amount of money was appropriated for that purpose, but it was found that owing to several tunnels that were under the river, that had been placed there by the order of the city of Chicago, this improvement could not be properly made, and hence Congress suspended making any appropriations whatever.

In 1889 we had a tonnage in the Chicago harbor of more than 8,000,000 tons annually, but by reason of the neglect of Congress it has gradually decreased until to-day it is but something over 5,000,000 tons. But that is a very large amount, and when you compare it with the harbors of any other section of the country it is still one of the largest. Yet we have only asked for $250,000 for the improvement of the harbor and $400,000 for the river. These two appropriations, in order to meet the needs of commerce on that great inland sea, go together. We should have $400,000 for the improvement of the river and $250,000 for the improvement of the harbor.

When this matter was suggested in the Committee on Commerce of the Senate, and when it was considered in the Senate, there was no division whatever among Senators as to its propriety and necessity, and yet I find that the conferees on the part of the Senate have yielded to the conferees on the part of the House on this question, and instead of permitting us to have $400,000, as proposed by the Senate, we are, under the conference report, to receive only $300,000.

I say to the honored chairman of the conference committee that, if it is possible, I trust he will revise that portion of the report and give us the $400,000 approved by the Senate. The commercial interests of Chicago write me that $400,000 now will be as good as a million dollars a few years hence. Millions of dollars have been expended upon this river by the people of Chicago where only thousands are now asked from the Federal Government. Justice demands that the $100,000 taken from this appropriation by the conferees of the House be restored by the Senate.

Mr. WARNER. Mr. President, I would not at this time detain the Senate for a moment were it not for the fact that I believe a great injustice has been done to a part, and a very important part, of our country. It was unfortunate, at least, that the amendment of the Senate giving $650,000 for the improvement of the Mississippi River from the Missouri to the Ohio was not insisted upon. When this amendment was put on the bill by the Senate the great commercial interests of my State—all the great commercial industries of St. Louis, Kansas City, and St. Joseph—rejoiced and felt that justice at least would be meted out to them; and great, sir, is the disappointment that that amendment has been abandoned by the conferees upon the part of the Senate. Of the nine leading cities of the Union represented by the volume of business in the clearing houses of the country, two of them are located in the State of Missouri, and those two cities are vitally interested in the improvement of the Mississippi River.

We realize, sir—our merchants, our manufacturers, and our great shipping interests realize—that the only sure regulator of freight rates is river transportation. The abandonment of the permanent improvement of the great stretch of the Mississippi River between the Missouri and the Ohio rivers, the outlet of the great granary of Illinois, Kansas, Nebraska, Missouri, and largely the State of Iowa, the granary of the great West, is to be deplored. In my own city, sir, so great is the interest in water transportation that already nearly a quarter of a million dollars is being expended to put a fleet of boats upon the Missouri River, in the hope that from Kansas City on to St. Louis and on to New Orleans there should be uninterrupted navigation, but their hopes are blasted by the surrender of this amendment.

I should hope that the chairman of the Committee on Commerce [Mr. FRYE] would at least consent that one more effort be made in the interest of justice and in the carrying out of every recommendation that has been made by the War Department, rather than surrendering to the dictum of any one man in either House.

Mr. CULLOM. Mr. President, I had some statistics which I desired to offer on this occasion showing the trade and commerce between Chicago, St. Louis, and down the Mississippi River. Those statistics, however, have not come to me in such shape that I can very well insert them in the RECORD. Otherwise I should ask to do so. I only want to say that the report of the amount of tonnage, etc., going down the river from Chicago and St. Louis to the Gulf is very greatly misrepresented, and that that commerce is very much more than has been represented here.

I want to say further that in future, before another river and harbor bill shall be acted upon by the Senate, I shall desire to submit some more lengthy remarks on the subject.

Mr. ALLISON. Mr. President, I do not wish to delay a vote upon the conference report, although I think I should say a few words respecting it.

I sympathize with the views expressed by the Senators whose States border on the Mississippi River, but I am not quite sure that from this debate we shall have an accurate knowledge of the situation if it be true, as stated by the junior Senator from Illinois [Mr. HOPKINS] and the senior Senator from Missouri [Mr. STONE], that the failure to make this additional appropriation of $400,000 is an abandonment of the Mississippi River as a great commercial medium of transportation. I have listened to the debate as well as I could, and I find that there is a contest only concerning what this $250,000 appropriation will do. If it in the slightest degree abandons the general improvement of the Mississippi River or jeopardizes the large expenditure already made between the mouth of the Missouri and Cairo, this conference report ought to be rejected, for I do not regard as so important the appropriation for the improvement of the Mississippi River between Cairo and the mouth of the Missouri River or between the mouth of the Missouri River and St. Paul as I regard it of importance that the river should be improved as a connected waterway along the whole line of navigation from St. Paul to New Orleans or to the mouth of the river.

I should not have said anything upon this subject except that it was stated by one of the Senators—I am not sure whether the chairman of the Committee on Commerce [Mr. FRYE] or the Senator from Arkansas [Mr. BERRY]—that the House conferees oppose this additional appropriation proposed by the Senate until it shall have been ascertained whether the waterway proposed between Chicago and St. Louis should be entered upon. I want to protest against that as being no valid reason for the rejection of this appropriation. I sympathize with the Senator from Illinois as respects the projected waterway from Chicago to the Mississippi River, and when it is presented here in any reasonable form I shall vote for it, if I am here. But the regular and constant improvement of the Mississippi River from St. Paul to the mouth of the river should go on from year to year irrespective of the suggested waterway between the Lakes and the Mississippi.

Mr. BERRY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Arkansas?

Mr. ALLISON. Certainly.

Mr. BERRY. Mr. President, I will say that this bill provides for the expenditure during the next four years of $12,000,000 for the improvement of the Mississippi River from St. Paul to the Gulf. I do not think there is any abandonment or intended abandonment anywhere of such appropriations for the Mississippi River on the part of anyone. The statement was

that last year the revetment scheme, which it is estimated will cost $20,000,000, was suspended for the time being, and provision was made for dredging the river and protecting the work. The statement was made that that part of the scheme was not to go on, but that the $20,000,000 proposition was to await the report of the commission provided in this bill to investigate the entire subject from Chicago down the river to Cairo. That is the only part of the scheme which the chairman of the House committee was not willing to keep up and reestablish the old revetment scheme, which was to cost $20,000,000. He also insisted that for the dredging scheme now in force, which has been adopted within a year or two, that the $250,000 per year in the bill, with the $200,000 now on hand, was amply sufficient. That is his position; but that was not our position, because we tried to get the House conferees to allow every dollar contained in the Senate amendment.

Mr. ALLISON. I listened as well as I could to the debate upon that subject by Senators, and I have a fear that it will go out to the people, who are very much interested in this question, that in some way the Senate conferees have abandoned the idea of making permanent and continuous improvements of the Mississippi River.

Mr. BERRY. The Senate conferees?

Mr. ALLISON. The Senate conferees, by yielding in the matter of this additional appropriation. I understand both the chairman of the committee and the Senator from Arkansas have expressed the opinion that at least it was a doubtful question whether this $250,000 would not continue this improvement between St. Louis and Cairo.

Mr. BERRY. I express no opinion about it, Mr. President. I simply said that the chairman of the committee of the House conferees had insisted on it.

Mr. ALLISON. I asked the Senator the question because I am not opposing an agreement as respects this report; but do I understand the Senator from Arkansas and the chairman of the committee to agree with the Senator from Illinois and the Senator from Missouri that the surrender of this additional appropriation will have the effect of retarding the natural and constant progress of the improvements of the Mississippi River?

Mr. BERRY. I will let the chairman of the committee answer that.

Mr. ALLISON. That is the first question that my constituents will ask me when I reach home—whether or not the Senate of the United States, in a great river and harbor bill, embracing many million dollars, extending over the whole country, have abandoned the improvement of 180 or 200 miles of the greatest river on this continent, if not in the world.

Mr. CULLOM. And right in the middle of it.

Mr. ALLISON. And right in the middle of it, as the Senator suggests. What I want to know is what the differences are. Whether it be true that by adopting this conference report we are to tacitly agree that no adequate appropriation shall be made for the improvement of the Mississippi River between the mouth of the Missouri River and Cairo until it shall appear here that we are to build a canal of 14 feet depth from Chicago to the Mississippi River. If that is the situation here, I think this report ought to be rejected; but I do not understand it to be the situation. Therefore I take a moment to say that I believe, notwithstanding the failure on the part of the Senate to secure the appropriation they originally put into this bill, the improvement of the Mississippi River will go on from St. Paul to the mouth of the river, and although the Senate has in this bill been unable to secure all it wanted to secure, that it has secured very much looking to the permanent improvement of the Mississippi River.

Mr. STONE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. ALLISON. I yield to the Senator.

Mr. STONE. Two hundred and fifty thousand dollars per year for a period of four years has been appropriated or is carried in this bill for this stretch of river. If it requires that amount to maintain and operate the dredging plants, leaving no balance for the maintenance, much less the continuance of the permanent improvements, what will become of the $11,000,000 that have already been expended on that stretch of river?

Mr. ALLISON. Mr. President, that is what I have been trying to ascertain. If that $11,000,000 is to be lost and if this additional appropriation is necessary to save it, then we are in a dilemma as respects it; but, so far as I could gather from the report of the committee and from the remarks of those who defend it and who are familiar with it, they do not state to us that this $250,000 is insufficient to defend and protect whatever we have in this stretch of river at this time.

Mr. CULLOM. Will the Senator allow me to interrupt him?

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Illinois?

Mr. ALLISON. Certainly.

Mr. CULLOM. My understanding is that there is no pretense that any part of the appropriation is to be used for revetment work in that stretch of the river.

Mr. ALLISON. We all know that this conference report is to be agreed to and that we have only taken this opportunity for stating our views, as well as we could, in protest against some of its features. I agree that $12,000,000 is a very large sum, and an adequate sum, perhaps, for the Mississippi River from St. Paul to its mouth; but I also suggest to the Senator from Arkansas and to those Senators who live below the mouth of the Ohio that $9,000,000 of that $12,000,000 is to be expended below the mouth of the Ohio River.

Mr. BERRY. I will say to the Senator very frankly that I feel the greatest interest in that part of the river from Cairo down to the Gulf, and I was especially glad to see that appropriation made, but I am also interested in all of the Mississippi River.

Mr. ALLISON. I will say to the Senator that I have appreciated that interest for a great many years; I have noticed that the Senator has been especially interested in that region south of the mouth of the Ohio. Some of us have been interested in that portion of the Mississippi River north of the mouth of the Ohio, and I am one of those. I was not quite satisfied with the amount allotted, if I may use that term, in this bill to the Mississippi River above the mouth of the Missouri; and, Mr. President, I should be glad before the vote is finally taken that there should be some explanation that will lead our people who reside north of the mouth of the Missouri to believe that when their projects reach the mouth of the river they are not to be stopped because there is not a sufficient appropriation of public money for the river between that point and Cairo.

Mr. FRYE. Mr. President, just one word. There never in our committee of conference was one word said about abandoning the improvement of the Mississippi River at the stretch which has been under discussion to-day. I have no idea that the project will be abandoned; but in 1905 there was a disposition to partially change the project from the old one to a new one by lateral canals in certain stretches which were to be used instead of the river bottom itself. In order to do that, this very bill which has been under discussion provides for a commission of, I think, five engineers, to go over this matter thoroughly and determine whether or not that project can be changed, and whether or not it shall be deserted. It will not be deserted unless it shall be so recommended by the engineers.

Mr. CULLOM. The only danger about this is, that unless the revetments are taken care of during this period of time, the money heretofore expended will be lost.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. OVERMAN. Mr. President, to accompany the conference report, I think it proper that the resolution which I send to the desk should be introduced. I ask unanimous consent for its present consideration.

The VICE-PRESIDENT. The Senator from North Carolina submits a concurrent resolution, which will be read.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Clerk of the House of Representatives be instructed in the enrollment of the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, to strike out the word "Sevan," where it occurs after the word "connecting," on page 105, line 1, and to insert in lieu the word "Swan," to correct what is evidently a clerical error in the preparation or printing of the bill.

### MEMORIAL SERVICES ON THE LATE REPRESENTATIVE RIXEY.

Mr. DANIEL. Mr. President, I take this occasion to give notice that on Saturday afternoon, before a recess or adjournment, I shall ask the Senate to adopt appropriate resolutions and to take becoming action concerning the late Representative JOHN F. RIXEY, who recently died, and whose funeral has been attended by a committee of this body.

### CUSTOMS BOARDING BOAT AT GALVESTON, TEX.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 7684) to provide and maintain for the port of Galveston, Tex., a customs boarding boat, which was, in line 4, to strike out "thirty-five" and insert "ten."

Mr. CULBERSON. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

CONSIDERATION OF BILLS ON THE CALENDAR.

The VICE-PRESIDENT. Under the unanimous-consent agreement, the Calendar is in order.

Mr. KEAN. That is, under Rule VIII?

The VICE-PRESIDENT. The unobjected cases.

Mr. FRYE. What was the unanimous-consent agreement?

The VICE-PRESIDENT. That after the close of the remarks of the Senator from Colorado [Mr. PATTERSON] and the consideration of the conference report on the river and harbor bill the Senate should proceed to the consideration of unobjected cases on the Calendar.

Mr. FRYE and Mr. KEAN. Under Rule VIII.

The VICE-PRESIDENT. Under Rule VIII. The Secretary will state the first bill on the Calendar.

BILLS PASSED OVER.

The bill (S. 2993) to ratify an agreement with the Yankton Sioux Indians of South Dakota, and making appropriation to carry the same into effect, was announced as first in order on the Calendar.

Mr. GAMBLE. I suggest that that bill go over in the absence of the senior Senator from Minnesota [Mr. NELSON].

The VICE-PRESIDENT. The bill will be passed over.

The bill (H. R. 17833) providing for the administration of the operations of the act of Congress approved June 17, 1902, known as the reclamation act, was announced as next in order.

Mr. KEAN. I think the Senator from Idaho wants that bill to go over.

Mr. HEYBURN. Yes.

Mr. KEAN. Let the bill go over.

The VICE-PRESIDENT. The bill will be passed over.

The bill (H. R. 17838) to regulate the employment of child labor in the District of Columbia was announced as next in order.

Mr. KEAN. Let that bill go over; not that I have any objection to the bill, for I shall vote for it.

The VICE-PRESIDENT. The bill will be passed over.

The bill (S. 188) for the relief of the legal representatives of George W. Soule was announced as next in order.

Mr. BURKETT. Let that bill go over.

The VICE-PRESIDENT. The bill will be passed over.

S. KATE FISHER.

The bill (S. 1569) for the relief of W. W. Jackson was announced as next in order.

Mr. CLAPP. Mr. President, if it is permissible, in lieu of that bill I should like to have taken up House bill 8080, which passed the House and was amended by the Senate. I want to withdraw the Senate amendment.

The VICE-PRESIDENT. What is the Calendar number of the House bill?

Mr. CLAPP. It never has been on the Calendar. It went to the House and came back on request.

The VICE-PRESIDENT. The Chair will lay before the Senate the message from the House relative to the bill.

Mr. CLAPP. I ask that that be done.

The VICE-PRESIDENT laid before the Senate the message from the House of Representatives returning to the Senate, in compliance with its request, the bill (H. R. 8080) for the relief of S. Kate Fisher.

Mr. CLAPP. I move to reconsider the vote by which the Senate amendment was adopted.

The VICE-PRESIDENT. The question is on the motion of the Senator from Minnesota, that the votes by which the amendment of the Senate was ordered to be engrossed and the bill to be read a third time and passed be reconsidered.

The motion was agreed to.

Mr. CLAPP. I now move that the Senate amendment be rejected.

Mr. SPOONER. Will the Senator from Minnesota state, in a word, what the bill is about, so that the Senate may understand?

Mr. CLAPP. The bill is for the relief of S. Kate Fisher, who paid $400 into the land office at Duluth, which ought to be reimbursed to her.

Mr. SPOONER. I think it ought to be.

Mr. CLAPP. On the consideration of the bill in the Senate the Senator from South Dakota moved an amendment to the bill, which I knew nothing about, but the House rejected the amendment. I have the permission of the Senator from South Dakota——

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. CLAPP. Yes.

Mr. GALLINGER. I assume that that bill has no relation to the bill on the Calendar, the title of which was just read, which is for the relief of W. W. Jackson.

Mr. CLAPP. No; I asked permission to pass that over and take up the bill I have named in place of it.

Mr. SPOONER. I think the bill ought to pass. I have looked into it.

The VICE-PRESIDENT. Without objection, the vote by which the Senate agreed to the amendment is reconsidered, and, in the absence of objection, the Senate amendment is disagreed to.

The bill was ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24103) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. TAWNEY, Mr. SMITH of Iowa, and Mr. TAYLOR of Alabama managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 3638. An act providing for the retirement of noncommissioned officers, petty officers, and enlisted men of the Army, Navy, and Marine Corps of the United States;

S. 8451. An act ratifying and confirming chapter 58 of the twenty-third legislative assembly of the Territory of Arizona, providing for repair of the Territorial bridge at Florence, Pinal County, Ariz.;

S. 8510. An act to amend an act providing for the public printing and binding and the distribution of public documents;

S. 8533. An act to authorize the Court of Claims to hear, determine, and adjudicate the claims of the Sac and Fox Indians of the Mississippi in Iowa against the Sac and Fox Indians of the Mississippi in Oklahoma and the United States, and for other purposes;

H. R. 23864. An act granting an increase of pension to James A. Miller;

H. R. 28890. An act granting an increase of pension to Jacob B. Haslam;

H. R. 23912. An act granting an increase of pension to James E. Fitzgerald;

H. R. 23961. An act granting an increase of pension to Oscar N. Cowell;

H. R. 23966. An act granting an increase of pension to Hugh Stevenson;

H. R. 23967. An act granting an increase of pension to Henry Hill;

H. R. 23968. An act granting an increase of pension to Alexander McWhorter;

H. R. 23971. An act granting an increase of pension to Mary E. C. Butler;

H. R. 23982. An act granting an increase of pension to Thomas H. Seed;

H. R. 23997. An act granting an increase of pension to Michael M. Field;

H. R. 23999. An act granting an increase of pension to John F. Gough;

H. R. 24000. An act granting an increase of pension to Mary Holle;

H. R. 24002. An act granting an increase of pension to Michael F. Gilrain;

H. R. 24015. An act granting an increase of pension to Aaron C. Sanford;

H. R. 24028. An act granting an increase of pension to George H. Boney;

H. R. 24030. An act granting an increase of pension to Andrew J. Foor;

H. R. 24031. An act granting an increase of pension to John Downey;

H. R. 24034. An act granting an increase of pension to Mary I. Banta;

H. R. 24037. An act granting an increase of pension to Theodore Teeple;
H. R. 24061. An act granting an increase of pension to John C. Nelson;
H. R. 24068. An act granting an increase of pension to John Maginnis;
H. R. 24079. An act granting an increase of pension to David Jones;
H. R. 24100. An act granting an increase of pension to Henry W. Wilson;
H. R. 24101. An act granting an increase of pension to George W. Ashton;
H. R. 24161. An act granting an increase of pension to Hugh O'Neal;
H. R. 24171. An act granting an increase of pension to Finus M. Wyatt;
H. R. 24183. An act granting an increase of pension to Joseph B. Joyce;
H. R. 24189. An act granting an increase of pension to Frederick Hoffner;
H. R. 24194. An act granting an increase of pension to William Davis;
H. R. 24197. An act granting an increase of pension to Mary Ann Foard;
H. R. 24210. An act granting an increase of pension to George H. Maddox;
H. R. 24215. An act granting an increase of pension to George Hoell;
H. R. 24220. An act granting an increase of pension to William P. Robbe;
H. R. 24225. An act granting an increase of pension to William Ivans;
H. R. 24226. An act granting an increase of pension to Francis J. Eachus;
H. R. 24269. An act granting an increase of pension to William L. Stewart;
H. R. 24288. An act granting an increase of pension to John Gooding;
H. R. 24294. An act granting an increase of pension to Daniel R. Lamoreau;
H. R. 24299. An act granting an increase of pension to William B. Doyle;
H. R. 24308. An act granting an increase of pension to Lyman Thompson;
H. R. 24334. An act granting an increase of pension to Emma Case;
H. R. 24338. An act granting an increase of pension to James M. Gardner;
H. R. 24343. An act granting an increase of pension to James M. Haney;
H. R. 24344. An act granting an increase of pension to John H. James;
H. R. 24397. An act granting an increase of pension to David Prunkard;
H. R. 24405. An act granting an increase of pension to Mary H. Bishop;
H. R. 24406. An act granting an increase of pension to Edmund Johnson;
H. R. 24413. An act granting an increase of pension to William Thomas;
H. R. 24493. An act granting an increase of pension to Theodoric Gage;
H. R. 24502. An act granting an increase of pension to A. Judson Conant;
H. R. 24504. An act granting an increase of pension to John H. Leiter;
H. R. 24518. An act granting an increase of pension to Reuben Nye;
H. R. 24530. An act granting an increase of pension to David Miller;
H. R. 24531. An act granting an increase of pension to David E. Jefferson;
H. R. 24532. An act granting an increase of pension to Absalom R. Shacklett;
H. R. 24553. An act granting an increase of pension to Sarah J. Reed;
H. R. 24560. An act granting an increase of pension to Margaret Lesley;
H. R. 24577. An act granting an increase of pension to John L. Flanery;
H. R. 24586. An act granting an increase of pension to Jotham A. Vincent;
H. R. 24599. An act granting an increase of pension to Thomas L. Richardson;
H. R. 24638. An act granting an increase of pension to Bernard Shallow;
H. R. 24681. An act granting an increase of pension to Lewis M. Jarvis;
H. R. 24691. An act granting an increase of pension to Edward Burtch;
H. R. 24698. An act granting an increase of pension to Lydia Hunt;
H. R. 24700. An act granting an increase of pension to Joseph Brooks;
H. R. 24707. An act granting an increase of pension to Peter Campbell;
H. R. 24710. An act granting an increase of pension to Jacob Riner;
H. R. 24726. An act granting an increase of pension to Seldon R. Sanders;
H. R. 24733. An act granting an increase of pension to John H. Morrison;
H. R. 24740. An act granting an increase of pension to William E. Chase;
H. R. 24769. An act granting an increase of pension to John George;
H. R. 24776. An act granting an increase of pension to David T. Taylor;
H. R. 24792. An act granting an increase of pension to William H. Penfield;
H. R. 24801. An act granting an increase of pension to George G. Martin;
H. R. 24807. An act granting an increase of pension to Horace E. Heath; and
H. R. 24829. An act granting an increase of pension to John R. Robbins.

SUNDRY CIVIL APPROPRIATION BILL.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist on its amendments and agree to the conference, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed as the conferees on the part of the Senate Mr. HALE, Mr. ALLISON, and Mr. BERRY.

ESTATE OF W. W. JACKSON, DECEASED.

The bill (S. 1569) for the relief of W. W. Jackson, deceased, was announced as the next business in order on the Calendar.

Mr. CLAPP. Let the bill be passed over.

The VICE-PRESIDENT. The bill will be passed over.

IMPROPER USE OF STREET RAILWAY TRANSFERS.

The bill (S. 826) to amend "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended by the acts approved January 31 and June 30, 1902, relating to the improper issue, sale, gift, or use of transfer tickets of street railroads was announced as next in order.

The VICE-PRESIDENT. The bill was read on the 1st instant.

Mr. BACON. What is the bill? I ask that it be read.

Mr. GALLINGER. Let it go over.

The VICE-PRESIDENT. The bill will go over.

ALLEN V. REED.

The bill (H. R. 7676) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a commodore on the retired list of the Navy was considered as in Committee of the Whole. It authorizes the President to appoint Allen V. Reed, now a captain on the retired list of the Navy, to be a rear-admiral on the retired list of the Navy, with the rank and pay of that office, the appointment to date from the 30th day of September, 1898.

The VICE-PRESIDENT. Certain amendments were made in Committee of the Whole when the bill was under consideration.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy."

REVISION OF COPYRIGHT LAW.

The bill (S. 8190) to consolidate and revise the acts respecting copyright was announced as next in order.

Mr. BEVERIDGE. I see that there is a minority report.

Mr. MALLORY. I object to the consideration of the bill. Let it go over under Rule IX.

The VICE-PRESIDENT. The bill will go over under Rule IX, at the request of the Senator from Florida.

GROUNDS FOR PUBLIC BUILDINGS IN THE DISTRICT.

The bill (S. 6649) authorizing the purchase of grounds for the accommodation of public buildings for the use of the Government of the United States in the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

Mr. HEYBURN. The bill has heretofore been read.

The VICE-PRESIDENT. The bill has heretofore been read.

The bill provides for the purchase of the following parcels of land in the District of Columbia: All of blocks Nos. 226, 227, 228, 229, 230, 256, 257, 258, 259, 260, 292, 293, 294, 295, 349, 350, 380, 381, 382, 461, 575, 576, Reservation A, Reservation B, Reservation C, Reservation 12, according to the official plat of the city of Washington, not already owned in whole or in part by the Government of the United States of America.

The bill appropriates $10,000,000, or so much thereof as may be necessary, to be used for the payment of the land.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID M'CLELLAND.

The bill (H. R. 7153) for the relief of David McClelland for loss sustained at Chickamauga Park, Ga., January 29, 1904, was considered as in Committee of the Whole. It proposes to pay to David McClelland, late draftsman and assistant to the engineer in the Quartermaster's Department, United States Army, stationed at the new military post, Chickamauga Park, Ga., $171.21 for loss of personal property by fire on the morning of January 29, 1904.

Mr. SPOONER. Is the bill recommended by the Department?

Mr. KEAN. I will say to the Senator it is, for the whole amount.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE A. ARMSTRONG.

The bill (S. 7921) for the relief of George A. Armstrong was considered as in Committee of the Whole.

The VICE-PRESIDENT. The bill was read February 19, and an amendment agreed to.

Mr. KEAN. What is the amendment?

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 7, before the word "dollars," the Senate, as in Committee of the Whole, filled the blank by inserting "five hundred and thirty-two," and after the word "dollars" it inserted "45 cents;" so as to read: "$532.45."

Mr. SPOONER. What is the bill about?

The VICE-PRESIDENT. The Secretary will read the bill.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George A. Armstrong, late captain Company D, Seventh Michigan Cavalry, out of any money in the Treasury not otherwise appropriated, the sum of $532.45, as pay and emoluments from January 28, 1864, to May 30, 1864, inclusive.

Mr. SPOONER. From what committee does the bill come?

The VICE-PRESIDENT. The bill was reported from the Committee on Military Affairs.

Mr. KEAN. By the Senator from West Virginia [Mr. SCOTT].

Mr. SPOONER. Who reported it?

The VICE-PRESIDENT. It was reported by the Senator from West Virginia [Mr. SCOTT].

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time, and passed.

HEIRS OF CHARLES W. DAKIN AND THOMAS J. HENNESSY, DECEASED.

The bill (H. R. 15909) to reward the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the United States Army transport *Meade* was considered as in Committee of the Whole.

The VICE-PRESIDENT. The bill has heretofore been read.

Mr. BACON. I presume it is right, but still we do not know anything about the nature of the bill. I do not want to consume time in reading it if there is anyone here to state what it is.

Mr. SPOONER. I looked into the bill when it was last before the Senate, and, briefly stated, it is this: One of the transports of the United States Government caught fire in the harbor of San Francisco. These two men were members of the fire department of San Francisco, and they went, outside entirely of duty, and made a splendid fight to preserve the property of the United States, and lost their lives in that attempt. They left families absolutely destitute. They behaved with great gallantry and self-sacrifice, and this is recommended by the War Department and seems to be an entirely meritorious measure. I think the bill should be passed.

Mr. BACON. I quite agree with the conclusion reached by the Senator from Wisconsin, so far as I am concerned.

Mr. FULTON. As stated by the Senator from Wisconsin, the bill is recommended very earnestly by the War Department, and it is recommended by General Funston, who was in charge at the time.

Mr. SPOONER. I move to amend the bill by striking out, in line 5, on page 2, after the word "appropriated," the words "as a reward for the bravery and heroism shown," and inserting "in recognition of the bravery and services to the United States rendered;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in recognition of the bravery and services to the United States rendered by the late Capt. Charles W. Dakin and Thomas J. Hennessy, both of the San Francisco fire department, in fighting a fire on board of the United States Army transport Meade in the harbor of San Francisco, Cal., on the night of January 31, 1906, to the widow and minor child of the said Capt Charles W. Dakin the sum of $5,000 and to the widow and minor children of the said Thomas J. Hennessy the sum of $5,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the United States Army transport *Meade*."

On motion of Mr. GALLINGER, the preamble was stricken out.

HENRY O. BASSETT.

The bill (H. R. 3268) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased, was considered as in Committee of the Whole. It proposes to pay to Henry O. Bassett, sole surviving heir of Henry Opeman Bassett, deceased, $142.59.

Mr. SPOONER. For what is the claimant to be paid this money?

Mr. GALLINGER. When the bill was read once before I suggested that it looked like a gratuity. I ask that the Secretary read it once more. There does not seem to be any statement as to why this money should be paid.

The Secretary again read the bill.

Mr. SPOONER. It looks like a gratuity.

Mr. GALLINGER. It does; certainly.

Mr. MALLORY. A similar bill has passed the Senate twice.

Mr. GALLINGER. It ought not to pass the Senate in its present form.

Mr. MALLORY. I will say that Henry Opeman Bassett was a mail contractor in Florida, and the records of the Auditor for the Post-Office Department show the Mr. Bassett was contractor on route 6564, Mariana to Bainbridge, from July 1, 1859, at $1,300 per annum; that he was paid in full to December 31, 1860, and that a balance of $142.59 stands to his credit for service for the quarter ending March 31, 1861, the date to which service has been certified. It is recommended by the Department.

Mr. GALLINGER. Unless an amendment can be submitted which will state definitely what the money is to be paid for, I shall object to the consideration of the bill. If the Senator from Florida can prepare an amendment——

Mr. MALLORY. I am not especially interested in the bill. It is a bill which a Member of the House——

Mr. GALLINGER. Let it go over, Mr. President.

The VICE-PRESIDENT. The bill will go over.

Mr. MALLORY subsequently said: I ask the Senate to recur to the bill (H. R. 3268) for the relief of Henry O. Bassett. It was passed over at the request of the Senator from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER. I withdraw the objection.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. MALLORY. I offer the amendment I send to the desk.

The SECRETARY. It is proposed to add at the end of the bill the following:

The same being a balance due the said Henry Opeman Bassett, and never paid as a mail contractor, for service for the quarter ending March 31, 1861, the date to which service has been certified.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN A. BINGHAM.

The bill (S. 7143) directing the Postmaster-General to credit John A. Bingham, late postmaster at Vandalia, Ill., in the sum of $500 on account of stamps lost by burglary was considered as in Committee of the Whole.

Mr. FULTON. The bill seems to have been reported from the Committee on Post-Offices and Post-Roads. I do not care to interpose an objection to the pending bill, but I wish to say that these bills do not properly belong to that committee. They are claims against the Government. They should go to the Committee on Claims, where they can receive proper consideration. I do not believe they receive any consideration at all in the Post-Office Committee. Furthermore, part of such bills come to the Committee on Claims. That committee has a certain policy and rule with which it endeavors to comply. Such bills are reported from other committees entirely contrary to those rules. I am going hereafter to object to the consideration of bills of this character reported from that or any other committee than the Committee on Claims.

Mr. CARTER. Let the bill be passed over, Mr. President.

The VICE-PRESIDENT. The bill will be passed over.

Mr. OVERMAN. Have not some bills of the very same nature, when the Committee on Claims has turned them down and refused to report favorably, been referred to other committees and passed by the Senate on reports from such committees?

Mr. FULTON. That is very true.

The VICE-PRESIDENT. The bill will be passed over at the request of the Senator from Montana.

Mr. HALE. Before the bill goes over I hope the Senator from Oregon will insist on the proposition which he has just announced to the Senate. The only safety in these cases is for one committee, the Committee on Claims, to consider claims. There came to the Committee on Naval Affairs in the early part of the session a bill covering several claims, purely relating to the Navy Department, and in a way giving jurisdiction to the Naval Affairs Committee, but the committee unanimously directed that they should be referred to the Committee on Claims, and the bills were all sent to that committee. There is no jurisdiction of the Committee on Claims worth taking into account unless it does consider all of these claims. They ought not to go to the departmental committee; they ought not to go to the Committee on Appropriations, but the jurisdiction and responsibility rest, as they ought to rest, with the Committee on Claims.

Mr. CULLOM. The bill which has just been read is for the relief of a citizen of my State.

Mr. PATTERSON. I call for the regular order.

The VICE-PRESIDENT. The regular order is demanded.

Mr. CULLOM. I simply wish to make a remark in the interest of the disposition of the bill.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

Mr. CULLOM. The probabilities are that the bill will not get through both Houses of Congress at this session in any event, and I am perfectly willing that it shall now be referred to the Committee on Claims.

Mr. GALLINGER. Let that be done.

The VICE-PRESIDENT. The bill will be referred to the Committee on Claims.

Mr. WARREN. I ask for just a moment.

Mr. PATTERSON. I withdraw the demand.

Mr. WARREN. Mr. President, I do not desire to object to this bill, but I do want to say a word before we pass from this subject.

I had quite long service on the Committee on Claims, and I think perhaps my remissness there has been the occasion for these bills going to other committees, because I did not object at the time. With the vast amount of work we had, I felt that if the Government were disposed to pay its debts, it mattered little from what committee the bills were reported. But I submit that experience and observation have shown that in the case of all kinds of claims the bills should go to the Committee on Claims and to that committee alone.

Mr. PATTERSON. I call for the regular order.

The VICE-PRESIDENT. The regular order is demanded. The Secretary will state the next case on the Calendar.

PAYMENT OF OVERTIME CLAIMS OF LETTER CARRIERS.

The bill (S. 1181) to provide for the payment of overtime claims of letter carriers excluded from judgment as barred by limitation was considered as in Committee of the Whole. It proposes to pay to the several parties named in Senate Document No. 216, Fifty-sixth Congress, first session, and Senate Document No. 158, Fifty-sixth Congress, second session, or their legal representatives, the amounts set opposite each of their names, respectively, aggregating $282,943.88, representing services actually performed by them as letter carriers in excess of eight hours per day.

Mr. CULLOM. From what committee does the bill come?

The VICE-PRESIDENT. The Committee on Claims.

Mr. SPOONER. By whom was the bill reported?

The VICE-PRESIDENT. It was reported by the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. The Committee on Claims reported it.

Mr. SPOONER. What reason is there why the claims were not presented within the time fixed by law?

Mr. SMOOT. One reason was that there was an intimation from the Department itself that those claims would be paid in due process. Most of the other claims have been paid, and the only reason these were not paid is because of the statute of limitations running against them.

Mr. FULTON. If the Senator from Wisconsin will allow me——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oregon?

Mr. SPOONER. Certainly; I merely want information.

Mr. FULTON. They were told that the Department would look after these people and see that their claims were paid. When they were presented, the auditor held that they had not been presented in time.

Mr. SPOONER. I want to know if the only difference between these claims and those which have been paid is the intervention of the statute of limitations?

Mr. FULTON. That is all.

Mr. SMOOT. Yes; that is all.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

L. BIERTEMPFEL.

The bill (H. R. 12840) for the relief of L. Biertempfel was considered as in Committee of the Whole. It directs the Secretary of the Treasury to reimburse L. Biertempfel, a German subject, for loss sustained by him through the action of Louis Stern, United States commercial agent at Bamberg, Germany, in collecting the sum of $871.08 belonging to Biertempfel and converting it to his own use.

Mr. SPOONER. From what committee does the bill come?

The VICE-PRESIDENT. From the Committee on Claims.

Mr. SPOONER. Let it go over.

Mr. LODGE. One moment, Mr. President. The payment in this case is very strongly recommended by the State Department, as this man was swindled by our consul. That is what it amounts to. The late Secretary Hay advised very strongly that it be paid.

Mr. CULLOM. I join with the Senator from Massachusetts in the hope that the bill will be passed.

Mr. SPOONER. I wish to say a word about it. Even if the bill is recommended by the Department, so far as I know it is an innovation, and I think a very dangerous innovation. Consular agents and consuls are commercial agents of the United States. They are permitted to make collections for citizens, but if it is to be understood that the Government of the United States is to be liable for their embezzlements, they ought to be prohibited by law from doing that business. It is not their business strictly. Citizens of the United States who have claims to collect abroad are perfectly at liberty to employ counsel abroad and to pursue the usual remedies for the collection of claims.

Mr. LODGE. This was not collected abroad. This was money collected in America, to be paid to a German subject.

Mr. SPOONER. Why should we be liable for it?

Mr. LODGE. I do not suppose we are liable. I take it it is a mere act of grace.

Mr. SPOONER. If we are to be liable for it in that case, I want to make the prophecy that this precedent will make us

liable in every such case. Otherwise we will be held to have discriminated in favor of the subjects of one country and against the subjects of another country. And even if it is recommended by the Department of State, I believe it is an absolutely improper policy to the adopted by the Congress of the United States.

I shall not object to this bill, but I want to put on record my conviction that it is a bad thing to do.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. H. HENRY.

The bill (H. R. 9109) for the relief of J. H. Henry was considered as in Committee of the Whole. It proposes to pay to J. H. Henry, of San Jose, Cal., $684.15 to reimburse him for losses sustained by him on account of fires started by United States troops during their occupancy of his ranch in San Luis Obispo County, Cal., during the summer of 1904.

Mr. SPOONER. If the bill does not indicate the line which has always been drawn by the Congress between the case where the soldier acts unlawfully and a conflagration or trouble which comes from the lawful action——

Mr. FULTON. If the Senator will allow me, I will explain it to him.

Mr. SPOONER. What are the facts?

Mr. FULTON. The facts are these: This ranch was leased to the Government for maneuvering purposes, and a written lease was entered into by which it was agreed that the Government would pay for any loss that resulted from fire or damages committed by the soldiers. This is for damage resulting from fire, burning, as I recall it, the fence; certainly some of the field. A board was appointed to assess the damages, and this is the amount awarded.

Mr. SPOONER. How much?

Mr. FULTON. I think it is some $600. I do not recall the exact amount. That is my recollection.

The VICE-PRESIDENT. Six hundred and eighty-four dollars.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. M. BLOOM.

The bill (S. 7851) for the relief of J. M. Bloom was considered as in Committee of the Whole.

The bill had been reported from the Committee on Post-Offices and Post-Roads with an amendment, in line 6, after the words "*one hundred* and," to strike out "eighty-nine dollars and twelve" and insert "eighteen dollars and eighteen;" and on page 2, line 5, before the word "cents," to strike out "eighty-nine dollars and twelve" and insert "eighteen dollars and eighteen;" so as to make the bill read:

*Be it enacted, etc.*, That the Postmaster-General be, and he is hereby, authorized and directed to cause the account of J. M. Bloom, late postmaster at Clearfield, State of Pennsylvania, to be credited with the sum of $118.18, and that he cause said credit to be certified to the Auditor of the Treasury for the Post-Office Department, being on account of loss of $123 in postal funds by robbery of said post-office on the 10th day of February, 1897, and $66.12 for expenses incurred in the effort to apprehend the burglars, it appearing that said loss was without fault or negligence on the part of said late postmaster; and the sum of $118.18 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay said claim.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

E. RUSSELL MEARS.

The bill (S. 4767) authorizing the President to appoint E. Russell Mears captain and paymaster, United States Army, was announced as next in order on the Calendar.

Mr. WARREN. I will ask that the bill may go over, keeping its place on the Calendar.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

WALES ISLAND PACKING COMPANY.

The bill (S. 616) authorizing and directing the Secretary of State to examine and settle the claim of the Wales Island Packing Company was announced as the next in order.

Mr. OVERMAN. Let the bill take its place on the Calendar under Rule IX.

Mr. KEAN. I trust the Senator will not do that. This is a very just claim.

Mr. OVERMAN. I think there will be some contest about the claim.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX.

Mr. KEAN. I did not know that there had ever been any controversy about it.

Mr. LODGE. Before the bill is passed over I should like to say a single word in regard to it, in justice to the claimant.

The claim arose out of the decision of the Alaskan Tribunal, of which I was a member. In the settlement of the boundary a disputed island was awarded to Great Britain. It was not known that there was any American establishment anywhere on the ceded piece of territory. If it had been known to the Commissioners, arrangements would have been made that Canada should settle with the American citizens so placed. After the decision was rendered the Commissioners were informed of the existence of this canning company, and it was then too late to open the award.

The result was that these people found themselves on Canadian territory and the right of fishing in the rivers was taken from them, as all the rivers are in the United States territory. Therefore their business was absolutely destroyed and they lost everything they had there, entirely by the failure of the United States Government to notify the Commissioners. There never was a better claim in the world or a case in which greater injustice has been done. I wish to put that statement on record, if the bill is to be objected to.

Mr. OVERMAN. I wish to say that the bill has been before the committee several times, and I do not think we ought to pay $81,000 for some old buildings there.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX, at the request of the Senator from North Carolina.

BATTLE MONUMENT AT CHALMETTE, LA.

The bill (S. 8292) providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the battle of New Orleans at Chalmette, La., and making the necessary appropriation therefor, was announced as next in order.

Mr. GALLINGER. That matter went in, as I remember, as a provision of the Army appropriation bill. I would ask if it has been retained?

Mr. WARREN. I desire to say that in conference all those amendments were lost.

Mr. GALLINGER. I am very sorry for that.

Mr. WARREN. I am very sorry, too, but we were unable to retain them. They were the last items we permitted to go out.

Mr. GALLINGER. I have no objection to the consideration of the bill.

The bill was considered as in Committee of the Whole. It proposes to appropriate $25,000 for the completion of a monument to the memory of the soldiers who fell in the battle of New Orleans in the war of 1812, said monument to be completed under the direction and approval of the Secretary of War.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RAMIE-FIBER SILK AND FLAX.

The bill (S. 4633) authorizing Government assistance in the development and encouragement of ramie-fiber silk and flax preparation and manufacture and their production and profitable home market in the United States, under the supervision of the Secretary of Commerce and Labor, was announced as next in order.

Mr. CULLOM. I hope that bill will go over under Rule IX.

The VICE-PRESIDENT. The bill will be passed over and placed on the Calendar under Rule IX, at the request of the Senator from Illinois.

ALASKA-YUKON-PACIFIC EXPOSITION.

The bill (S. 7382) to encourage the holding of an Alaska-Yukon-Pacific exposition at the city of Seattle, State of Washington, in the year 1909 was announced as next in order.

Mr. HALE. Let the bill go to the Calendar under Rule IX.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX, at the request of the Senator from Maine.

Mr. PILES. Mr. President, I object to that disposition of the bill.

Mr. HALE. It goes to Rule IX on a single objection.

Mr. PILES. If the Senator will allow it to go over without prejudice, I shall not call it up except when he is present in the Senate or after I have given him notice that I shall move to proceed to its consideration.

Mr. HALE. The Senator does not lose his right to move to take it up. A single objection carries it to Rule IX, and the

Senator can at any time move that the bill be taken up. Of course, he can never get it up by unanimous consent.

Mr. PILES. Then I move that the Senate proceed to the consideration of the bill.

Mr. HALE. The Senator can not make the motion now, as the Senate is considering unobjected cases.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX, at the request of the Senator from Maine.

CALAVERAS BIG TREE NATIONAL FOREST.

The bill (S. 8117) to create the Calaveras Bigtree National Forest, and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDINGS.

Mr. SCOTT. I ask unanimous consent to submit a report from the Committee on Public Buildings and Grounds.

I report back without amendment the bill (H. R. 25758) amending an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and I submit a report thereon. The purpose of the bill is to correct errors that were made in the public buildings act of the first session of the present Congress. It is very important to pass the bill, owing to the fact that there has been a ruling of the Treasury Department that where a public building act provided for only a post-office no room can be occupied by the internal-revenue collector or for any other purpose except as a post-office.

Mr. KEAN. The bill has passed the House?

Mr. SCOTT. The bill has passed the House. It does not carry an appropriation, and it is very essential that it should be passed to-day or at the very earliest date before we adjourn. I ask unanimous consent for the consideration of the bill.

The VICE-PRESIDENT. Is there objection to the consideration of the bill reported by the Senator from West Virginia?

Mr. HALE. The Senate is proceeding under an order made by unanimous consent to consider unobjected bills on the Calendar.

The VICE-PRESIDENT. Objection is made, and the next bill on the Calendar will be announced.

MENOMINEE INDIAN LANDS, WISCONSIN.

The bill (S. 8431) to authorize the cutting and sale of timber on land reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, in section 1, page 2, line 2, after the word "same," to strike out the words "by the said Indians in accordance with the provisions of law" and to insert "under such rules and regulations as may be prescribed by him; so as to make the section read:

That the dead and down timber upon the Menominee Reservation, in the State of Wisconsin, shall be each year estimated and logged and that no more standing and growing timber shall be cut than is sufficient, when added to the dead and down timber, to make 20,000,000 feet in the aggregate, and only such standing and growing timber shall be cut as shall be marked for cutting under the direction of the Forestry Service. The Secretary of the Interior may permit the manufacture into lumber by the said tribe of so much of said annual cut of logs as he may deem advisable, and the sale of the same, under such rules and regulations as may be prescribed by him.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LA FOLLETTE subsequently said: I move to reconsider the votes by which the bill (S. 8431) to authorize the cutting and sale of timber on land reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin, was ordered to be engrossed for a third reading, read the third time, and passed.

The motion to reconsider was agreed to.

Mr. LA FOLLETTE. I move to add at the end of the bill the proviso I send to the desk.

The VICE-PRESIDENT. The Senator from Wisconsin proposes an amendment, which will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following proviso:

*Provided*, That if in the opinion of the Secretary of the Interior the Indians can not log the dead and down timber now upon said reservation in time to save the same and protect the standing forest, he is hereby authorized to employ white laborers to assist said Indians to log the dead and down timber now upon said reservation.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HUNGARIAN REFORMED FEDERATION OF AMERICA.

The bill (H. R. 24046) to incorporate the Hungarian Reformed Federation of America was announced as next in order on the Calendar.

Mr. HEYBURN. Let the bill go to the Calendar under Rule IX.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX.

Mr. HEMENWAY. I hope the Senator from Idaho will not object to the consideration of the bill. Another bill just like it was passed a few days ago. Let me submit a parliamentary inquiry. Does an objection put a bill to the Calendar under Rule IX?

The VICE-PRESIDENT. An objection, with such a request, carries a bill to the Calendar under Rule IX.

Mr. HEMENWAY. Does the request of one Senator take a bill there?

The VICE-PRESIDENT. It does, under the uniform practice.

Mr. SPOONER. Unless it is passed over without prejudice, it goes to the Calendar under Rule IX.

The VICE-PRESIDENT. Unless it is passed over without prejudice.

Mr. HEYBURN subsequently said: Mr. President, I asked that the bill (H. R. 24046) to incorporate the Hungarian Reformed Federation of America go over. I did that under a misapprehension, and I now desire to withdraw the request.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment.

Mr. SPOONER. I rise to inquire if there is a provision contained in that bill reserving the right to alter, amend, or repeal?

Mr. HEYBURN. There is.

The VICE-PRESIDENT. The bill contains such a provision.

Mr. SPOONER. Very well.

The bill was ordered to a third reading, read the third time, and passed.

COUNCIL CITY AND SOLOMON RIVER RAILROAD.

The bill (H. R. 23720) to aid the Council City and Solomon River Railroad Company was considered as in Committee of the Whole. It extends the time of the Council City and Solomon River Railroad Company to comply with the provisions of sections 4 and 5 of chapter 299 of the laws of the United States, entitled "An act extending the homestead laws and providing for the right of way for railroads in the district of Alaska, and for other purposes," approved May 14, 1898, in acquiring and completing its railroad now under construction in Alaska.

Mr. BERRY. Is that the bill that was here at the last session?

Mr. KEAN. It is not.

Mr. BERRY. I refer to the measure the Senator from New Hampshire [Mr. GALLINGER] was pressing.

Mr. KEAN. It is not. I opposed the bill the Senator from New Hampshire was pressing. I reported this bill.

Mr. BERRY. Very well.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROSEBUD INDIAN RESERVATION.

The bill (S. 6618) to authorize the sale of a portion of the Rosebud Indian Reservation in South Dakota, and for other purposes, was announced as next in order.

Mr. GAMBLE. A similar bill has passed both Houses, and I move the indefinite postponement of this bill.

The motion was agreed to.

THE PANAMA CANAL.

The bill (S. 8488) to amend an act entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902, was announced as next in order.

Mr. GALLINGER. Let the bill go over.

The VICE-PRESIDENT. The bill will go over without prejudice.

Mr. MILLARD. I hope there will be no objection to the consideration of the bill.

The VICE-PRESIDENT. Objection is made to the consideration of the bill, and it goes over.

Mr. MILLARD. Mr. President, I should like to make a statement. This bill has the very earnest approval of the Secretary of War; it has the approval of the entire Committee on Interoceanic Canals; and it is important that it should be considered and passed.

Mr. GALLINGER. I will say to the Senator that I asked it should go over under a misapprehension. I withdraw the suggestion.

Mr. MILLARD. I ask that the bill be read.

The VICE-PRESIDENT. The suggestion being withdrawn, the bill will be read.

The Secretary proceeded to read the bill.

Mr. TELLER. Mr. President, I think it is inevitable that the bill will bring up considerable debate, and therefore I ask that it may go to the Calendar under Rule IX.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX, at the request of the Senator from Colorado.

### OMAHA INDIAN CLAIMS.

The bill (S. 6190) authorizing the Omaha tribe of Indians to submit claims to the Court of Claims was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with amendments, on page 1, line 7, after the word "for," to insert "determination of;" in the same line, after the word "amount," to insert "if any;" in line 8, before the word "said," to strike out "or claimed to be due;" in the same line, after the word "tribe," to strike out "of" and insert "from;" on page 2, line 2, after the word "all," to insert "legal or equitable;" in the same line, after the word "claims," to insert "if any;" in line 4, after the word "thereon," to strike out "and to enter judgment in favor of the attorneys of said Indians for attorneys' fees under their contract with said tribe;" in line 7, before the word "if," to insert "The Court of Claims shall advance said cause upon the docket;" in line 10, after the word "limitations," to insert "and the final judgment and satisfaction thereof in said cause shall be deemed a final settlement of all claims of said Omaha Indians against the United States;" in line 14, after the word "petition," to insert "subject, however, to amendment;" in line 15, after the word "the," to strike out "Secretary of the Interior furnishes the data provided for herein" and insert "passage of said act;" in line 21, after the word "by," to strike out the word "an" and insert "the;" in line 22, after the word "Indians," to insert "under the contract filed in the Indian Office on the 4th day of March, 1898, and reported upon to the Secretary of the Interior on the 1st day of May, 1901;" on page 3, line 4, after the word "evidence," to insert "if competent under the rules of said Court of Claims;" in line 6, after the word "the," to insert "attorney or attorneys of the;" in line 7, after the word "Indians," to strike out "on or before January 1, 1907, copies of all treaties and a complete record of all transactions of every character between the United States and the said Omaha tribe of Indians and all acts of the United States or its officials relating to the Omaha Indians or their affairs or interests" and insert "copies of such treaties, papers, correspondence, and records as may be called for by said attorneys of the Omaha tribe of Indians: *Provided further*, That upon the final determination of such suit the Court of Claims shall have jurisdiction to decree the fees to be paid the attorney or attorneys employed by the Omaha tribe of Indians, and the same shall be paid out of any sum or sums found due said Omaha tribe of Indians."

So as to make the bill read:

*Be it enacted, etc.*, That all claims of whatsoever nature which the Omaha tribe of Indians may have or claim to have against the United States shall be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said Omaha tribe from the United States under any treaties or laws of Congress or the unexecuted stipulations of any treaties, or for the misappropriation of any of the funds of said Omaha tribe, or for the failure of the United States to pay to said Omaha tribe any money due; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine all legal or equitable claims, if any, of said Omaha tribe against the United States and to enter judgment thereon. The Court of Claims shall advance said cause upon the docket. If any question is submitted to said court, it shall settle the rights, both legal and equitable, of both the Omaha tribe of Indians and the United States, notwithstanding lapse of time or statutes of limitations, and the final judgment and satisfaction thereof in said cause shall be deemed a final settlement of all claims of said Omaha Indians against the United States. Such action in the Court of Claims shall be presented by a single petition, subject, however, to amendment, to be filed within one year after the passage of said act; and such action shall make the Omaha tribe of Indians party plaintiff and the United States party defendant, and shall set forth all the facts on which the Omaha tribe of Indians bases its claim for recovery; and the said petition may be verified by the attorney employed by the said Omaha Indians under the contract filed in the Indian Office on the 4th day of March, 1898, and reported upon to the Secretary of the Interior on the 1st day of May, 1901, upon information and belief as to the existence of such facts, and no other statements or verifications shall be necessary. Official letters, papers, reports, documents, and public records, or certified copies thereof, may be used in evidence if competent under the rules of said Court of Claims: *Provided*, That the Secretary of the Interior shall furnish to the attorney or attorneys of the Omaha tribe of Indians copies of such treaties, papers, correspondence, and records as may be called for by said attorneys of the Omaha tribe of Indians: *Provided further*, That upon the final determination of such suit the Court of Claims shall have jurisdiction to decree the fees to be paid the attorney or attorneys employed by the Omaha tribe of Indians, and the same shall be paid out of any sum or sums found due said Omaha tribe of Indians.

Mr. CARTER. I observe that an amendment was read placing some limitation upon the attorneys' fees, and I understood later that that limitation had been removed. I think the bill should be amended so as to place some restrictions upon the Indian contract with reference to attorneys' fees.

Mr. SPOONER. Will the Senator allow me to interrupt him for a moment? Have these contracts for attorneys' fees been approved by the Secretary of the Interior, or are they mere contracts with the Indians?

Mr. BURKETT. I think they are contracts with the Indians; but the committee have reported to strike that out, as I understand it, and give the Court of Claims jurisdiction to decree the fees to be paid to the attorney or attorneys.

Mr. SPOONER. In the earlier part of the bill, as I heard it read, it was provided that the court should enter judgment in the matter of attorneys' fees.

Mr. BURKETT. That was stricken out. The words "and to enter judgment in favor of the attorneys of said Indians for attorneys' fees in their contract with said tribe" were stricken out by the committee.

Mr. CARTER. I doubt whether striking that out is sufficient. It seems to me that the court should be vested with jurisdiction to determine the reasonableness of the fees.

Mr. SPOONER. That provision ought to be in the bill.

Mr. PATTERSON. May not the bill be temporarily passed over, while the Senators are arranging an amendment?

Mr. BURKETT. It will take but a moment.

Mr. PATTERSON. We can recur to it. By unanimous consent it can be temporarily passed over.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Colorado that the pending bill be temporarily passed over?

Mr. BURKETT. I now move the amendment. On page 3, line 16, I move to amend the amendment of the committee by striking out the word "the" and inserting "such reasonable;" so as to read:

That upon the final determination of such suit the Court of Claims shall have jurisdiction to decree such reasonable fees to be paid the attorney or attorneys, etc.

Mr. SPOONER. Let it read, "such reasonable fees as the court shall find should be paid to the attorney or attorneys."

Mr. BURKETT. Very well.

Mr. ALLISON. I should like to ask what the suggestion is as respects the interest on these claims.

Mr. SPOONER. This is as to attorneys' fees. Let the amendment be read.

The VICE-PRESIDENT. The Senator from Nebraska proposes an amendment to the last committee amendment, which will be read.

The SECRETARY. On page 3, line 16, strike out "the," the last word in the line, and insert the words "such reasonable fees as the court shall find should be paid to the attorney or attorneys."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the remaining amendments of the committee.

The amendments were agreed to.

Mr. BURKETT. Now, also to meet an objection, I move, on page 1, line 9, after the word "under," the second word, to strike out "any treaties or laws of Congress or the unexecuted stipulations of any treaties" and to insert:

The treaty between the United States and said Omaha tribe of Indians ratified and confirmed March 16, 1854.

The purpose of the amendment is to simply refer to one treaty.

Mr. KEAN. The words "or for the misappropriation of any of the funds of said Omaha tribe" are to be left in?

Mr. BURKETT. That clause is to be left in. There was a dispute as to the Indian agent having misappropriated some funds. He did misappropriate them, but whether the Government or the Indians is liable for it is a disputed question.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 1, line 9, after the word "under," strike out "any treaties or laws of Congress or the unexecuted stipulation of any treaties" and insert:

The treaty between the United States and said Omaha tribe of Indians ratified and confirmed March 16, 1854.

The amendment was agreed to.

Mr. SPOONER. Now, I should like an answer to the question put by the Senator from Iowa [Mr. ALLISON] as to whether the bill makes any provision for interest.

Mr. BURKETT. I do not understand that it does.

Mr. SPOONER. If it does, that clause ought to be stricken out.

Mr. BURKETT. I think it does not. I have just run over the bill since the Senator from Iowa called my attention to it. I have read it through, and I can not find any provision for the payment of interest. I did not understand that it did. If it does, I will call it back for amendment.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BURNWELL COAL AND COKE COMPANY.

The bill (H. R. 25611) to authorize the Burnwell Coal and Coke Company to construct a bridge across the Tug Fork of Big Sandy River was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISPOSITION OF SCHOOL-LAND SECTION IN OKLAHOMA.

The bill (H. R. 24655) to authorize the legislature of Oklahoma to dispose of a certain section of school land was considered as in Committee of the Whole House. It proposes to authorize the legislature of Oklahoma, when the State of Oklahoma shall have been admitted, to grant section 16, in township 14 north, of range 4 east of the Indian meridian, Lincoln County, Okla., to the board of education of the city of Chandler, in that county, for school purposes upon such terms as the legislature may impose.

Mr. BEVERIDGE. I should be glad to have a short explanation of that bill. I do not understand it.

Mr. CARTER. Mr. President, my information concerning the bill is quite meager, but I understand from the Delegate from Oklahoma that it is desired to dispose of this particular section of school land to the educational institutions of the town of Chandler. Such donations have heretofore been made by Congress for the general school fund of a State, and the State legislature can not divert land from the purposes of the grant without the consent of Congress. This bill simply proposes to give the assent of Congress to the transfer of the particular section of land from one general school purpose to a special school purpose.

Mr. BEVERIDGE. Mr. President——

Mr. SPOONER. Why should this be done as to one town and not as to others?

Mr. BEVERIDGE. That is the very point.

Mr. CARTER. I understand the conditions are such as to make it exceptional, although I am not prepared to state in what particular. The bill has passed the other House. I have not examined the report, but the Delegate from Oklahoma is very earnest in his endeavor to have the bill passed. There appears to be no objection to it. It leaves the entire matter with the legislature of the State.

Mr. SPOONER. I suggest that the bill go over without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

REPAYMENT OF CUSTOMS DUES.

The bill (H. R. 10305) to provide for the repayment of certain customs dues was considered as in Committee of the Whole.

The bill was reported from the Committee on Finance with amendments. The first amendment was, in line 5, after the word "repayment," to insert "to John Effinger, or his legal representative;" so as to read:

That the sum of $111.70 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the repayment to John Effinger, or his legal representative, of the customs duties wrongfully collected at the port of Honolulu, in the Territory of Hawaii, on entries, etc.

The amendment was agreed to.

Mr. SPOONER. Though the bill states that these customs dues were wrongfully collected, that is not conclusive at all. I should like to know whether the duties were paid under protest. Who reported the bill?

Mr. CULLOM. There is no printed report with the bill.

The VICE-PRESIDENT. The bill was reported by the Senator from North Dakota [Mr. HANSBROUGH].

Mr. SPOONER. Let the bill go over without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

Mr. HANSBROUGH subsequently said: I ask that we return to House bill 10305, a bill passed over while I was out of the Chamber. I think there can be no objection to the bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10305) to provide for the repayment of certain customs dues.

The VICE-PRESIDENT. The first amendment reported by the Committee on Finance has been agreed to. The next amendment will be stated.

The SECRETARY. The next amendment reported by the committee is on page 2, line 2, before the name "John Effinger," to insert "the said."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EXPATRIATION AND PROTECTION OF CITIZENS.

Mr. BACON. I ask leave to submit at this time a report from the Committee on Foreign Relations.

The VICE-PRESIDENT. The report will be received, in the absence of objection.

Mr. BACON. I am directed by the Committee on Foreign Relations, to whom was referred the bill (H. R. 24122) in reference to the expatriation of citizens and their protection abroad, to report it favorably with certain amendments, and I ask unanimous consent that the bill may be considered and put on its passage at this time.

Mr. SPOONER. I suggest to the Senator from Georgia that I have a similar report which I wish to make, but we are acting now under a unanimous-consent agreement. The time is devoted by unanimous consent to the consideration of unobjected bills on the Calendar.

Mr. BACON. I did not know that fact.

Mr. CULLOM. The time will soon be up, and the Senator can then make his report.

Mr. BACON. Then I withdraw the report. I did not know that we were acting under a unanimous-consent agreement.

The VICE-PRESIDENT. The report is withdrawn.

EDITH A. HAWLEY.

The bill (S. 569) granting a pension to Edith A. Hawley was announced as next in order.

Mr. McCUMBER. I ask that that bill may be passed over, retaining its place on the Calendar.

The VICE-PRESIDENT. The bill will be passed over, retaining its place.

Mr. BRANDEGEE. Did I understand the Senator from North Dakota to ask that the bill go over under Rule IX?

Mr. McCUMBER. No.

The VICE-PRESIDENT. The Senator simply requested that the bill should be passed over without prejudice.

Mr. BRANDEGEE. Very well.

COAL-LAND LOCATIONS IN ALASKA.

The bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska was announced as next in order.

Mr. BEVERIDGE. Mr. President, I should like to have a word of explanation in regard to that bill.

Mr. FULTON. Mr. President, this bill was once before reported by the Senator from Minnesota [Mr. NELSON]. It passed the Senate, but a motion to reconsider the vote by which it was passed was entered. The motion was subsequently agreed to, and the bill was reconsidered, and re-referred to the Committee on Public Lands. Practically all the bill does as to changing existing law is to authorize the entry of coal lands in Alaska in unsurveyed regions, allowing the entryman to take up such lands by having them surveyed in rectangular form. Otherwise there is practically no way of taking up coal lands in Alaska. The change which has been made in the bill since it formerly passed the Senate is by the insertion of a provision to which I will call the attention of the Senate.

Mr. SPOONER. Mr. President, will the Senator not consent to let the bill go over without prejudice just now? It can be taken up later.

Mr. FULTON. I will; but with the permission of the Senator I wish to say a word.

Mr. SPOONER. Certainly.

Mr. FULTON. The Senator from Minnesota takes great interest in this bill and is quite anxious that it shall go through. If the Senator will allow me to complete my statement I will read the provision which has been added to the bill:

*And provided further*, That this act shall apply only to coal lands in the district of Alaska to which any right has been acquired in good faith and for the use and benefit of the claimant, and not for the use and benefit of any other person or association of persons, existent and enforceable prior to the withdrawal of such lands from entry by the orders of the Secretary of the Interior and at the date of this act; but any such right must be perfected within two years from the date hereof.

Mr. SPOONER. I suggest to the Senator that he permit the bill to go over for the time being.

Mr. FULTON. Very well.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

SETTLERS ON PUBLIC LANDS.

The bill (S. 7889) for the relief of certain settlers on the public lands, and for other purposes, was announced as next in order.

Mr. ALDRICH. Let that bill go over, Mr. President.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

SILETZ POWER AND MANUFACTURING COMPANY.

The bill (S. 6754) granting to the Siletz Power and Manufacturing Company a right of way for a water ditch or canal through the Siletz Indian Reservation, in Oregon, was considered as in Committee of the Whole.

Mr. KEAN. I suggest to the Senator from Connecticut [Mr. BRANDEGEE], who reported this bill, that it should be amended so as to provide for the right of repeal by Congress.

Mr. BRANDEGEE. Mr. President, the bill in its present form was passed by both the Senate and the House at the last session of Congress and failed of the President's signature simply by reason of the lack of time. It has been submitted to the Secretary of the Interior and amended according to his suggestion.

Mr. KEAN. I do not think it would be any injury to the bill to insert another paragraph saying that Congress reserves the right to alter, amend, or repeal the act.

Mr. BRANDEGEE. I have no objection whatever to that amendment.

Mr. KEAN. I move to amend the bill by inserting as a new section:

That Congress reserves the right to alter, amend, or repeal this act.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add as a new section the following:

SEC. 5. That Congress reserves the right to alter, amend, or repeal this act.

The amendment was agreed to.

Mr. BEVERIDGE. I do not pretend to ask even that this bill be passed over without prejudice, if the Senator from Connecticut and the committee have thoroughly investigated it, but upon the face of the bill—and that is the only reason I make the inquiry—upon the face of the bill it looks as though it were possible that an extremely valuable right were being granted here and, possibly, a very important monopoly. I do not pretend to ask even that it go over, but I want to call the attention of the Senator to that fact.

Mr. FULTON. Mr. President, I ask the Senator from Connecticut if the Department has not approved this bill?

Mr. BEVERIDGE. The Senator said that the Department had approved it.

Mr. FULTON. The Department has approved it and it has once passed Congress.

Mr. BEVERIDGE. We are passing it again now.

Mr. BRANDEGEE. Mr. President, the hearing was had before the House committee, and the House committee made a report upon the bill which the Senate committee adopted as its report. The House committee stated that the bill would be of great benefit to the white settlers along the line of the proposed ditch and canal, as well as to the Indians, for purposes of irrigation. I know nothing about it from the testimony of the witnesses, because we had no hearing, but adopted the House report upon the statement of the then Senator from Oregon, Mr. Gearin, whose bill it was, and the statement of the Senator from Oregon [Mr. FULTON] that they both advocated it and thought it was all right. We had also the statement of the Secretary of the Interior that, with the amendments we adopted, he approved of the bill. I thought there was sufficient evidence upon which to report it to the Senate.

Mr. HEYBURN. Mr. President, I would suggest that it is very doubtful if the plan will be carried out if you adopt the limitation suggested of allowing the right of repeal or amendment by Congress. I doubt if any capital would invest in an enterprise of this kind unless they knew that their right of way was a permanent grant. I know something of this class of investment in that country, and I suggest that while that is an appropriate reservation in a certain class of legislation, yet where it is contemplated to invest a large sum of money in a power plant it is not an appropriate limitation.

Mr. SPOONER. Will not the Senator in charge of this bill make a brief statement of what it involves? What is this ditch and how long is it?

Mr. BRANDEGEE. I am not familiar with and do not know the dimensions of the reservation, I will say to the Senator from Wisconsin; but I think that the Senator from Oregon will probably be able to answer that question.

Mr. FULTON. I did not understand the question.

Mr. SPOONER. What is the character of the ditch?

Mr. FULTON. I do not know what the character of the ditch is.

Mr. SPOONER. Does anybody know?

Mr. FULTON. The bill was in charge of my former colleague, Mr. Gearin.

Mr. SPOONER. Is there a report accompanying the bill?

Mr. FULTON. My understanding is, Mr. President, that the ditch is for power purposes. I do not know the size of the ditch it is intended to construct.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN TRADER MARION WESCOTT AND OTHERS.

The bill (H. R. 19500) for the relief of Indian traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier, a Menominee Indian trader, with the Menominee Indians of Wisconsin, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred upon the Court of Claims to hear and report findings of fact to Congress upon the claims of Marion Wescott and F. F. Green and J. A. Leige, assignee of Joseph Gauthier, a Menominee Indian trader, and of others who furnished supplies and goods, wares, and merchandise to certain Menominee Indians after the year 1880, for the purpose of carrying on logging operations on the Menominee Indian Reservation in Wisconsin. Said claims shall be presented to said court by verified petition to be filed within ninety days from the date of the approval of this act. Said court shall in its findings determine the amount, if any, due upon each of said claims, and if the court shall find that there is a liability upon any of these claims, it shall then determine if such liability be that of the Menominee tribe of Indians or that of individual members of said tribe, and in either case it shall determine the amount, if any, chargeable to said tribe and to each of the individual debtors. The Menominee tribe of Indians is authorized to employ an attorney or attorneys to defend their interests in said action. The compensation of such attorney or attorneys to be fixed by the court and paid out of any funds of the said Menominee tribe of Indians in the Treasury of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

TEMPORARY HOME FOR EX-UNION SOLDIERS AND SAILORS.

The bill (S. 7929) to provide a temporary home for ex-Union soldiers and sailors in the District of Columbia was announced as next in order.

Mr. KEAN. Let that bill go over.

Mr. GALLINGER. I trust that the Senator will not ask for that.

Mr. KEAN. Is it to purchase a home?

Mr. GALLINGER. It is to purchase a place for the soldiers and sailors in the District of Columbia. They are in an utterly insanitary building, without adequate facilities for taking care of them. Almost every State in the Union has a decent place for its soldiers and sailors who are unfortunate. This bill proposes to purchase a very inexpensive building and have it properly fitted for these men. I hope the Senator will let the bill be acted upon.

Mr. KEAN. Very well; I withdraw the objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, on page 1, section 2, line 11, after the word "managers," to strike out "of the board of management;" so as to make the section read:

SEC. 2. That such home shall be under the control and management of the board of managers of the Temporary Home for Soldiers and Sailors, which was incorporated on the 20th day of October, 1888, under section 3 of the act of Congress approved May 5, 1870, being "An act to provide for the creation of corporations in the District of Columbia by general laws," which board shall make rules and regulations for the government of said home, subject to the approval of the Secretary of War, a copy of which rules and all amendments thereto shall be filed with the board of charities of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 2, to strike out section 5, as follows:

SEC. 5. That the Treasurer of the United States is hereby made treasurer of said board of managers, and all funds, except for the purchase, remodeling, and equipment of such home shall be paid out by him upon

accounts approved by the president of said board of managers and countersigned by the superintendent of said home.

The amendment was agreed to.

Mr. GALLINGER. On page 2, line 13, after the word "shelter," I move to insert the words "not more than."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "shelter," in section 3, page 2, line 13, it is proposed to insert the words "not more than;" so as to make the section read:

SEC. 3. That the title of the property when purchased shall be vested in the United States; and the Secretary of War is authorized to remodel and equip such home to properly house and shelter not more than 75 inmates.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS ARISING UNDER THE NAVY DEPARTMENT.

The bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with amendments.

The first amendment was, on page 7, after line 2, to strike out:

To pay the owners of the schooner Flirt cost of cable damaged by the U. S. S. Macdonough, on November 14, 1905, the sum of $47.50.

The amendment was agreed to.

The next amendment was, on page 7, after line 6, to strike out:

To pay Edward Simmons one-half of the cost of repairs of damages to his steam tug William Alexander, caused by collision with the U. S. S. Miantonomah on October 9, 1893, the sum of $108.50.

The amendment was agreed to.

The next amendment was, on page 7, after line 11, to strike out:

To pay the contractor for dry dock No. 4, navy-yard, New York, the cost of repairs of damages to cable tower on said dry dock, caused by collision with the U. S. S. Dolphin on August 1, 1905, the sum of $922.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to insert:

To pay John H. Lohman the balance due him on account of bounty accruing by the destruction of the enemy's vessels at the battle of Santiago, July 3, 1898, he being there and then an acting gunner, whereas he was allowed and paid bounty as chief gunner's mate only, $59.20.

Mr. KEAN. That is a different kind of claim from the others; and I do not think it belongs on this bill.

Mr. SPOONER. I ask that that amendment be again stated.

Mr. KEAN. It is not printed in the copy of the bill I have.

The VICE-PRESIDENT. The Secretary will again state the amendment.

The Secretary again stated the amendment.

Mr. FULTON. I will say that it is recommended——

Mr. LODGE. These are all audited claims against the Navy Department.

Mr. BEVERIDGE. They are all right.

The amendment was agreed to.

The next amendment was, on page 9, after line 13, to insert:

To pay to the McCall-Dinning Company, of Baltimore, Md., interest due to delay in payment of freight charges for cargoes transported from the United States to Manila, P. I., in the ships Amberton, King Robert, and Floriston, including cost of cable messages and charges in collecting freight, $1,666.57.

Mr. KEAN. The amendment just read I notice is to pay interest. I call the attention of the chairman of the committee to it. I do not think we ought to pay interest.

Mr. HALE. Strike out the interest.

Mr. FULTON. Very well. Which item is it?

Mr. KEAN. The Baltimore item. I do not object to a claim, but I do not want the Government to pay interest.

Mr. FULTON. I see that is entirely an interest item.

Mr. LODGE. Let it go out.

Mr. FULTON. I have no objection to its going out.

Mr. SPOONER. Let it be disagreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Claims.

The amendment was rejected.

The next amendment of the Committee on Claims was, on page 9, after line 20, to insert:

To reimburse Capt. E. J. Dorn, United States Navy, retired, in the amount expended by him as disbursing officer at the naval station, Tutuila, in June, 1901, and checked against his account because the vouchers representing such expenditures have been lost, $483.09.

The amendment was agreed to.

The next amendment was, on page 10, after line 2, to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett, the sum of $2,062.06, in full for the balance due her husband, the said Mullett, on account of compensation and his actual expenses incurred as commissioner appointed from civil life on the navy-yard commission under the provisions of the act of August 5, 1882, making appropriations for the naval service, said balance being based upon vouchers heretofore issued and approved by the Secretary of the Navy, and now in the possession of the widow of said Mullett.

Mr. FULTON. Let the amendment be disagreed to.

The amendment was rejected.

The next amendment was, on page 10, after line 15, to insert:

That jurisdiction in equity is hereby conferred upon the circuit court of the United States for the ninth circuit to examine and determine the rights of American citizens under the award of the Paris arbitration concerning the jurisdiction of Bering Sea. That all American citizens whose rights were affected by said award may submit to the court their claims thereunder, and the court shall enter judgment thereon. Claims not submitted within two years from the passage of this act shall thereafter be forever barred.

Mr. LODGE. This amendment is not a naval matter.

Mr. FULTON. No; it is not.

Mr. LODGE. These are claims arising under the Navy Department, and they have been audited and they ought to be paid. The bill should pass; but the last amendment relates to the rights of American citizens under the award of the Paris arbitration concerning the jurisdiction of Bering Sea. It is not a matter which concerns naval affairs, and I hope the Senator will not press the amendment.

Mr. FULTON. A word about the amendment. In another form it has already passed the Senate. It does not arise under the Navy Department, but it has passed the Senate. It is a matter which in its nature is somewhat related to the Navy Department, and I think it is proper that it should be retained in the bill. The title of the bill should be amended slightly if this amendment is adopted. I hope the amendment will be agreed to.

Mr. GALLINGER. I rise to a parliamentary inquiry in connection with the bill.

The VICE-PRESIDENT. The Senator from New Hampshire rises to a parliamentary inquiry. He will state it.

Mr. GALLINGER. I have a copy of the bill as reported by the Senator from Oregon, and none of these amendments as stated by the Secretary appear in the bill.

Mr. FULTON. In the first print they were omitted.

Mr. GALLINGER. If the bill is to be loaded down by every claim that has passed the Senate, I shall have to object to its consideration.

Mr. HALE. The bill is a very important one. It was referred from the Committee on Naval Affairs, where it was first sent, upon the proposition that these claims ought all to be considered by the Committee on Claims. I am repeating what I said an hour ago; and I hope the Senator from Oregon will not load the bill and lose it here by insisting on any of these other provisions which are not strictly claims, and that he will consent to this clause, that is objected to, going out.

Mr. FULTON. I shall not insist on it.

Mr. HALE. Let it be disagreed to.

Mr. FULTON. I do not wish to endanger the passage of the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Claims.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to satisfy certain claims against the Government arising under the Navy Department, and for other purposes."

PROPOSED EXECUTIVE SESSION.

Mr. SPOONER. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Wisconsin will state his parliamentary inquiry.

Mr. SPOONER. Is there any time limit on this order of business?

The VICE-PRESIDENT. The Chair understands there is not.

Mr. SPOONER. Then I wish to give notice that at 5 o'clock I shall move an executive session.

Mr. KEAN. I will say to the Senator from Wisconsin that I was going to do the same thing at that time.

ALLEGHENY RIVER BRIDGE, IN ARMSTRONG COUNTY, PA.

The bill (H. R. 25627) to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATE OF JOSEPH HAGUE, DECEASED.

The bill (S. 5878) for the relief of Phillip Hague, administrator of the estate of Joseph Hague, deceased, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments, in line 7, after the words "sum of," to strike out "thirteen thousand seven hundred and forty-one" and insert "one thousand seven hundred and forty-two;" in line 9, after the word "cents," to strike out "for loss, pilotage, towage, demurrage, and costs by him expended to estimate repairs" and insert "in full of all claims by reason;" and in line 11 to strike out "by;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Phillip Hague, administrator of the estate of Joseph Hague, deceased, late of New York City, N. Y., out of any money in the Treasury not otherwise appropriated, the sum of $1,742.66, in full of all claims by reason of the brigantine Mary Margaret being run into by the U. S. transport steamer Belvidere in the harbor of Galveston, Tex., on September 19, 1865.

Mr. SPOONER. I wish to ask the Senator who reported the bill, if he is present, whether it is recommended by the Department?

Mr. BURKETT. Yes and no.

Mr. SPOONER. That means "no."

Mr. BURKETT. Here is the report. The bill has been worked over for a long time. It has been to the Department. The Department can not recommend it. They can not find at present the records there; but from various places we have got the records and have established beyond doubt that the ship was run into; that a Government board was called at once and ascertained the loss to be $1,500. While the bill carries $13,000, it is proposed to be amended, cutting it down to $1,700—$1,500, the amount at which the board of review adjusted the loss, and one hundred and fifty or two hundred dollars additional for some towage that the Government ordered done.

Mr. SPOONER. I desire to inquire of the Senator how the committee gets information that the Department can not afford?

Mr. BURKETT. We dug it up from other committees, and in various ways. It had been filed with committees in years gone by.

Mr. SPOONER. How long has it waited?

Mr. BURKETT. I do not know. It has been before Congress a good many years, I will say.

Mr. SPOONER. The next session will be a long one, and I *think perhaps* it had better go to the Calendar under Rule IX.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX.

MILLE LAC BAND OF CHIPPEWA INDIANS, MINNESOTA.

The bill (S. 8420) for the relief of the Mille Lac band of Chippewa Indians, in the State of Minnesota, and for other purposes, was considered as in Committee of the Whole. It confers upon the Court of Claims jurisdiction to hear and determine a suit or suits to be brought by and on behalf of the Mille Lac band of Chippewa Indians, in the State of Minnesota, against the United States on account of losses sustained by them or the Chippewas of Minnesota by reason of the opening of the Mille Lac Reservation, in the State of Minnesota, embracing about 61,000 acres of land, to public settlement under the general land laws of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JICARILLA RESERVATION.

The bill (H. R. 23650) to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported by the Committee on Indian Affairs with amendments.

The first amendment of the Committee on Indian Affairs was, in section 1, on page 2, line 7, after the word "eighty-eight," to strike out the semicolon and the words "but the merchantable timber on any allotments authorized by this act is hereby excepted from allotment to be disposed of as hereinafter provided" and to insert the following proviso:

*Provided*, That in making such allotments values shall be considered so as to make the allotments uniform in value as near as practicable. That the Secretary of the Interior may dispose of all merchantable timber on allotments herein authorized during the term these are held in trust and on the surplus lands for twenty-five years, the proceeds therefor to be expended under his direction for purposes beneficial to the individual allottees hereunder and their heirs, or for families, as he may deem best, and no part of such proceeds shall be expended for community or common benefits other than irrigation, but shall be equitably apportioned as near as may be among the Indians entitled.

The amendment was agreed to.

The next amendment was, on page 2, after line 20, to strike out section 2, as follows:

SEC. 2. That the Secretary of the Interior may dispose of all merchantable timber on allotments herein authorized during the term these are held in trust, and on the surplus lands for twenty-five years; the proceeds therefor to be expended under his direction for purposes beneficial to the individual allottees hereunder and their heirs, or for families, as he may deem best, and no part of such proceeds shall be expended for community or common benefits other than irrigation, but shall be equitably apportioned as near as may be among the Indians entitled.

The amendment was agreed to.

The next amendment was, on page 3, after line 5, to strike out section 3, as follows:

SEC. 3. That the Secretary of the Interior is hereby empowered and directed to make relinquishment for any minor, insane, incompetent, or unidentified Indian for the purpose of carrying out the provisions of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HOMER QUICK.

The bill (H. R. 22210) to correct the military record of Homer Quick was considered as in Committee of the Whole. It provides that Homer Quick shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 13th day of April, 1864.

Mr. KEAN. I think the bill ought to state what service the soldier rendered. Let the bill go over.

The VICE-PRESIDENT. It will be passed over.

Mr. KEAN. I have no objection to the bill——

Mr. BEVERIDGE. Let it go over without prejudice.

Mr. CURTIS. The junior Senator from Indiana [Mr. HEMENWAY] asked me to call attention to this bill if it came up. I understand it was drawn at the Department.

Mr. BEVERIDGE (to Mr. KEAN). I hope you will withdraw your objection to the bill.

Mr. KEAN. I have no objection to the bill, but it ought to state some service.

Mr. BEVERIDGE. It is a House bill and was drawn by the Department, as the Senator from Kansas says. I am certain of this: It was reported by my colleague from the Committee on Military Affairs, and my knowledge of him is such that I am absolutely certain no bill would be reported by him which ought not to pass here.

Mr. LODGE. The Senator from Indiana who reported the bill is not here, and I should think there would be no harm in waiting. He can undoubtedly explain it.

Mr. CURTIS. I have no objection to that course.

Mr. GALLINGER. That omission can be supplied by the report—"late captain Company K, First Missouri Volunteers."

Mr. BEVERIDGE. Let that be done now.

Mr. GALLINGER. I move that amendment.

Mr. LODGE. Add those words, and it will make it all right.

The VICE-PRESIDENT. The Senator from New Hampshire proposes an amendment, which will be stated.

The SECRETARY. After the name "Homer Quick," in line 3, it is proposed to insert "late captain Company K, First Missouri Volunteers."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GORDON, IRONSIDES & FARES COMPANY (LIMITED).

The bill (H. R. 16085) for the relief of Gordon, Ironsides & Fares Company (Limited) was considered as in Committee of the Whole. It proposes to pay the beneficiaries $7,626.08, that sum having been exacted as duties and paid to the collector of customs at Boston, covering a consignment of 602 head of cattle and 1,757 sheep shipped from Canada in bond via Boston, Mass., to Liverpool, England, and being prohibited from being so shipped by general orders from the Department of Agriculture.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISPOSITION OF CERTAIN LANDS IN NEBRASKA.

The bill (H. R. 21944) relating to the entry and disposition of certain lands in the State of Nebraska was announced as the next business in order on the Calendar.

Mr. LODGE. Let the bill go over for the present.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

Mr. KEAN subsequently said: Now, let us go back to the bill (H. R. 21944) relating to the entry and disposition of certain lands in the State of Nebraska.

The VICE-PRESIDENT. The Senator from New Jersey withdraws his objection to the consideration of the bill.

The bill was considered as in Committee of the Whole. It provides that all qualified entrymen who, during the period beginning on the 28th day of April, 1904, and ending on the 28th day of June, 1904, made homestead entry in the State of Nebraska within the area affected by an act entitled "An act to amend the homestead laws as to certain unappropriated and unreserved public lands in Nebraska," approved April 28, 1904, shall be entitled to all the benefits of that act as if their entries had been made prior or subsequent to the above-mentioned dates, subject to all existing rights.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORT CONSTITUTION, N. H.

The bill (S. 32) for the relief of the State of New Hampshire was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, on page 1, line 6, before the word "thousand," to strike out "thirty" and insert "fifteen;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the State of New Hampshire, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, in full for a certain tract of land, together with the fort thereon, ceded by said State in 1791 to the United States, and for an adjoining tract of land similarly ceded in 1807, said tracts of land forming the site of Fort Constitution, in Portsmouth Harbor, and said sum being a reasonable amount which has become due and payable to said State of New Hampshire under the provisions of the two several acts of cession aforesaid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TANANA MINES RAILROAD.

The bill (H. R. 25184) to relieve the Tanana Mines Railroad in Alaska from taxation was considered as in Committee of the Whole.

Mr. CARTER. Under the bill the period of construction can be indefinitely postponed.

Mr. BEVERIDGE. No, no, Mr. President. The period of exemption is ten years on that which is not constructed and five years on that which is constructed. I will say to the Senator that this same exemption has been made for every railroad company that has done in Alaska as these people, that has done actual work.

Mr. CARTER. I have no objection to the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLOTMENT OF INDIAN LANDS.

The bill (H. R. 25570) to amend an act approved May 8, 1906, entitled "An act to amend section 6 of the act approved February 8, 1887, entitled 'An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes,'" was announced as next in order.

Mr. CURTIS. A Senator notified me of his desire to be heard when this bill is up, and I ask that it may go to the Calendar under Rule IX.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX, at the request of the Senator from Kansas.

ISSUANCE OF BONDS IN NEW MEXICO.

The bill (H. R. 12857) to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAND DISTRICTS IN ALASKA.

The bill (H. R. 25041) to provide for the creation of additional land districts in the district of Alaska was announced as next in order.

Mr. HANSBROUGH. I observe that this bill was reported by the Committee on Territories.

Mr. BEVERIDGE. It was.

Mr. HANSBROUGH. And it provides for the creation of additional land districts in the district of Alaska?

Mr. BEVERIDGE. It does.

Mr. HANSBROUGH. I do not know that any land district has ever been created by act of Congress where the bill did not go to the Committee on Public Lands. I do not know how it came about that this bill was referred to the Committee on Territories. Clearly a subject of that kind belongs to the Committee on Public Lands. I shall be obliged to object to the consideration of the bill.

Mr. BEVERIDGE. I hope the Senator will not object. I can make a statement that I think will show the Senator the absolute necessity of this bill becoming a law. I do not know how the bill came to be referred to the Committee on Territories. I hope the Senator, on account of its having come to the Committee on Territories instead of the Committee on Public Lands, will not object to its passage. I can make a statement that will clear up the whole bill.

Mr. HANSBROUGH. Does the Senator know of any reason why the bill should have gone to the Committee on Territories instead of the Committee on Public Lands, where it undoubtedly belongs?

Mr. BEVERIDGE. I have not the slightest idea. It came in regular course; the committee found it on the calendar of its business; but I have the impression that it was before the Committee on the Territories of the House. It is a bill which has passed the House. Anyway we have gone over the facts in the case. I will say to the Senator that there was no intention of any discourtesy in the reference of the bill to the Committee on Territories. It has been given faithful attention. I would just as soon that it had gone to the Committee on Public Lands as not.

Mr. HANSBROUGH. Mr. President, I wish to make a statement. If this were the first time that bills belonging to the Committee on Public Lands had been referred to the Committee on Territories I do not know that I would make any serious objection; but on several occasions, particularly in the case of a special bill granting a charter to a railroad company in Alaska, when there is a general law for such things, the bill went to the Committee on Territories when it should have gone to the Committee on Public Lands, because it granted public lands. Any measure granting public lands should go to the Committee on Public Lands.

Mr. BEVERIDGE. I hope the Senator will not object to this bill, but let his objection be made the next time it occurs.

Mr. HANSBROUGH. I will hear the bill read before I withdraw my objection.

The VICE-PRESIDENT. The bill will be read.

The Secretary read the bill, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. CARTER. Mr. President, I have no intention of objecting to the passage of the bill, but I think it is a proper time to make a suggestion with reference to the disposition of public lands in Alaska. A habit or custom has grown up with reference to Alaska not heretofore applicable to any other Territory or district of the United States. The Committee on Territories have to do with the government of the Territories. As to Alaska the Committee on Territories has assumed jurisdiction over the public domain within the Territory or district. Rights of way for railroads, grants of coal lands, particular exemptions as to the occupancy of public lands have been heretofore assumed by the Committee on Territories. I think the practice is unfortunate and should be discontinued.

This bill is undoubtedly meritorious, and it has unquestionably received full consideration, but hereafter I think it is well to have it understood that the public lands of the United States, in so far as this body is concerned, shall be dealt with by the committee created under the rules to deal with that particular subject, and that bills relating to Alaska having to do with the disposition of public lands will be referred to the committee of the Senate having direct jurisdiction over the subject-matter.

Mr. BEVERIDGE. Mr. President, lest my silence should give assent to the arrangement suggested by the Senator from Montana, I must say that I can not agree with him, nor can the Committee on Territories, as to the future disposition of bills. But of course it is better to go into the question of what committee shall have jurisdiction of a bill when the question arises in the future upon a bill concerning these various subjects. At such a time when the question is to be determined the Committee on Territories will endeavor to justify its jurisdiction. This bill is up and it ought to pass. I could make a statement regarding it which would clear it up in anybody's mind.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had

passed the bill (S. 8377) to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 10574. An act granting a pension to Edward W. Hoban;

H. R. 19589. An act granting a pension to Aaron Davis;

H. R. 21721. An act granting a pension to John R. Kissinger;

H. R. 25005. An act granting an increase of pension to Emeline H. Hardie; and

H. R. 25440. An act granting an increase of pension to Catharine Lipes.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals; and

H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

HOUSE BILLS REFERRED.

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls, was read twice by its title, and referred to the Committee on Military Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above near the village of Clearwater, Wright County, Minn.," approved June 14, 1906;

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn." approved June 14, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals; and

H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

MONONGAHELA RIVER BRIDGE AT PITTSBURG.

The bill (H. R. 25691) to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXTENSION OF ALBEMARLE STREET.

The bill (H. R. 23940) for the extension of Albemarle street NW., District of Columbia, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF STATEHOOD ACT.

The bill (S. 8498) to amend sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, and for other purposes, was announced as next in order.

Mr. LODGE. Let the bill go over.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

Mr. LONG. This is a very important bill. There can be no possible objection to it. I hope the Senator from Massachusetts will not insist upon its going over. It corrects an error made in the statehood act.

Mr. LODGE. I withdraw the objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Territories with an amendment, in section 4, page 6, line 21, before the word "thousand," to strike out "five" and insert "four;" so as to make the section read:

SEC. 4. That the United States marshals and the United States district attorneys for the eastern and western districts of the State of Oklahoma shall each be paid, in lieu of all fees, per centums, and other compensation an annual salary of $4,000.

Mr. LONG. I move to strike out section 4 of the bill.

The motion was agreed to.

The VICE-PRESIDENT. Section 5 will be renumbered so as to read section 4.

Mr. BACON. I wish to suggest a slight amendment that I think the Senator from Kansas will accept. I think the words "in such cases and" ought to be put in by way of amendment on the fourth page, at the beginning of the second line. The clause has reference to review by the Supreme Court of the United States, or by the United States circuit court of appeals, and simply makes provision for review in a certain manner. I think the words "in such cases and" ought to be inserted after the word "appeals," at the end of the first line, on page 4; so as to read:

All final judgments and decrees rendered in such circuit and district courts is such transferred cases may be reviewed by the Supreme Court of the United States, or by the United States circuit court of appeals, in such cases and in the same manner as is now provided by law with reference to the judgments and decrees of the existing United States circuit and district courts.

Mr. LODGE. I have no objection to that amendment.

The VICE-PRESIDENT. The Senator from Georgia proposes an amendment, which will be stated.

The SECRETARY. On page 4, line 1, after the word "appeals," at the end of the line, insert "in such cases and."

The amendment was agreed to.

Mr BACON subsequently said: Mr. President, I move to reconsider the vote by which Senate bill 8498 was passed, so that I may correct the phraseology of an amendment. It will take but a moment.

Mr. GALLINGER. What is the order of business?

Mr. BACON. It is one of the bills we have just passed. I simply want to correct the phraseology of an amendment.

Mr. BEVERIDGE. I have no objection, if that is the purpose of the motion.

Mr. BACON. It is simply to insert the word "the" for the word "such."

The VICE-PRESIDENT. The Senator from Georgia moves to reconsider the vote by which Senate bill 8498 was ordered to be engrossed for a third reading, read the third time, and passed.

The motion to reconsider was agreed to.

The VICE-PRESIDENT. The bill is in the Senate and open to amendment.

Mr. BACON. I wish to amend the amendment on page 4, in line 1——

The VICE-PRESIDENT. In the absence of objection, the amendment will be considered as open to amendment.

Mr. BACON. In the amendment heretofore offered by me, on page 4, line 1, before the word "cases," I move to strike out the word "such" and insert the word "the;" so that the amendment will read "in the cases and" instead of "in such cases and."

Mr. BEVERIDGE. That is acceptable.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF MONROE STREET NE.

The bill (H. R. 10703) authorizing the extension of Monroe street NE. was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in section 2, page 2, line 12, after the word "extension," to insert the following proviso:

*Provided also, however,* That the associated professors of St. Mary's Seminary, of Baltimore, Md., on account of their dedication by contract heretofore of 9,000 feet of adjacent land for the extension of Seventh street, are not to be assessed for said benefits.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

Mr. BEVERIDGE. I hope the Senator will withhold that motion.

Mr. HANSBROUGH. I ask the Senator from Rhode Island to yield to me for a moment.

Mr. ALDRICH. I will yield to the Senator from North Dakota to make a request.

PUBLIC LANDS FOR CEMETERY PURPOSES.

Mr. HANSBROUGH. I ask the Chair to lay before the Senate the amendments of the House to Senate bill 6229.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 6229) to authorize the sale of public lands for cemetery purposes; which were, on page 1, line 4, to strike out "municipal corporation;" on page 1, line 8, to strike out "forty" and insert "eighty;" and on page 1, line 12, after "acre," to insert:

*Provided,* That title to any land disposed of under the provisions of this act shall revert to the United States should the land or any part thereof be sold or cease to be used for the purpose herein provided.

Mr. HANSBROUGH. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

Mr. KNOX. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Pennsylvania?

Mr. SPOONER. I hope the Senator from Rhode Island will withhold his motion for fifteen minutes.

Mr. BEVERIDGE. Make it twenty minutes.

Mr. PATTERSON. There are only a few more bills left on the Calendar under Rule VIII.

Mr. SPOONER. Let us get through with the Calendar.

Mr. ALDRICH. I will, at the solicitation of Senators, withhold the motion.

The VICE-PRESIDENT. The Senate is still operating under the unanimous-consent agreement.

Mr. GALLINGER. Regular order!

REFUND OF INTERNAL-REVENUE TAX.

The bill (H. R. 5) to provide for the refunding of certain money, etc., was considered as in Committee of the Whole. It proposes to refund to the Phœnix Brewing Company, of Pittsburg, $1,575, and to the Ober Brothers Brewing Company, of Allegheny, $225, these amounts having been illegally assessed by the Commissioner of Internal Revenue and collected by the collector of internal revenue for the twenty-third district of Pennsylvania in the year 1898, and the same being 7½ per cent discount upon the amounts of fermented-liquor stamps purchased by these corporations, respectively, upon the 24th day of July, 1897, such assessment and collection having been decided to be illegal by the Attorney-General of the United States, and his decision having been acquiesced in by the Treasury Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. SCHROYER.

The bill (H. R. 16581) for the relief of George W. Schroyer was considered as in Committee of the Whole. It proposes to pay to George W. Schroyer, of Lancaster, Pa., $102.30, being duty paid on certain bulbs which when received were found to be damaged and worthless.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

W. D. CLAY AND OTHERS.

The bill (S. 8542) to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments, in line 8, before the word "unappropriated," to insert "nontimbered;" and in the same line, after the word "lands," to insert "in the State of Alabama;" so as to make the bill read:

*Be it enacted, etc.,* That William D. Clay, James W. Clay, and Maggie Click, heirs of James W. Clay, deceased, be, and they are hereby, authorized to select in lieu of lands heretofore erroneously patented by the Government to their father, James W. Clay, and lost by said heirs, any other 80 acres of nonmineral, nontimbered, unappropriated surveyed public lands in the State of Alabama subject to homestead entry: *Provided,* That before making such selection they shall deliver to the Secretary of the Interior a duly executed and recorded quitclaim deed to the United States, conveying only such right and title as the said James W. Clay, deceased, acquired to the east half of the northwest quarter of section 16, township 6 south, range 3 east, in Alabama, by virtue of a patent issued to him for the said lands on the 2d day of April, 1857, and surrendering such patent to the Secretary of the Interior if in their possession, or filing with him an affidavit that they are unable to procure said patent, if such is the case, and shall file an abstract and affidavit showing that they, or James W. Clay, the patentee, have never conveyed to anyone the title derived from said patent: *Provided further,* That the right of selection of lieu lands provided for above shall be exercised within five years from the approval of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS ADJOINING COEUR D'ALENE INDIAN RESERVATION.

The bill (H. R. 24374) to fix the boundaries of lands of certain landowners and entrymen adjoining the Coeur d'Alene Indian Reservation was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FOUNDATION FOR PROMOTION OF INDUSTRIAL PEACE.

The bill (S. 8303) to establish the Foundation for the Promotion of Industrial Peace was announced as next in order.

Mr. BEVERIDGE. Let that bill be passed over without prejudice, Mr. President.

Mr. LODGE. I trust the Senator will allow the bill to pass. There can be no possible objection to it. It establishes trustees who are to receive from the President the Nobel prize for the foundation of a society for the promotion of industrial peace.

Mr. BEVERIDGE. I understand the bill, and I am for it, and if the Senator insists, I will withdraw my objection. The only reason I made the request that it should go to the Calendar without prejudice was to save time. I withdraw the objection.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. The preamble recites that whereas Alfred Bernard Nobel, of the city of Stockholm, in the Kingdom of Sweden, having by his last will and testament provided that the residue of his estate shall constitute a fund the income from which shall be annually awarded in prizes to those persons who have during the year contributed most materially to benefit mankind, and having further provided that one share of said income shall be awarded to the person who shall have most or best promoted the fraternity of nations and the abolishment or diminution of standing armies and the formation and increase of peace congresses; and the Norwegian Parliament having, under the terms of said foundation, elected a committee for the distribution of the peace prize, and this committee having in the year 1906 awarded the aforesaid prize to Theodore Roosevelt, President of the United States, for his services in behalf of the peace of the world; and the President desiring that this award shall form the nucleus of a fund the income of which shall be expended for bringing together in conference at the city of Washington, especially during the sessions of Congress, representatives of labor and capital for the purpose of discussing industrial problems, with the view of arriving at a better understanding between employers and employees, and thus promoting industrial peace; therefore the bill provides that the Chief Justice of the United States, the Secretary of Agriculture, and the Secretary of Commerce and Labor, and their successors in office, together with a representative of labor and a representative of capital and two persons to represent the general public be appointed by the President of the United States and created trustees of an establishment by the name of the Foundation for the Promotion of Industrial Peace, with authority to receive the Nobel peace prize awarded to the President and by him devoted to this foundation, and to administer it in accordance with the purposes herein defined. Any vacancies occurring in the number of trustees shall be filled in like manner by appointment by the President of the United States, etc.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

CENTRAL COLORADO POWER COMPANY.

The bill (H. R. 24118) granting to the Central Colorado Power Company a right of way over certain public lands, for irrigation and electric power plants, in the State of Colorado was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SURETIES OF WILLIAM H. GOWDY.

The bill (H. R. 4629) for the relief of William H. Gowdy was considered as in Committee of the Whole. Section 1 proposes that Alfred S. Andrew, Leander H. Gowdy, G. Morrison Taylor, C. C. Engleman, Jacob C. McCoy, Orlander F. Ralston, L. W. Ralston, J. R. McKinnie, Henry Chatillon, James M. Parker, F. B. Wortman, Alphonse F. Perrier, and M. A. Dickinson, sureties of William H. Gowdy, late postmaster at Fremont, Moreland, Fremont, and Cripplecreek, Colo., respectively, by bonds to the United States dated August 7, 1891; December 19, 1891; March 10, 1892, and July 8, 1892, be released from their liability arising from any deficiency that may have occurred in the accounts of William H. Gowdy as postmaster during the term covered by the transcripts of accounts from the Treasury Department and from any judgment which may have been obtained thereon in favor of the United States; and it authorizes the proper officer of the Treasury to direct the cancellation and satisfaction of any and all judgments that may have been rendered against William H. Gowdy and the sureties aforesaid upon said bonds or any of them.

Section 2 directs the Secretary of the Treasury to pay to William H. Gowdy $1,500, that being the amount advanced and disbursed by him while acting as postmaster and being absolutely necessary in performing his duties as postmaster.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALASKAN MINING CLAIMS.

The bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska was considered as in Committee of the Whole.

The bill had been reported from the Committee on Territories with amendments. The first amendment was, in section 1, page 1, line 4, before the word "dollars," to strike out "seventy-five" and insert "one hundred;" in line 7, after the word "located," to strike out "and in addition thereto the locator or owner of each such claim shall perform $25 worth of work upon highways, roads, or trails within the recording division or district in which such claim shall be situate, or, in lieu of such work upon highways, roads, or trails, the sum of $25 may be paid to the recorder for such division or district, who shall give a receipt therefor and enter such payment upon a record of affidavits of annual work done on mining claims; and in case work of the value aforesaid shall be performed upon such highways, roads, or trails as aforesaid the affidavit of the locator or owner of such claim, or of some other person having knowledge of the facts, showing the performance thereof and specifying the highway, road, or trail and the character and extent of such work done thereon, shall be made and filed with said recorder and be recorded by him in his said record, and such affidavit when so made and filed shall be prima facie evidence of the performance of such work;" on page 2, line 13, after the word "And," to strike out "in like manner;" in line 14, after the word "claim," to insert "or some other person having knowledge of the facts;" in line 15, after the word "recorder," to insert "of the district in which the claims shall be situate;" in line 18, before the word "dollars," to strike out "seventy-five" and insert "one hundred;" in line 19, after the word "work," to strike out "and such;" after line 19 to insert "Such affidavit shall set forth the following: First, the name or number of the mining claims and where situated; second, the number of days' work done and the character and value of the improvements placed thereon; third, the date of the performance of such labor and of making improvements; fourth, at whose instance the work was done or the improvements made; fifth, the actual amount paid for work and improvement, and by whom paid when the same was not done by the owner. Such;" on page 3, line 14, after the word "of," to strike out "section" and insert "sections;" and in line 15, after the word "ninety-two," to insert "and 5393;" so as to make the section read:

That during each year and until patent has been issued therefor, at least $100 worth of labor shall be performed or improvements made on, or for the benefit or development of, in accordance with existing law, each mining claim in the district of Alaska heretofore or hereafter located. And the locator or owner of such claim or some other person having knowledge of the facts shall also make and file with the said recorder of the district in which the claims shall be situate an affidavit showing the performance of labor or making of improvements to the amount of $100, as aforesaid, and specifying the character and extent of such work. Such affidavit shall set forth the following: First, the name or number of the mining claims and where situated; second, the number of days' work done and the character and value of the improvements placed thereon; third, the date of the performance of such labor and of making improvements; fourth, at whose instance the work was done or the improvements made; fifth, the actual amount paid for work and improvement, and by whom paid when the same was not done by the owner. Such affidavit shall be prima facie evidence of the performance of such work or making of such improvements, but if such affidavits be not filed within the time fixed by this act the burden of proof shall be upon the claimant to establish the performance of such annual work and improvements. And upon failure of the locator or owner of any such claim to comply with the provisions of this act, as to performance of work and improvements, such claim shall become forfeited and open to location by others as if no location of the same had ever been made. The affidavits required hereby may be made before any officer authorized to administer oaths, and the provisions of sections 5392 and 5393 of the Revised Statutes are hereby extended to such affidavits. Said affidavits shall be filed not later than thirty days after the close of the year in which such work is performed.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 20, after the word "shall," to strike out "each give bond in such amount as the Secretary of the Treasury may require and in such form as the Attorney-General may approve, and shall account to the Secretary of the Treasury for all moneys received by them under the provisions of this act; and all such moneys shall, under the direction and control of the road commissioners of Alaska, be expended within the mining district where collected in the opening and improvement of highways, roads, and trails in Alaska," and to insert "collect the sum of $2.50 as a fee for the filing, recording, and indexing said annual proofs of work and improvements for each claim so recorded;" so as to make the section read:

SEC. 2. That the recorders for the several divisions or districts of Alaska shall collect the sum of $2.50 as a fee for the filing, recording, and indexing said annual proofs of work and improvements for each claim so recorded.

Mr. CARTER. In section 2, page 4, line 3, after the words "sum of," I move to amend the amendment of the committee by striking out "two dollars" and inserting "one dollar."

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana will be stated.

The SECRETARY. On page 4, line 3, in the committee amendment, after the words "sum of," it is proposed to strike out "two dollars" and insert "one dollar;" so as to read:

Collect the sum of $1.50 as a fee for the filing, recording, and indexing said annual proofs of work and improvements for each claim so recorded.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HEYBURN. On page 3, line 17, I move to amend by striking out the word "thirty," before the word "days," and inserting "ninety."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend, in section 1, on page 3, line 17, before the word "days," by striking out the word "thirty" and inserting "ninety."

Mr. BEVERIDGE. I accept the amendment.

Mr. PATTERSON. How will the text then read?

The SECRETARY. So that the amendment will read:

Sections 5392 and 5393 of the Revised Statutes are hereby extended to such affidavits. Said affidavits shall be filed not later than ninety days after the close of the year in which such work is performed.

The amendment was agreed to.

Mr. CARTER. In section 1, on line 15, page 2, I move to strike out the word "shall" and insert in lieu thereof the word "may."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 1, on page 2, line 15, before the word "also," it is proposed to strike out the word "shall" and to insert "may;" so as to read:

May also make and file with the said recorder.

Mr. BEVERIDGE. That is acceptable.

The amendment was agreed to.

Mr. CARTER. After the word "improvements," in line 4, on page 3, I move to strike out all down to and including the word "improvements," in line 7.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 1, on page 3, line 4, after the word "improvements," it is proposed to strike out the following words:

But if such affidavits be not filed within the time fixed by this act the burden of proof shall be upon the claimant to establish the performance of such annual work and improvements.

Mr. CARTER. That, Mr. President, proposes to establish a new rule of evidence, which, I take it, we do not desire to do.

The amendment was agreed to.

Mr. SPOONER. I think the bill ought to go over without prejudice.

Mr. BEVERIDGE. May I interrupt the Senator for just a moment?

Mr. SPOONER. Yes.

The VICE-PRESIDENT. Is objection made to the further consideration of the bill?

Mr. SPOONER. No.

Mr. BEVERIDGE. I think in the shape it is now the bill is acceptable to everybody, and the necessity of the bill is very great.

Mr. SPOONER. I do not want to kill the bill, but I thought it would be a good thing to have it printed as it has been amended, and then it can be taken up in the morning.

Mr. BEVERIDGE. I think that every Senator has submitted all the amendments he desires to offer, and the Senators who offered the amendments are mining lawyers.

Mr. CLAPP. I would suggest, these amendments having been put on the bill with so much rapidity, that it would be well to have the bill printed as it has been amended, so that it will be in such form that the Senate can understand it as it has been amended.

Mr. BEVERIDGE. Of course, if the Senator insists on that, the bill will have to go over.

Mr. CLAPP. No; I will not insist on it.

Mr. CARTER. Mr. President, the bill is undoubtedly a very meritorious one, but I think the construction of it again demonstrates the necessity of referring bills to the appropriate committees of the Senate. The Committee on Mines and Mining has been created by the rules of this Senate for the consideration of mining questions; and the bill as proposed makes it absolutely mandatory for these affidavits to be filed, when clearly it should be made permissive. I think hereafter all bills relating to Alaska should be referred to the committees of the Senate having jurisdiction over the subject-matter involved. There is no objection, however, I think, to the proposed bill becoming a law.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

OPENING OF MILLS AVENUE NE.

The bill (H. R. 9326) for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE T. LARKIN.

The bill (H. R. 12188) for the relief of George T. Larkin was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to George T. Larkin, late deputy United States marshal, eastern district of Tennessee, for expenses incurred in his defense for killing in self-defense a citizen of that State while resisting arrest, and in full compensation of all claims on account thereof, $692.55.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. GEORGE VAN ORDEN.

The bill (S. 3425) for the relief of Capt. George Van Orden United States Marine Corps, was considered as in Committee of the Whole.

The bill was reported from the Committee on Naval Affairs with an amendment, on page 1, line 11, after the word "by," to strike out "Corpl. Charles B. Chase, United States Marine Corps;" so as to make the bill read:

*Be it enacted, etc.*, That the sum of $291.37 be, and it is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and placed to the credit of Capt. (formerly First Lieut.) George Van Orden, United States Marine Corps, in the final settlement of his accounts as acting commissary of subsistence, United States Army, island of Guam, by the Auditor for the War Department, in lieu of Government funds to the same amount which were stolen and embezzled by a clerk in the office of the commissary of subsistence, island of Guam, in the year 1901, on account of the theft of which sum the accounts of the said Capt. (formerly First Lieut.) George Van Orden, United States Marine Corps, are now suspended in the office of the Auditor for the War Department.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANKLIN PATTERSON.

The bill (H. R. 3462) for the relief of Franklin Patterson was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Franklin Patterson, of Atlantic Highlands, N. J., $1,148, in full satisfaction of all claim against the United States under a certain attachment issued on the 4th of September, 1891, out of the inferior court of common pleas of the county of Monmouth, N. J., etc.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN ALLEN.

The bill (H. R. 13122) to correct the military record of John Allen was considered as in Committee of the Whole. It authorizes the Secretary of War to revoke the dishonorable discharge which was issued in the case of Private John Allen, Company I, Thirty-second Infantry, United States Volunteers, and, if in his judgment the circumstances attending the separation of Allen from the military service warrant it, to issue an honorable discharge as of the date of his actual separation from the military service.

Mr. OVERMAN. On page 1, line 9, after the word "service," I move to insert:

*Provided*, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DENATURED ALCOHOL.

The bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, was announced as next in order.

Mr. KEAN. Let that bill go over, Mr. President, not that I have any objection to it, but it may require discussion.

The VICE-PRESIDENT. The bill will be passed over.

HARBISON-WALKER COMPANY, OF PITTSBURG.

The bill (H. R. 8) for the relief of the Harbison-Walker Company, of Pittsburg, Pa., was considered as in Committee of the Whole. It directs the Secretary of the Treasury (notwithstanding any statutory bar of limitation, and notwithstanding the requirements of the statutes as to payment under protest) to reopen and reconsider all claims of W. N. Reardon, of New York City, N. Y., or the Harbison-Walker Company, of Pittsburg, Pa., for the refunding to them or either of them, as their interest may appear, $1,820, alleged to have been improperly or illegally collected in the year 1901 by the collector of the port of New York, as assessed by the appraiser of the port of New York, and paid without protest by one or both of the above-named parties as duties upon five importations of magnesite, namely: Entry No. 35982, paid May 14, 1901, $1,315.40; entry No. 54764, paid May 14, 1901, $99; entry No. 45293, paid May 14, 1901, $131.60; entry No. 67884, paid June 1, 1901, $100; entry No. 83599, paid October 7, 1901, $174; total, $1,820; and it directs the Secretary of the Treasury to pay such amounts, not exceeding in the aggregate $1,820, as shall be shown to have been improperly or illegally collected as duties as aforesaid.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIMIT OF COST OF CERTAIN PUBLIC BUILDINGS.

The bill (H. R. 25758) amending an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MONONGAHELA RIVER BRIDGE, PENNSYLVANIA.

Mr. KNOX. I move that the Committee on Commerce be discharged from the further consideration of the bill (H. R. 25769) to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906.

The motion was agreed to.

Mr. KNOX. I now ask unanimous consent——

Mr. SPOONER. I inquire how near are we to the end of the Calendar?

Mr. GALLINGER. We have completed it.

Mr. KEAN. The Senator from Pennsylvania desires to have a bridge bill passed.

Mr. KNOX. I ask unanimous consent for the present consideration of the bill (H. R. 25769) to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXPATRIATION OF CITIZENS AND THEIR PROTECTION ABROAD.

Mr. BACON. I am instructed by the Committee on Foreign Relations, to whom was referred the bill (H. R. 24122) in reference to the expatriation of citizens and their protection abroad, to report it favorably with certain amendments. As it is a very important matter, I ask the Senate to consent to its immediate consideration.

Mr. CULLOM. I hope the bill will be taken up and disposed of right now.

Mr. KEAN. It is a brief bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with amendments.

The first amendment of the Committee on Foreign Relations was, in section 1, on page 1, line 3 after the word "authorized," to insert "in his discretion;" so as to read:

That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows.

The amendment was agreed to.

The next amendment was, at the top of page 2, to strike out section 2, as follows:

SEC. 2. That the Secretary of State may issue, under such regulations as the President may prescribe, certificates of nativity to native-born American residents, setting forth the place and date of birth and place of permanent residence in the United States.

The amendment was agreed to.

The next amendment was, in section 3, on page 2, line 10, after the word "resided," to insert "for two years in the foreign state from which he came, or;" in line 11, after the word "years," to strike out "continuously;" in the same line, before the word "foreign," to strike out the article "a" and insert "any other;" in line 12, after the word "citizen," to strike out the colon and insert a semicolon and insert "and the place of his general abode shall be deemed his place of residence during said years;" so as to read:

When any naturalized citizen shall have resided for two years in the foreign state from which he came or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years.

The amendment was agreed to.

Mr. CARTER. I desire to inquire of the Senator from Georgia if this bill proposes to authorize the issuance of a passport to a person who is not a citizen of the United States?

Mr. BACON. I will state that in a qualified sense that is true. It authorizes the issuance of passports to persons who have declared their intention and after a limited number of years and before they have received their final papers; but it expressly provides that the passport shall not be good as to the country of which that person is still a subject or of which he is still a citizen. In other words, it is simply a passport in other countries than the country from which he came and to which he owes allegiance.

Mr. CARTER. In addition to the declaration, a period of residence in this country is required?

Mr. BACON. Three years, I believe it is.

Mr. CARTER. I will inquire what the period is?

Mr. SPOONER. Three years.

Mr. BACON. Three years and a declaration of intention.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

UNITED STATES COURT FOR CHINA.

Mr. SPOONER. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 8409) to amend an act approved June 30, 1906, entitled "An act creating a United States court for China and prescribing the jurisdiction thereof," to report it favorably with amendments, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

The first amendment was, on page 2, after line 22, to strike out section 14 and in lieu thereof to insert:

SEC. 14. That members of the bar of the Supreme Court of the United States, or of any other Federal court, and members of the highest court of any State or Territory shall be admitted to practice before said court upon presentation of a certificate of admission to the bar of any said courts and upon satisfactory proof of good moral and professional character.

The amendment was agreed to.

The next amendment was to strike out section 15.

The amendment was agreed to.

Mr. SPOONER. On page 2, section 12, line 15, I move to strike out the word "findings" and insert the word "conclusions;" so as to read "conclusions of law."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COPIAH COUNTY, MISS.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. McLAURIN. Will the Senator from Illinois yield to me to report a bill, which is very short, and to ask unanimous consent for its present consideration?

Mr. CULLOM. We will have all day to-morrow for the passage of bills.

Mr. McLAURIN. This is a short bill.

Mr. CULLOM. We have cleared the Calendar.

Mr. McLAURIN. It will take but a moment.

Mr. CULLOM. Very well; I withdraw the motion.

Mr. McLAURIN. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 3518) for the relief of Copiah County, Miss., to report it favorably without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the board of supervisors of Copiah County, Miss., $164.50, in full compensation for costs incurred in defending the suit of The United States against The Board of Supervisors of Copiah County and The Virginia Bridge and Iron Company in the circuit court of the United States for the southern district of Mississippi, at May term, 1899, held at Jackson, Miss.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, February 28, 1907, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate February 27, 1907.*

UNITED STATES ATTORNEYS.

Milton C. Elstner, of Louisiana, to be United States attorney for the western district of Louisiana. A reappointment, his term having expired on February 17, 1907.

Benjamin M. Ausherman, of Wyoming, to be United States attorney for the district of Wyoming, vice Timothy F. Burke, whose term expired January 19, 1907.

EXECUTIVE COUNCIL OF PORTO RICO.

Francisco de Paula Acuña, of Porto Rico, to be a member of the executive council of Porto Rico for a term of four years, vice Andres Crosas, resigned.

APPRAISER OF MERCHANDISE.

Charles K. Lexow, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, in place of Louis M. Martin, who declined the office. Office created by act of Congress approved February 1, 1907.

UNITED STATES DISTRICT JUDGES.

David Patterson Dyer, of Missouri, to be United States district judge for the eastern district of Missouri, in the place of Gustavus A. Finkelnburg, who has resigned, to take effect April 1, 1907.

Thomas C. Munger, of Nebraska, to be additional United States district judge for the district of Nebraska, as provided by the act approved February 27, 1907.

UNITED STATES MARSHALS.

Louis G. Davis, of Wyoming, to be United States marshal for the district of Wyoming, vice Frank A. Hadsell, whose term expired January 19, 1907.

J. Duncan Adams, of South Carolina, to be United States marshal for the district of South Carolina. A reappointment, his term having expired on January 19, 1907.

POSTMASTERS.

ARKANSAS.

Eva V. Moss to be postmaster at Earl, in the county of Crittenden and State of Arkansas, in place of Eva V. Harrington, to change name.

CALIFORNIA.

George D. Cunningham to be postmaster at Riverside, in the county of Riverside and State of California, in place of George D. Cunningham. Incumbent's commission expired February 26, 1907.

William A. Price to be postmaster at Redwood City, in the county of San Mateo and State of California, in place of George W. Lovie, resigned.

Linn L. Shaw to be postmaster at Santa Ana, in the county of Orange and State of California, in place of Linn L. Shaw. Incumbent's commission expired December 10, 1906.

COLORADO.

Augusta Reardon to be postmaster at Victor, in the county of Teller and State of Colorado, in place of Frank M. Reardon, deceased.

CONNECTICUT.

Alfred W. Converse to be postmaster at Windsor Locks, in the county of Hartford and State of Connecticut, in place of Alfred W. Converse. Incumbent's commission expired January 26, 1907.

ILLINOIS.

Frank L. Carroll to be postmaster at Manito, in the county of Mason and State of Illinois. Office became Presidential July 1, 1906.

George F. Jordan to be postmaster at Carlinville, in the county of Macoupin and State of Illinois, in place of George J. Castle. Incumbent's commission expired May 21, 1906.

J. C. Utterback to be postmaster at Salem, in the county of Marion and State of Illinois, in place of John P. Williams. Incumbent's commission expires March 3, 1907.

INDIANA.

Enos Coffin to be postmaster at Carthage, in the county of Rush and State of Indiana, in place of William L. Walker. Incumbent's commission expired February 3, 1907.

IOWA.

Lyman H. Henry to be postmaster at Charles City, in the county of Floyd and State of Iowa, in place of Lyman H. Henry. Incumbent's commission expired February 19, 1907.

Henry C. Hill to be postmaster at Milton, in the county of Van Buren and State of Iowa, in place of Henry C. Hill. Incumbent's commission expired January 29, 1907.

KANSAS.

Israel I. Diesem to be postmaster at Garden City, in the county of Finney and State of Kansas, in place of Joseph C. Kitchen. Incumbent's commission expired February 24, 1907.

MICHIGAN.

Peter Johnson to be postmaster at Thompsonville, in the county of Benzie and State of Michigan, in place of Isaac J. Quick. Incumbent's commission expired January 20, 1906.

MINNESOTA.

Samuel D. Peterson to be postmaster at New Ulm, in the county of Brown and State of Minnesota, in place of Lewis B. Krook. Incumbent's commission expired April 5, 1906.

George W. Rowell to be postmaster at North Branch, in the county of Chisago and State of Minnesota, in place of George W. Rowell. Incumbent's commission expired January 23, 1907.

MISSISSIPPI.

John C. Clifton to be postmaster at Senatobia, in the county of Tate and State of Mississippi, in place of John C. Clifton. Incumbent's commission expires March 2, 1907.

William G. Edwards to be postmaster at Enterprise, in the county of Clarke and State of Mississippi. Office became Presidential January 1, 1907.

Nevan C. Hathorn to be postmaster at Columbia, in the county of Marion and State of Mississippi, in place of Nevan C. Hathorn. Incumbent's commission expired February 9, 1907.

Lewis M. Joyner to be postmaster at Agricultural College, in the county of Oktibbeha and State of Mississippi. Office became Presidential January 1, 1907.

James R. S. Pitts to be postmaster at Waynesboro, in the county of Wayne and State of Mississippi. Office became Presidential October 1, 1906.

NEBRASKA.

Carelius K. Olson to be postmaster at Newman Grove, in the county of Madison and State of Nebraska, in place of Carelius K. Olson. Incumbent's commission expires March 10, 1907.

NEW YORK.

Gilmore O. Bush to be postmaster at Tuxedo Park, in the county of Orange and State of New York, in place of Gilmore O. Bush. Incumbent's commission expired February 12, 1907.

John K. Grant to be postmaster at Stamford, in the county of Delaware and State of New York, in place of John K. Grant. Incumbent's commission expires March 3, 1907.

James H. Hitt to be postmaster at Margaretville, in the county of Delaware and State of New York, in place of James H. Hitt. Incumbent's commission expired December 20, 1906.

Frank Stowell to be postmaster at Mayville, in the county of Chautauqua and State of New York, in place of Edward C. Fisk. Incumbent's commission expired February 12, 1907.

Daniel F. Strobel to be postmaster at Herkimer, in the county of Herkimer and State of New York, in place of Charles S. Munger. Incumbent's commission expired February 4, 1907.

NORTH CAROLINA.

S. M. Hambrick to be postmaster at Hickory, in the county of Catawba and State of North Carolina, in place of Columbus F. Blalock. Incumbent's commission expired January 13, 1907.

Charles A. Jonas to be postmaster at Lincolnton, in the county of Lincoln and State of North Carolina, in place of Franklin A. Barkley, removed.

J. Walter Jones to be postmaster at North Wilkesboro, in the county of Wilkes and State of North Carolina, in place of J. Walter Jones. Incumbent's commission expires March 3, 1907.

Isaac M. Meekins to be postmaster at Elizabeth City, in the county of Pasquotank and State of North Carolina, in place of Isaac M. Meekins. Incumbent's commission expired February 3, 1907.

Frank Roberts to be postmaster at Marshall, in the county of Madison and State of North Carolina. Office became Presidential January 1, 1907.

NORTH DAKOTA.

Agatha G. Patterson to be postmaster at Bismarck, in the county of Burleigh and State of North Dakota, in place of Agatha G. Patterson. Incumbent's commission expired February 12, 1907.

OHIO.

Charles R. Austin to be postmaster at Byesville, in the county of Guernsey and State of Ohio, in place of David S. Burt. Incumbent's commission expired April 18, 1906.

Seward L. Bowman to be postmaster at Lorain, in the county of Lorain and State of Ohio, in place of Seward L. Bowman. Incumbent's commission expired February 19, 1907.

Wilbert C. Davis to be postmaster at Wapakoneta, in the county of Auglaize and State of Ohio, in place of Wilbert C. Davis. Incumbent's commission expired June 30, 1906.

W. E. Halley to be postmaster at Greenville, in the county of Darke and State of Ohio, in place of Alonzo L. Jones. Incumbent's commission expired June 30, 1906.

Robert V. Jones to be postmaster at Sidney, in the county of Shelby and State of Ohio, in place of Robert V. Jones. Incumbent's commission expired June 30, 1906.

Charles A. McKim to be postmaster at Celina, in the county of Mercer and State of Ohio, in place of Charles A. McKim. Incumbent's commission expired May 16, 1906.

William T. Orton to be postmaster at West Unity, in the county of Williams and State of Ohio, in place of William T. Orton. Incumbent's commission expires March 3, 1907.

Akin M. Richards to be postmaster at Hicksville, in the county of Defiance and State of Ohio, in place of Akin M. Richards. Incumbent's commission expires March 3, 1907.

Henry S. Winsper to be postmaster at East Palestine, in the county of Columbiana and State of Ohio, in place of George B. Alaback. Incumbent's commission expires March 3, 1907.

OKLAHOMA.

John H. Asbury to be postmaster at Lexington, in the county of Cleveland and Territory of Oklahoma, in place of John H. Asbury. Incumbent's commission expired February 3, 1907.

OREGON.

Charles J. Howard to be postmaster at Cottage Grove, in the county of Lane and State of Oregon, in place of George W. McQueen, resigned.

PENNSYLVANIA.

Edward B. Farr to be postmaster at Tunkhannock, in the county of Wyoming and State of Pennsylvania, in place of George S. Baldwin. Incumbent's commission expired February 5, 1907.

Thomas H. Harter to be postmaster at Bellefonte, in the county of Center and State of Pennsylvania, in place of Windle W. Montgomery. Incumbent's commission expires March 2, 1907.

Edwin F. Luckenbach to be postmaster at Mauch Chunk, in the county of Carbon and State of Pennsylvania, in place of Edwin F. Luckenbach. Incumbent's commission expires March 11, 1907.

SOUTH CAROLINA.

Charles J. Shannon to be postmaster at Camden, in the county of Kershaw and State of South Carolina, in place of Charles J. Shannon. Incumbent's commission expired December 17, 1906.

SOUTH DAKOTA.

James B. Barber to be postmaster at Rapid City, in the county of Pennington and State of South Dakota, in place of James B. Barber. Incumbent's commission expired January 26, 1907.

George H. Few to be postmaster at Flandreau, in the county of Moody and State of South Dakota, in place of George H. Few. Incumbent's commission expired February 19, 1907.

Harry Goddard to be postmaster at Edgemont, in the county of Fall River and State of South Dakota, in place of James A. Stewart. Incumbent's commission expired January 13, 1907.

George H. Henry to be postmaster at Platte, in the county of Charles Mix and State of South Dakota, in place of Charles W. Anderson. Incumbent's commission expired June 27, 1906.

Thomas A. Stevens to be postmaster at Chamberlain, in the county of Brule and State of South Dakota, in place of Thomas A. Stevens. Incumbent's commission expired February 13, 1906.

TEXAS.

John W. Hedley to be postmaster at Chillicothe, in the county of Hardeman and State of Texas. Office became Presidential January 1, 1907.

WASHINGTON.

Fremont A. Tarr to be postmaster at Montesano, in the county of Chehalis and State of Washington, in place of Fremont A. Tarr. Incumbent's commission expired February 4, 1907.

WEST VIRGINIA.

Edwin H. Flynn to be postmaster at Spencer, in the county of Roane and State of West Virginia, in place of Edwin H. Flynn. Incumbent's commission expires March 2, 1907.

WISCONSIN.

Arthur P. Cheek to be postmaster at Baraboo, in the county of Sauk and State of Wisconsin, in place of Arthur P. Cheek. Incumbent's commission expired January 7, 1907.

Alfred B. Kildow to be postmaster at Brodhead, in the county of Green and State of Wisconsin, in place of Alfred B. Kildow. Incumbent's commission expired January 7, 1907.

Leonard H. Kimball to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin, in place of Leonard H. Kimball. Incumbent's commission expired February 26, 1907.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 27, 1907.*

REGISTER OF THE LAND OFFICE.

M. H. Brennan, of Devils Lake, N. Dak., to be register of the land office at Devils Lake, N. Dak.

ASSISTANT TREASURER AT CINCINNATI.

Charles A. Bosworth, of Ohio, to be assistant treasurer of the United States at Cincinnati, Ohio.

RECEIVER OF PUBLIC MONEYS.

Harold Hurd, of Roswell, N. Mex., to be receiver of public moneys at Roswell, N. Mex., vice David L. Geyer, whose term will expire March 10, 1907.

POSTMASTERS.

MINNESOTA.

Samuel D. Peterson to be postmaster at New Ulm, in the State of Minnesota.

Adolph J. Veigel to be postmaster at Mankato, in the county of Blue Earth and State of Minnesota.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 27, 1907.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

DAM ACROSS MISSISSIPPI RIVER, MINNESOTA.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8377) to amend an act entitled "An act permitting the building of a dam across the Mississippi River, in the county of Morrison, State of Minnesota," approved June 4, 1906, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That section 1 of an act entitled "An act permitting the building of a dam across the Mississippi River, in the county of Morrison, State of Minnesota," approved June 4, 1906, be, and the same is hereby, amended so as to read as follows:

"SECTION 1. That the consent of Congress is hereby granted to the Pike Rapids Power Company, a Minnesota corporation, its successors or assigns, to construct and maintain across the Mississippi River a dam, canal, and works necessary incident thereto for water power and supply purposes at a point between sections 20, 29, and 32, in township 128 north, range 29 west of the fifth principal meridian, and sections 17 and 20, in township 39, range 32 west of the fourth principal meridian, in Morrison County, Minn.: *Provided*, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of the same: *And provided further*, That the said the Pike Rapids Power Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of said structures, unless the modifications of such plans shall have previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, and over said dam without unreasonable delay or hindrance and without toll or charges: *And provided further*, That the dam shall be so constructed that the Government of the United States may at any time construct in connection therewith a suitable lock for navigation purposes, and may at any time, without compensation, control the said dam so far as shall be necessary for the purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of said dam as he may deem advisable in the interests of navigation."

SEC. 2. That section 4 of said act above referred to be, and the same is hereby, amended so as to read as follows:

"SEC. 4. That the right to amend, alter, or repeal this act is hereby expressly reserved, and the same shall become null and void unless the construction of the dam hereby authorized is commenced within one year from June 1, 1907, and completed within three years thereafter."

Mr. STEVENS of Minnesota. Mr. Speaker, I have an amendment here which has been agreed to since the bill was read before, which I will send to the desk and ask to have read.

The Clerk read as follows:

Amend by adding after the word "thereafter," line 15, page 3, the words:

"And that except so far as may be otherwise provided by this act, the provision of the act of Congress entitled 'An act to regulate the construction of dams over navigable waters,' approved on the 21st day of June, 1906, shall be applicable to the construction of the dam provided by this act."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. STEVENS of Minnesota, a motion to reconsider the last vote was laid on the table.

DAM ACROSS SAVANNAH RIVER AT M'DANIEL SHOALS.

Mr. AIKEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25773) permitting the building of a dam across the Savannah River at McDaniel Shoals, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Anderson Guaranty and Trust Company, a corporation organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River extending from a point in Hart County, Ga., to a point in Anderson County, S. C., upon or in the vicinity of McDaniel Shoals, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. AIKEN, a motion to reconsider the last vote was laid on the table.

DAM ACROSS MISSISSIPPI RIVER, WRIGHT COUNTY, MINN.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25717) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn., approved June 14, 1906, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That section 3 of an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906, be, and the same hereby is, amended so as to read as follows:

"SEC. 3. That this act shall be null and void unless the construction of the dam hereby authorized is commenced within one year from June 14, 1907, and completed within three years thereafter."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would ask the gentleman if this is at a point where the river is navigable?

Mr. STEVENS of Minnesota. No; it is not. At the same time, this act is in accordance with the general law provided last year for the construction of locks, without expense to the Government, whenever the Secretary of War shall designate. All this does is to extend the period of commencement one year from the 17th of last June.

Mr. WILLIAMS. I know that; but I have objection to the construction of dams in any navigable places.

Mr. STEVENS of Minnesota. This is about 50 miles above Minneapolis, where there may perhaps be a small boat and locks, but that is all.

Mr. WILLIAMS. This will not interfere with navigation?

Mr. STEVENS of Minnesota. No; on the contrary, it improves navigation.

Mr. WILLIAMS. It acts as a sort of slack water above?

Mr. STEVENS of Minnesota. Yes.

The SPEAKER. The Chair hears no objection. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. STEVENS of Minnesota, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE ESCAMBIA RIVER, FLORIDA.

Mr. LAMAR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25795) to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida, which I send to the desk and ask to have read. I ask unanimous consent that the substitute may be read in lieu of the original bill.

The SPEAKER. Is there objection to reading the substitute in lieu of the original bill?

There was no objection.

The Clerk read as follows:

*Be it enacted, etc.*, That the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, be, and is hereby, authorized to construct, operate, and maintain a bridge over the Escambia River between the counties of Escambia and Santa Rosa, in the State of Florida, at such point between the mouth of said river and the Alabama State line to be approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, and repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Florida if this bill has the unanimous consent of the committee?

Mr. LAMAR. Yes; and the approval of the Department.

The SPEAKER. The Chair hears no objection. The question is on agreeing to the amendment in the nature of a substitute.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. LAMAR, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. PARKINSON, one of its clerks, announced that the Senate had agreed to the conference report on the bill (H. R. 23551) making appropriations for the support of the Army for the fiscal year ending June 30, 1908.

The message also announced that the Senate had agreed to the report of the committee of conference on the bill (H. R. 24103) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had agreed to the conference report on the bill (H. R. 24987) to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect.

The message further announced that the Senate had agreed to the conference report on the bill (H. R. 11040) to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys.

The message also announced that the Senate had agreed to the report of the committee of conference on the bill (H. R. 15434) to regulate appeals in criminal prosecutions.

The message also announced that the Senate had agreed to the amendments of the House to the bill (S. 8510) to amend an act providing for the public printing and binding and the distribution of public documents.

The message also announced that the Senate had passed the bill (H. R. 13566) to amend sections 6 and 12 of the currency act, approved March 14, 1900, with amendments, in which the concurrence of the House was requested.

The message also announced that the Senate had passed with amendments the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had passed without amendment House bills of the following titles:

H. R. 23612. An act granting an increase of pension to Thomas H. Adams; and

H. R. 25190. An act to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906.

The message also announced that the Senate had passed without amendment the bill (H. R. 25671) to authorize the construction of a bridge across the Grand Calumet River, State of Illinois.

The message announced that the Senate had passed bills of the following titles, in which the concurrence of the House was requested:

S. 8568. An act granting an increase of pension to Rosanna A. May;

S. 8526. An act permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 in said river; and

S. 8556. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

BRIDGE ACROSS THE MONONGAHELA RIVER.

Mr. COOPER of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 25769.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 25769) to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906.

*Be it enacted, etc.*, That section 7 of an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906, be, and is hereby, amended to read as follows:

"SEC. 7. That this act shall be null and void unless the construction of said bridge shall be commenced within one year from April 23, 1907, and shall be completed by April 23, 1910."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would ask the gentleman if this is the unanimous report of the committee and is recommended by the War Department?

Mr. COOPER of Pennsylvania. Yes; and it is approved by the War Department, and its only purpose is to extend the time of building one year.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. COOPER of Pennsylvania, a motion to reconsider the last vote was laid on the table.

DAM ACROSS SAVANNAH RIVER.

Mr. AIKEN. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 25774) permitting the building of a dam across the Savannah River at Turner Shoals.

*Be it enacted, etc.*, That the Anderson Guaranty and Trust Company, a corporation organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River extending from a point in Elbert County, Ga., to a point in Abbeville County, S. C., upon or in the vicinity of Turner Shoals, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. AIKEN, a motion to reconsider the last vote was laid on the table.

DAM ACROSS THE MISSISSIPPI ABOVE THE VILLAGE OF MONTICELLO, WRIGHT COUNTY, MINN.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 25716.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 25716) to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906.

*Be it enacted, etc.*, That section 3 of an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. That this act shall be null and void unless the construction of the dam hereby authorized is commenced within one year from June 14, 1907, and completed within three years thereafter."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I take it this bill is like the last one.

Mr. STEVENS of Minnesota. Mr. Speaker, there are four of these bills; three of them have been passed and I have one more.

Mr. WILLIAMS. The same statement applies to all?

Mr. STEVENS of Minnesota. The same statement applies to all.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEVENS of Minnesota, a motion to reconsider the last vote was laid on the table.

DAM ACROSS SAVANNAH RIVER, NEAR MIDDLETON SHOALS.

Mr. AIKEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 25776.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 25776) permitting the building of a dam across the Savannah River at Middleton Shoals.

*Be it enacted, etc.*, That the Anderson Guaranty and Trust Company, a corporation organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River extending from a point in Elbert County, Ga., to a point in Anderson County, S. C., upon or in the vicinity of Middleton Shoals, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, this is the unanimous report of the committee?

Mr. AIKEN. Yes, sir.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. AIKEN, a motion to reconsider the last vote was laid on the table.

DAM ACROSS THE MISSISSIPPI RIVER AT SAUK RAPIDS, MINN.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 8400.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 8400) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904.

*Be it enacted, etc.*, That section 3 of an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. That this act shall be null and void unless the dam herein authorized be commenced within three years and six months and be completed within six years from the time of the passage of this act."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. STEVENS of Minnesota, a motion to reconsider the last vote was laid on the table.

JAMES CARROLL.

Mr. HULL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5888) authorizing the President to appoint James Carroll a surgeon, with the rank of major, in the United States Army.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, appoint James Carroll, lieutenant-surgeon, United States Army, and curator of the Army and Navy Museum, a surgeon, with the rank of major, in the Medical Corps of the Army, and that the number of officers in the Medical Corps be increased by one, with the rank of major, for this purpose.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object——

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Illinois?

Mr. HULL. I want to make a statement. I understand the gentleman from Illinois desired a little information. I think he is thoroughly familiar with the case.

Mr. MANN. Is this the case of the officer of the Army who subjected himself to the yellow-fever experiments to determine whether the mosquito was the carrying medium of yellow fever?

Mr. HULL. Yes.

Mr. BUTLER of Pennsylvania. What was his name?

Mr. HULL. Doctor Carroll.

Mr. MANN. As far as I am concerned I have no objection.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

LEWIS A. TOWNE.

Mr. CHANEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 7840) granting an increase of pension to Lewis A. Towne, and that the House insist upon its amendment and agree to a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the House do insist upon its amendment to the bill (S. 7840) and agree to a conference. Is there objection?

There was no objection.

The SPEAKER announced the following conferees: Mr. HOLLIDAY, Mr. CHANEY, and Mr. WEISSE.

ROSEBUD INDIAN RESERVATION.

Mr. BURKE of South Dakota. Mr. Speaker, I call up conference report on the bill H. R. 24987.

The SPEAKER. The Clerk will read the title.

The Clerk read as follows:

H. R. 24987. An act authorizing the sale and disposition of a portion of the surplus of unallotted lands in the Rosebud Reservation, in the State of South Dakota, and making appropriations and provision for carrying the same into effect.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24987) to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect, having met in full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, adding the following proviso: "*Provided*, That the same shall be reimbursed to the United States from the proceeds received from the sale of the lands described herein or from any money in the Treasury belonging to said Rosebud Indians:" and the Senate agree to the same.

ROBERT J. GAMBLE,
FRANK B. BRANDEGEE,
FRED T. DUBOIS,
*Managers on the part of the Senate.*

J. S. SHERMAN,
CHAS. H. BURKE,
JOHN H. STEPHENS,
*Managers on the part of the House.*

The statement was read as follows:

STATEMENT.

The result of the conference is that the Senate recedes from its amendment No. 1.

The bill provides that from the proceeds derived from the sale of the land there shall be a million-dollar fund deposited in the Treasury and interest shall be paid thereon for ten years. The bill of the House named the rate of interest at 3 per cent; the amendment of the Senate changed the rate from 3 to 5. The House recedes from its disagreement to amendment No. 2 with an amendment. This amendment of the Senate provides an appropriation of $15,000, or so much thereof as may be necessary for the purpose of making the allotments provided by the bill. The amendment is a proviso that the same shall be reimbursed to the United States from the proceeds received from the sale of the lands described in the bill or from any money in the Treasury belonging to said Rosebud Indians.

J. S. SHERMAN,
CHAS. H. BURKE,
JOHN H. STEPHENS,
*Managers on the part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I call up the conference report on the Army appropriation bill, and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23551) making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and eight, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, 40, 41, 44, 57, 61, 62, 63, 67, 68, 69, 70, and 71.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 42, 43, 45, 48, 49, 50, 52, 53, 55, 56, 58, 59, 60, 65, and 66, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In the last line of said amendment, after the word "regulations," insert the words "and restrictions;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed in said amendment insert: "*Provided*, That hereafter the number of dental surgeons authorized by law shall be thirty-one, of which number one shall be detailed to the United States Military Academy;" and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "six million five hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "three million seven hundred and fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In line 1 of said amendment strike out the words "not exceeding fifty acres of;" and in line 3 of said amendment strike out the words "and fifty;" and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "fourteen million five hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In line 7 of said amendment strike out the semicolon and what follows; and strike out lines 8, 9, and to the period in line 10; the part of said amendment so stricken out being as follows: "and while traveling between their stations and Manila to take advantage of, or returning from, such leaves of absence, officers shall, unless with their commands, be deemed on detached service;" and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In line 10 of said amendment, after the word "therefor," strike out the comma and what follows; and strike out line 11 and the word "militia" in line 12; the part of the amendment so stricken out being as follows: "at the rate of twenty rounds of ball cartridges for each small arm so issued to the militia;" and the Senate agree to the same.

On amendments numbered 20 and 25, the committee of conference has been unable to agree.

J. A. T. HULL,
RICHARD WAYNE PARKER,
JAMES HAY,
*Managers on the part of the House.*

F. E. WARREN,
J. B. FORAKER,
J. C. S. BLACKBURN,
*Managers on the part of the Senate.*

The statement was read as follows:

STATEMENT.

Amendment No. 1 increases the appropriation for the United States service schools $5,000, and the House recedes.

Amendment No. 2 simply changes the name of The Military Secretary's Department to that of Adjutant-General's Department, and the House recedes.

Amendment No. 3 appropriates $190,000 from the receipts of the Washington-Alaska military cable and telegraph system for the extension and betterment of the system in Alaska, and the House recedes.

Amendment No. 4 appropriates $50,000 for the expense of the Signal Service of the Army in Cuba, and the Senate recedes.

Amendment No. 5 increases the amount for pay of the officers of the line made necessary by the passage of the artillery bill, and the House recedes.

Amendment No. 6 provides for assignment of pay accounts by commissioned officers to be given under such regulations as prescribed by the Secretary of War, and the House recedes and agrees to the same with an amendment.

Amendment No. 7 increases the pay for length of service made necessary by the passage of the artillery bill, and the House recedes.

Amendment No. 8 inserts a colon and the word "*Provided*," and the House recedes.

Amendment No. 9 gives to officers and enlisted men the status of being on public duty while serving by detail at the Jamestown Exposition, and the House recedes.

Amendment No. 10: Gives officers serving at Army schools the same privileges as to leave of absence as is now granted to officers at the West Point Military Academy; and the Senate recedes.

Amendment No. 11: Increases the pay of enlisted men of all grades made necessary by the passage of the artillery bill; and the House recedes.

Amendment No. 12: Increases the pay for length of service for enlisted men made necessary by the passage of the artillery bill; and the House recedes.

Amendments Nos. 13, 14, and 15: Refer to electricians of the Artillery Corps. As they are now taken care of in the

artillery bill they should not be included in the appropriation bill; and the House recedes.

Amendment No. 16: Is simply verbal; and the House recedes.

Amendment No. 17: Provides for the promotion of a major now serving in The Military Secretary's Department to the grade of lieutenant-colonel, when a vacancy occurs in either permanent or detail list; and the House recedes.

Amendments Nos. 18 and 19: Relate to the Bureau of Insular Affairs and provide simply for detail of an officer, who, while so serving, shall have the rank, pay, and allowances of a major; and the House recedes.

Amendment No. 20: Relates to the promotion of certain officers to the grade of major-general; and the conferees report a disagreement.

Amendment No. 21: Increases the dental surgeons by one; and the House recedes.

Amendment No. 22: Changes the amount appropriated so as to provide for the payment of the additional surgeon; and the House recedes.

Amendment No. 23: Provides for a dental surgeon at the Military Academy; and the House recedes, and agrees to the same with an amendment.

Amendment No. 24: Relates to number of contract surgeons; and the House recedes.

Amendment No. 25: Provides for promoting paymaster's clerks after thirty-five years' service to first lieutenancies and places them on the retired list; and report disagreement.

Amendment No. 26: Provides for extra-duty pay for enlisted men as switchboard operators; and the House recedes.

Amendment No. 27: Increases the total for mileage; and the House recedes.

Amendment No. 28: Strikes out the word "commissioned" before "officers;" and the House recedes.

Amendment No. 29: Is simply verbal; and the House recedes.

Amendment No. 30: Strikes out the words "brigade or division" in the section providing for Army maneuvers, and is made at the request of the Assistant Secretary of War, so that the Seacoast Artillery may have maneuvers on the coast of less size than brigade or division; and the House recedes.

Amendment No. 31: Is appropriation for purchase of flags for use on Memorial Day; and the House recedes.

Amendment No. 32: Strikes out the clause that provides for payment of damages incident to Army maneuvers at West Point, Ky.; and the House recedes.

Amendment No. 33: Provides for payment of 256 claims for damages; and the House recedes.

Amendments Nos. 34 and 35: Are simply punctuation; and the House recedes.

Amendment No. 36: Is a correction of totals; and the House recedes.

Amendment No. 37 provides for construction and maintenance of laundries at military posts, and the House recedes.

Amendment No. 38 is the total appropriation for the regular supplies of the Quartermaster's Department, and the House recedes and agrees to the Senate amendment with an amendment reducing the amount fixed by the Senate $275,511.07.

Amendment No. 39 provides for furnishing heat and light absolutely necessary under regulations of the War Department to officers, and the House recedes.

Amendment No. 40 provides for an additional chaplain with the rank of captain for the United States military prison at Fort Leavenworth, Kans., and the Senate recedes.

Amendment No. 41 relates to extra-duty pay of the Army-service men at West Point, and the Senate recedes.

Amendment No. 42 increases the total for incidental expenses of the Army, and the House recedes.

Amendment No. 43 increases the appropriation for horses for cavalry, artillery, and engineers made necessary by the artillery bill, and the House recedes.

Amendment No. 44 strikes out the words "other than seacoast artillery," and the Senate recedes.

Amendment No. 45 provides for the Government owning permanent heavy furniture in officers' quarters, and the House recedes.

Amendment No. 46 refers to the appropriation for barracks and quarters, and the House recedes from its disagreement and agrees to the amendment with an amendment reducing the appropriation as fixed by the Senate.

So that the total amount appropriated is $3,750,000.

Amendment No. 47: Provides for the acquisition of land near Fort Taylor, Fla., and the House recedes from its disagreement and agrees to the same with an amendment striking out the number of acres and reducing the appropriation by $50,000.

Amendment No. 48: Is to authorize the Secretary of War to grant certain rights to the Florida East Coast Railway Company, and the House recedes.

Amendment No. 49: Authorizes the Secretary of War to designate the military prison, and when so designated to place it under the law governing military prisons, and the House recedes.

Amendment No. 50: Limits the separation of estimates for transportation of Army supplies to the fiscal year only, and the House recedes.

Amendment No. 51: Relates to the total of transportation and supplies of the Army. The Senate increased the appropriation to over $15,000,000, and the House recedes with an amendment fixing the appropriation at $14,500,000.

Amendment No. 52: Authorizes the use of transports by Members of Congress and other officers of the Government while traveling under official business by regulations of the War Department, and the House recedes.

Amendment No. 53: Authorizes the Secretary of War to permit the use of transports to the island of Guam, and the House recedes.

Amendment No. 54: Fixes the time when leave of absence from the Philippine Islands shall commence, and the House recedes with an amendment striking out all after the word "stations;" so that they will not be on duty when traveling between their stations and Manila.

Amendment No. 55: Is relative to the total for clothing and camp and garrison equipage, claimed to be necessary by the artillery bill, and the House recedes.

Amendment No. 56: Makes immediately available the $30,000 appropriated for the Presidio Military Reservation, and the House recedes.

Amendment No. 57: Provides for the repair of Fort Matanzas, Fla., and the Senate recedes.

Amendment No. 58: Restores to the Medical Department the words "regulation, or contract," struck out in the House on a point of order, and the House recedes.

Amendment No. 59: Increases the appropriation for the medical and hospital department and is made necessary by amendment No. 60 following, and the House recedes.

Amendment No. 60: Is a proviso authorizing the Secretary of War to contract for the care, maintenance, and treatment of the insane natives of the Philippine army that are sent to the hospital for the insane, and the House recedes.

Amendment No. 61: Increases the appropriation for engineer equipment of troops, and the Senate recedes.

Amendment No. 62: Relates to the total, and the Senate recedes.

Amendment No. 63: Relates to the purchase of material and ammunition, and the Senate recedes.

Amendment No. 64: Provides for exchange of arms with the Militia, and the House recedes, with an amendment striking out the limitation of ball cartridges.

Amendment No. 65: Provides for marking the place where American soliders fell in Cuba and China, to complete the work already begun by Congress, and the House recedes.

Amendment No. 66: Authorizes the Secretary of War to loan tents and camp equipage to the Jamestown Commission, and the House recedes.

Amendment No. 67: Authorizes the President to appoint Wiliam H. Crook a major in the Army, and place him on the retired list; and the Senate recedes.

Amendment No. 68: Provides for the erection of a statue of Gen. Nathanael Greene; and the Senate recedes.

Amendment No. 69: Relates to a statue for General Stark; and the Senate recedes.

Amendment No. 70: Relates to a statue of General Screven; and the Senate recedes.

Amendment No. 71: Relates to an appropriation for a soldiers' monument at New Orleans; and the Senate recedes.

J. A. T. HULL,
RICHARD WAYNE PARKER,
JAMES HAY,
*Managers on part of the House.*

During the reading,

Mr. PRINCE. Is this the proper time and place to make a motion to concur in Senate amendment No. 20 with an amendment?

The SPEAKER. The statement is not yet complete. The Chair does not know what the report contains.

The Clerk concluded the reading of the statement.

The SPEAKER. The question is on agreeing to the conference report.

Mr. PRINCE. Mr. Speaker, I only want to hold my rights if

this motion prevailing does not take them away from me. There are two disagreements.

The SPEAKER. The Chair understands that the gentleman from Illinois [Mr. PRINCE] says that the conference report closes up all matters in difference between the House and Senate except as to two amendments?

Mr. HULL. That is correct.

The SPEAKER. Amendments No. 20 and No. 25?

Mr. HULL. Twenty and 25.

The SPEAKER. The first question will be on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

Mr. HULL. Mr. Speaker, one of the two matters in disagreement is amendment No. 20, which provides for promotion upon retirement to those officers now serving as brigadier-generals on the active list who have had three years' service as brigadier-generals. The difference of opinion in conference was largely as to the effect of the language as it stands in the bill. It was construed that it admitted all who were in the field or at West Point. It was also construed that if passed as submitted by the Senate to the House it would exclude all who had not three years of actual service as brigadier-generals at the date of the passage of the act. I will say to the House that when this bill was to be sent to conference I made an agreement with one of my colleagues that unless a certain amendment that he desired to offer was agreed to in conference I would bring it back with a disagreement, so that he would not be deprived of the right he then held. And in obedience to that agreement we come here to submit the whole matter to the House.

And now, Mr. Speaker, I desire to yield to my colleague [Mr. PRINCE] to offer his amendment.

The SPEAKER. The Clerk will read the amendment No. 20.

The Clerk read as follows:

On page 13, line 13, after "dollars," insert:

"*Provided*, That officers who served creditably in the regular or volunteer forces during the civil war prior to April 9, 1865, and who now hold the rank of brigadier-general on the active list of the Army, having previously held that rank for three years or more, shall, when retired from active service, have the rank and retired pay of major-general."

Mr. PRINCE. I now, Mr. Speaker, make the following motion, which is to concur in Senate amendment No. 20 with an amendment as follows:

After the word "five," in line 3, page 16, insert "otherwise than as a cadet at the Military Academy at West Point."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert after the word "five," in line 3, the words "otherwise than as a cadet at the Military Academy at West Point."

Mr. SHERMAN. Mr. Speaker, may we have the provision read as it would be when amended?

The SPEAKER. One moment. The gentleman from Illinois [Mr. PRINCE] moves to concur in Senate amendment No. 20 with an amendment, and the Clerk will again read the amendment that he proposes, and then read the amendment as it would be after the gentleman's motion to amend.

The Clerk read as follows:

After the words "eighteen hundred and sixty-five" insert the words "otherwise than as a cadet at the Military Academy at West Point;" so that the Senate amendment as amended will read as follows:

"Page 13, line 13, after 'dollars,' insert:

"'*Provided*, That officers who served creditably in the regular or volunteer forces during the civil war prior to April 9, 1895, otherwise than as a cadet at the Military Academy at West Point, and who now hold the rank of brigadier-general on the active list of the Army, having previously held that rank for three years or more, shall, when retired from active service, have the rank and retired pay of major-general.'"

Mr. HULL. Mr. Speaker, does the gentleman desire time now? If not, I yield to the gentleman from Virginia [Mr. HAY].

Mr. HAY. I move to recede and concur in the Senate amendment.

The SPEAKER. The Chair will state to the gentleman from Illinois [Mr. PRINCE] and the gentleman from Virginia [Mr. HAY] that before the stage of disagreement the motion to concur with an amendment takes precedence of the motion to concur, but it is divisible—that is to say, first, a vote on the amendment, then on the motion to concur. The gentleman from Illinois moves not only to recede and concur, which would bring the two bodies together, but moves to recede and concur with an amendment. Now, that presents two propositions, or rather three. Does the gentleman ask a division?

Mr. HAY. I ask a division; and I would suggest, Mr. Speaker, that the motion I have made will bring the two Houses together sooner than the motion made by the gentleman from Illinois.

The SPEAKER. On former occasions there has been much of contention as to the precedence of these motions, and the Chair now recalls that the House has already once disagreed with the Senate amendment, and the Chair is informed by the Clerk at the Speaker's table that there is probably a precedent exactly in point. The Chair will read:

The stage of disagreement having been reached—

That is this case—

the motion to recede and concur takes precedence of the motion to recede and concur with an amendment—

Referring to several precedents.

Mr. HAY. Mr. Speaker, I would suggest that the gentleman from Illinois [Mr. PRINCE] does not contend that his motion has precedence over the one made by myself.

The SPEAKER. The gentleman from Illinois [Mr. PRINCE] moves to recede and concur in the Senate amendment with an amendment. That involves two propositions—to recede and to concur with an amendment; in fact, three propositions, for the motion to concur may be separated from the motion to amend. The gentleman from Virginia moves to recede and concur, a motion containing two propositions. Now, there being two propositions, one to recede and the other to concur, these if agreed to as one motion would bring the House in accord with the Senate, and as far as this amendment is concerned, pass the bill; and so it has been held that this motion when undivided has precedence of the double or treble motion that the House recede and concur with an amendment. There being two propositions in the motion of the gentleman from Virginia [Mr. HAY], the House will see at once that if it desire to amend freely, without being restricted to a single amendment, it must be possible to divide the motion to recede and concur and the motion to concur with an amendment. Hence, while the motion of the gentleman from Virginia would take precedence, yet on demand of a Member it is divisible, and the first question would be on a motion to recede, and if the House concludes to recede, then on the motion to concur, unless a preferential motion to amend should come in.

Mr. DE ARMOND. Mr. Speaker, if the Chair will indulge me a moment, I should like to make a suggestion.

Mr. HULL. Mr. Speaker, I have not yielded the floor.

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Missouri?

Mr. HULL. I will yield later; but it seems to me that the gentleman from Illinois——

The SPEAKER. The gentleman from Missouri desires to make a suggestion.

Mr. DE ARMOND. Of parliamentary law.

The SPEAKER. A parliamentary suggestion.

Mr. DE ARMOND. If I may be permitted to talk a moment on the parliamentary law involved——

The SPEAKER. The Chair will hear the gentleman.

Mr. DE ARMOND. I think the proposition is this: A motion is made to recede and concur. A motion is made to concur with an amendment, which is also a motion to recede and concur with an amendment, because unless there be a receding from the disagreement we do not approach the point of concurring. Then, taking the Speaker's line of argument, which I would not, however, myself adopt as to parliamentary law, but taking it, there are three propositions involved in the motion of the gentleman from Illinois and but two in the motion of the gentleman from Virginia.

Viewed from another standpoint, the motion of the gentleman from Virginia [Mr. HAY], adopted, closes the whole matter between the two Houses as to the amendment, and the motion of the gentleman from Illinois [Mr. PRINCE], adopted, leaves the dispute between the two Houses open. The latter is a declaration by the House that we will not concur in the Senate amendment, but are willing to concur in that amendment with another amendment, and it is an invitation to the Senate to concur with the House in an amendment to the Senate amendment. It would require action by the Senate, and, maybe, a conference. I have always understood in regard to these matters that the prime test is and has been, which motion will soonest bring the two Houses to an agreement, which of two or of several motions pending is the motion that will terminate the controversy, providing the House adopts that motion? By a test of that kind the motion of the gentleman from Virginia [Mr. HAY] unquestionably has precedence. By the test of a count as to the propositions involved it has the advantage, because there can not be more than two found in it, really but one, while there are clearly three in the other—receding, amendment, concurrence—against receding and concurrence by the motion of the gentleman from Virginia.

As these precedents, Mr. Speaker, frequently arise, to illuminate as well as to plague, it is worth while now to adopt the correct procedure, and for that reason, and in the belief that the

motion of the gentleman from Virginia clearly has precedence, I have offered these suggestions.

Mr. PRINCE rose.

Mr. DE ARMOND. I yield to the gentleman from Illinois for a question.

Mr. PRINCE. Mr. Speaker, I have no question to ask. As I understand, the Speaker has ruled, and I think the suggestions of the gentleman from Missouri [Mr. DE ARMOND] are in the nature of an argument in behalf of the motion of the gentleman from Virginia [Mr. HAY], and not germane to the point of order, which has been passed upon.

Mr. DE ARMOND. I understood the Chair was deliberating upon this question, and I have presumed that the Chair would like to decide it in accordance with parliamentary law. I offered suggestions as to what, in my judgment, is the parliamentary law of the case.

The SPEAKER. The Chair simply held that the motion of the gentleman from Virginia took precedence of the motion of the gentleman from Illinois, but also held that it was divisible if demanded.

Mr. PRINCE. Mr. Speaker, when the proper time comes, if that is held, I shall demand a division.

The SPEAKER. This is the time.

Mr. PRINCE. I demand a division.

Mr. HAY. The Chair holds my motion has precedence, but that if the gentleman desires, in the event that my motion is agreed to, to offer an amendment he may do so.

The SPEAKER. Precisely, but the gentleman demands a division. So the first question is the motion to recede and to concur. The first question is, Shall we recede from our disagreement with the Senate?

Mr. HULL. Mr. Speaker, I understand the gentleman from Illinois wants a little time. I do not want to yield the floor, but I will ask him how much time he desires?

Mr. PRINCE. Mr. Speaker, I may want ten minutes, not to exceed that.

The SPEAKER. The Chair will state to the gentleman, merely for his consideration, that it seems to the Chair that the gentleman from Illinois [Mr. PRINCE] and the gentleman from Virginia [Mr. HAY] agree on the question of receding. Then the next question would be on concurring.

Mr. PRINCE. I agree to that.

Mr. HAY. Certainly.

The SPEAKER. Then the Chair will put the question. The question is on the motion to recede.

The question was taken; and the motion was agreed to.

The SPEAKER. Now, the question is on the other branch of the motion, that the House do recede with an amendment.

Mr. HULL. Mr. Speaker, I yield ten minutes to the gentleman from Illinois.

The SPEAKER. And the motion to amend has precedence of the motion to concur. The House having retired from its position of disagreement, what amendment does the gentleman from Illinois offer?

Mr. PRINCE. I again offer the amendment which I before offered.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk again reported the amendment offered by the gentleman from Illinois, Mr. PRINCE.

Mr. HULL. I yield ten minutes to the gentleman from Illinois.

Mr. PRINCE. Mr. Speaker——

Mr. JAMES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JAMES. Which motion should be put to the House first, the motion to concur?

The SPEAKER. The question is on the amendment of the gentleman from Illinois.

Mr. JAMES. Does the Speaker hold that the motion to concur does not have precedence over the motion to concur with an amendment?

The SPEAKER. The House has receded from its position of disagreement with the Senate, and that leaves the situation as if there had been no disagreement. At that stage a motion to amend takes precedence of the motion to concur.

Mr. JAMES. Would not, Mr. Speaker, a motion to concur and bring the matter before the House have precedence over a motion to concur with an amendment?

The SPEAKER. They are divisible, and the House having receded from its disagreement, the amendment is in order.

Mr. DE ARMOND. Mr. Speaker——

Mr. PRINCE. Mr. Speaker, I have the floor and I am debating the question, and I decline to yield, as I have but ten minutes.

Mr. DE ARMOND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. SHERMAN). The gentleman from Missouri desires to make a parliamentary inquiry. The gentleman will state it.

Mr. DE ARMOND. The parliamentary question is whether I might be heard for a minute or two upon this question of order.

The SPEAKER pro tempore. That is not a parliamentary inquiry. The gentleman from Illinois is recognized.

Mr. PRINCE. Mr. Speaker, April 23, 1904, a public law was passed by Congress and approved by the President. In that law, on page 7, under the head of "Retired officers" these words are found:

> That any officer of the Army below the grade of brigadier-general who served with credit as an officer or enlisted man in the regular or volunteer forces during the civil war prior to April 9, 1865, otherwise than as a cadet, etc.

I am simply desiring to follow the law that Congress passed in 1904 and make the same provision apply to the retirement of these officers that applied to the retirement of officers on April 23, 1904. My distinguished predecessor, a soldier of great distinction and one of the ablest men who ever served in this House, the late lamented Col. B. F. Marsh, who went to his grave with lead that he received upon southern battlefields fighting in defense of his flag, among other questions, when the Army reorganization act was up under discussion, asked this question of the then Secretary of War with reference to staff officers. This is found on page 29:

> Is not this present system the one weak point of the United States Army?

Secretary Root, one of the ablest Secretaries of War that this country has ever had, the equal, if not the superior, of the great war Secretary, Edwin M. Stanton, answered in these words:

> It is not in human nature that the men in each permanent staff corps should not regard their own work and their own powers as being of the greatest importance. They are all here in Washington, they are all in immediate contact with Senators and Members of the House, with members of the Cabinet, and with the President. Year by year, little by little, a line here in this law and a paragraph there in that law, and the powers of these staff officers are built up.

The law of February 23, 1904, made it applicable to those below the rank of brigadier-general. The provision here, as stated by the Secretary of War, a line here and a line there, provides that above the rank of brigadier-general they shall be retired as major-generals. A line here and a line there changes a West Point cadet and makes him a distinguished soldier in the war between the North and the South from 1861 to 1865. Now, it is conceded that there is but one officer involved in this controversy. In order that the House and the country—for I call the country's attention to this day's business—in the closing days of this session, when a bill containing eighty millions and more of dollars for the appropriation for the Army, is held up for personal legislation and for none other, in order to benefit one officer of the Army under the guise of giving him service in the Army prior to April 9, 1865. Who is this officer? What is his record? The country has a right to know, and the people should know who we are legislating for. Let me read from the Army Register of 1906, as follows:

> Military Secretary's office, with the rank of brigadier-general, William P. Hall, a cadet—

My countrymen, listen to what you are asked to vote for—

> cadet at Military Academy, September 1, 1864.

A cadet at the academy at West Point in September, 1864. Graduated at the academy at West Point as a second lieutenant of infantry, June 15, 1868; unassigned of March 31, 1868; assigned to Fifth Cavalry, 14th of July, 1869; first lieutenant, July 1, 1876; captain, March 8, 1887; major in the Adjutant-General's office, November 6, 1893; accepted, November 10; lieutenant-colonel in the Adjutant-General's office, September 11, 1897; colonel, April 18, 1901; brigadier-general, 23d of April, 1904.

Did he acquire that, my fellow-Members of this House, by service in the field? Did he acquire that distinction? No. In this same bill, by legislation, this man was taken from the ranks of colonel, and here is a provision on page 5 of the bill of 1904 by which he is created, by legislative act, a brigadier-general of the Army of the United States. I read from page 5:

> That of the officers consolidated as hereinbefore provided the senior in rank, who shall be chief of the consolidated department and the title of whose office is hereby changed to that of The Military Secretary, shall hereafter have the rank of major-general, and the second senior of said officers shall hereafter have the rank of brigadier-general: *Provided further*, That when the office of Military Secretary—

This same officer, created by the same mode of legislation forcing one body to accept the wishes of another under pressure, was made a brigadier-general, and now comes in a provision to make him a major-general on the retired list of the Army of the United States. I have quoted you the law that has the words in, "other than as a cadet," and I want also to substitute the

same words. I want to stop what the Secretary of War said when he claimed that little by little and change of line by line and paragraph by paragraph these officers here of the staff were increasing their power, increasing their office, increasing their rank, and increasing their pay. But it is fair, my countrymen, to say to you that I am in favor of this provision as it stands with this amendment made. I am in favor——

Mr. PAYNE. I would like to ask the gentleman a question. I understand the gentleman to say that if the Senate provision was adopted, then an officer who was serving, by being educated at West Point during the civil war, would now be entitled to the benefits of it, although he was not in the field at that time?

Mr. PRINCE. That is my judgment of it. That is why I am objecting to this amendment.

Mr. PAYNE. And the gentleman opposes that upon the decision of the Supreme Court holding that service in West Point was service in the Army?

Mr. PRINCE. There is no question about that. That is conceded by gentlemen on the other side who are arguing to concur in this amendment.

In the United States Reports, volume 112, in the case of the United States *v.* Morton, it was clearly held that a cadet at West Point was a part of the Army of the United States. He took the oath to remain in the Army for eight years. He takes the same oath when he enters as a cadet that any officer of the Army takes when he gets his commission as Lieutenant-General or any other commission that he gets.

Mr. PAYNE. I understand that is the decision of the court.

Mr. PRINCE. Yes, sir; that is the decision.

Mr. PAYNE. And the gentleman has examined the language of this Senate amendment so that he is sure?

Mr. PRINCE. I have, and I have not any doubt about it. And I want to say frankly that if there is any doubt my amendment puts it beyond the possibility of any doubt, and we ought to do that.

Mr. PAYNE. It would do no other harm than remove the doubt.

Mr. PRINCE. If these gentlemen are correct in this contention that the Senate provision does not make General Hall a major-general on the retired list, why this contention over it? If they want to be honest with the House and the country, and they say it does not include this man, then put it beyond the possibility of a doubt by saying it shall not apply to a cadet. If it means the other way, then honestly and frankly and fairly state so here.

Mr. GROSVENOR. I want to ask the gentleman from Illinois if he had read to the House all of the military service that General Hall has rendered to the country?

Mr. PRINCE. I have read, Mr. Speaker, all of the military record that I find in the official Army Register for 1906. I wish to say further that if this officer is entitled to one grade higher it is not for services rendered since he graduated from the Military Academy; but if it is for service at all it is for service that he rendered as a student at West Point, paid by the Government, because the theory by which we have increased one grade higher the man who served in the Army from 1861 to 1865——

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. PRINCE. Mr. Speaker, I ask unanimous consent for five minutes more.

The SPEAKER pro tempore. The time is in the control of the gentleman from Iowa [Mr. HULL].

Mr. HULL. How much have I remaining?

The SPEAKER pro tempore. Fifty minutes.

Mr. HULL. Then I yield five minutes more to the gentleman from Illinois, and then I will yield to the gentleman from Virginia [Mr. HAY] after that.

Mr. GROSVENOR. I should like to have the gentleman tell me one thing further.

Mr. PRINCE. I will yield to the gentleman.

Mr. GROSVENOR. Mr. Speaker, I should like to ask the gentleman one further question. As I heard that record, it gave no credit for any act of service in the field.

Mr. PRINCE. I pledge the gentleman and the House that I have read the record as it appears in the Army Register.

Mr. GROSVENOR. Is it not a fact that this officer carries a medal of honor?

Mr. PRINCE. As to that I do not know, and as to the contention before the House, it has nothing to do with it.

Mr. GROSVENOR. Oh!

Mr. PRINCE. We passed a law on February 23, 1904, to give to the men who rendered service——

Mr. JAMES. I want to ask the gentleman about that medal of honor that he forgot to say anything about. Was it not given to this officer for courage on the field?

Mr. PRINCE. It may have been.

Mr. JAMES. And in the Indian wars?

Mr. PRINCE. But remember, this is for services rendered during the civil war. This is a provision for those—

Who served creditably in the regular or volunteer forces during the civil war.

It is the civil-war period that I am talking about. It is the eight months that he was there as a fourth classman at West Point. If he is entitled to this extra compensation and preferment it is by virtue of civil-war service. If you want to give it to everybody connected with the Army say so and meet the question fairly, if that is your purpose.

Now, Mr. Speaker and gentlemen of the House, I protest against this officer being put on the list as a retired major-general, when the Army Register shows many living men—such major-generals as the one-legged Daniel Sickles, who is on the retired list as a major-general. I protest against a cadet at West Point being placed on the retired list solely for his West Point service by the side of Oliver O. Howard, who has but one arm, having lost the other in defending his country. I protest against placing him there by the side of Wesley Merritt and the long line of distinguished living major-generals who are upon that list for services rendered in the great contest from 1861 to 1865. No, my countrymen, I protest against this officer being placed upon the retired list as a major-general by the side of "Pap" Thomas, the hero of Chickamauga; by the side of Meade and Hancock, of Gettysburg and Antietam. I say such legislation as this is demoralizing to the Army. I say it is unjust that one man out of 3,700 shall be selected for civil-war services rendered as a cadet, immune from all danger, and made a major-general and be given the pay that goes with that rank. Now, what is the pay? Let me tell you what he gets. He is now a brigadier-general, and the pay tables show that his pay is now $5,500 a year. His monthly pay is $458. Put him on the retired list as a major-general, and he receives an annual pay of $5,625 and a monthly pay of $468.75. He will receive more on the retired list than he receives to-day on the active list. He receives more, based upon eight months' service as a cadet at West Point, than any Member of this House to-day receives as the salary of a Member or as any Senator in yonder body receives as a Senator of the United States under the law that exists to-day. Now, when we go back to our homes, as we will in the near future, when we stand up and make Grand Army speeches and tell how we love the old soldiers and the men who followed the flag and stood by the country, I want those of you who vote to take a cadet at West Point and put him on the retired list by the side of Thomas and Meade and Hancock and Sickles to explain your vote to the old soldiers of the country.

[Here the hammer fell.]

Mr. HULL. I yield to the gentleman from Illinois [Mr. Foss] for a question.

Mr. FOSS. The gentleman from Iowa is well aware that we are trying to keep the two services upon the same plane. As I understand, the Army law of 1904 applied to Army officers of the grade of colonel or less. Now, do I understand that this provision applies to those above the grade of colonel who are now on the active list and also on the retired list?

Mr. HULL. No; on the active list only. These officers are not on the retired list. I will say, Mr. Speaker, in answer to the question of the gentleman from Illinois [Mr. Foss], that this provision takes certain men of civil-war service and gives those who have served three years as brigadier-generals on the active list on retirement the grade of major-general on the retired list; or, one construction, those who at time of passage of this act have served three years as brigadier-generals. It does not touch the retired list in any way at all. It leaves every man on the retired list just as he is to-day. It does not place the two arms of the service on an equality, because under the gentleman's law a rear-admiral of the junior grade with the rank of brigadier serving five years on the active list becomes a major-general by operation of law when he retires.

Mr. PARKER. Before he retires?

Mr. HULL. Yes; before he retires, while he is still on the active list; and in order to put the two services on an equality we should pass an amendment here that would take every brigadier-general of the Army who served a period of five years as brigadier-general and make him a major-general by operation of law, without regard to vacancies, even.

Mr. FOSS. What law does the gentleman refer to?

Mr. HULL. The law provides that on five years' service a rear-admiral of the junior rank shall be promoted to a rear-admiral of the senior rank.

Mr. FOSS. The gentleman will recall that last year a provision was placed on the naval appropriation bill, upon the motion of the gentleman from Iowa [Mr. HULL], applying to officers of the Navy not above the grade of captain——

Mr. HULL. On the retired list.

Mr. FOSS. That is to say, making a provision with reference to this in the Navy similar to the Army provision, and the argument that was used by the gentleman at that time was to put the two services upon the same plane.

Mr. HULL. That was applying to the retired list.

Mr. FOSS. It applied to the retired list and——

Mr. HULL. And it still remains the same as the Army in that respect, because we have a large number of splendid brigadiers who were major-generals in the Volunteer Army during the civil war who were retired as brigadiers and who have never received any benefit from their civil-war service. They are brigadier-generals yet.

Mr. FOSS. I want to call the attention of the gentleman to the fact that there are a number of men who served in the civil war now on the active list of the Navy who are above the grade of captain, which is the corresponding grade of colonel, of whom it may be a question whether or not they can be retired with the rank and pay of the next higher grade. I am not opposing this proposition at all, but I will say that if there is any question under the present law as to whether or not these men now on the active list who performed creditable service in the civil war shall have the rank and pay of the next higher grade—if there is any question as to it I shall, in case this provision goes through, insist in the future upon some provision with regard to the Navy which will give the same privileges to the naval officer as to the Army officer.

Mr. HULL. If the gentleman brings it in we will try and amend it so as to give our fellows the extra promotion, too.

Mr. PAYNE. Mr. Speaker, if that is true, would it not be better to knock out the whole business now at the inception of it?

Mr. HULL. Oh, let us meet each question as it comes up. How much time does the gentleman from Virginia desire?

Mr. HAY. Ten minutes.

Mr. HULL. I yield ten minutes to the gentleman from Virginia.

Mr. HAY. Mr. Speaker, I had supposed that the gentleman from Illinois [Mr. PRINCE] was actuated entirely by a principle and not by animosity against any one man. From the tenor of his remarks I take it that he is directing his opposition to this amendment against General Hall, on the ground solely that he has done service at West Point during the war and did not serve in the Army during the civil war.

Mr. PRINCE. Mr. Speaker, will the gentleman yield?

Mr. HAY. I yield for a question.

Mr. PRINCE. I know that my friend of long service on the committee will not put me in that attitude. I thought it was clearly understood——

Mr. HAY. Oh, I yielded for a question.

Mr. PRINCE. But there is only one person involved in this. Personally I have no unkindly feeling toward the gentleman. If he just was in the field with the troops, I would be delighted to be for him, but we must draw the line somewhere and follow the law that we have passed.

Mr. HAY. It is conceded that the amendment offered by the gentleman from Illinois [Mr. PRINCE] can apply to only this one man. Now, let us see what sort of a man this is—whether the service referred to by the gentleman from Illinois is the only service which this man has performed. He is a medal-of-honor man, and a medal of honor is much harder to obtain than the Victoria Cross of England or the Iron Cross of Germany. In an army of 66,000 men there are only 64 men to-day who hold a medal of honor, and this man, after his graduation at West Point, served for twenty-three years west of the Missouri River without a single billet to the eastward of that stream. He obtained that medal of honor by courage, self-sacrifice, and devotion in action, the only way that he could ever obtain it. He is not a carpet knight for whom this is asked, and he is a man who by service in the Army is entitled to receive it if the construction placed upon this amendment is that placed upon it by the gentleman from Illinois. He is the only man that can be, as he says, affected by it. No other man in the Army can be, and he would single out this man of distinguished service, of high merit, who holds a medal of honor—single him out and stigmatize him.

Mr. TOWNE. Will the gentleman yield?

Mr. HAY. Yes.

Mr. TOWNE. I want to ask the gentleman from Virginia if he has carefully examined the language in which the gentleman from Illinois proposes to amend this bill?

Mr. HAY. I have.

Mr. TOWNE. Are you not of the opinion that the language already excludes General Hall?

Mr. HAY. I am; but the gentleman from Illinois holds a different opinion, and offers this amendment in order to clear up what he thinks is uncertain, but which I believe is certain, and which I am told has been so construed by almost every lawyer who has examined it.

Mr. TOWNE. Why does not the gentleman offer an amendment which will include this brave soldier beyond peradventure?

Mr. HAY. I would be delighted to do it, but I have thought that the friends of this gentleman—of this brave soldier—were satisfied with the language of this amendment, and therefore it was not necessary for me to offer that amendment, if they chose themselves to take their chances in this way.

Mr. PRINCE. If the contention of the gentleman is correct, the language does not include him.

Mr. HAY. This amendment is for the purpose of promoting the men who have had a civil-war service, and that, you say, is a service that ought to give them this advancement—it ought to promote them.

Mr. PRINCE. We both agree as to the other men.

Mr. HAY. Then, why jeopardize all the other men in order to strike against this one man, against whom your amendment is aimed?

Mr. PRINCE. Let me say that this amendment was not presented by me nor by any Member of the House. This amendment that we are now discussing was presented by Senator BURROWS in the Senate. The House has never had anything to do with it. If the gentleman wants to criticise anybody, let him criticise those over yonder.

Mr. HAY. The gentleman from Illinois says that he is in favor of the Senate amendment; that he is in favor of giving to these other four men this promotion which this bill gives them, and by offering the amendment which he offers here he jeopardizes the promotion of these four men and does not, in my judgment, accomplish what he desires. I trust that the amendment of the gentleman from Illinois will be voted down and that the House will concur in the amendment of the Senate, which does justice to all of these gallant and brave soldiers. [Applause.]

Mr. HULL. Mr. Speaker, it is ungracious to refuse to yield time to gentlemen, but I will state that after five minutes has been occupied on this side and five on the other side I will move the previous question. I now yield five minutes to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Speaker, five minutes' time is all I require. My point is that the proposed amendment of the gentleman from Illinois would leave the proviso in the bill so confused and so doubtful that we are liable to exclude the very persons whom the gentleman from Illinois would be willing to include.

Mr. PRINCE. Will the gentleman yield?

Mr. KEIFER. I have only five minutes, and they are very short.

Mr. PRINCE. The officers that the gentleman from Ohio and the House want were not a single one of them a cadet at West Point.

Mr. KEIFER. That is exactly my trouble with the amendment. What is meant by "a cadet at West Point?" I can't say. There is the Surgeon-General in the Army, who was a cadet, but whether you would call him a cadet at West Point may depend on some construction. The amendment looks like it is an amendment of exclusion, and that anybody that served at any time for any portion of the period during the war at West Point would be excluded from the operations of the provisions of this bill if it becomes a law, and that is the reason I am opposed especially to the amendment.

We would not do any great harm if we let in General Hall, for he has a brilliant record in the Army from the beginning of his service to the present time, but I am not certain that he will be excluded under the language of the proviso, with or without the amendment proposed by the gentleman from Illinois.

The language of the proviso is this:

> That officers who served creditably in the regular or volunteer forces during the civil war prior to April 9, 1865, and who now hold the rank of brigadier-general on the active list of the Army, having previously held that rank for three years or more, shall when retired from active service have the rank and retired pay of major-general.

Now, if the language "having previously held that rank for three years or more" relates to the present time and not from the time he might be retired, General Hall would not be entitled to be retired under this proviso, and all around I think Members will agree upon that. I am satisfied, however, with the proviso without amendment. I am satisfied it will recognize some of the best officers of the Army, who not only performed their duty,

some of them beginning as private soldiers in the Army, some connected with the Medical Department, as acting medical cadets, some with the Hospital Department, and all along the line, who up to the present day have fulfilled their highest duty as great soldiers or officers in this country, and I therefore hope that the House will vote down the amendment of the gentleman from Illinois and concur in this Senate amendment. [Applause.]

Mr. HULL. Mr. Speaker, I yield two minutes to the gentleman from Kentucky [Mr. JAMES].

Mr. JAMES. Mr. Speaker, I believe a man who has given forty years of the best part of his life to the service of his country is entitled to more consideration than to be assailed in the open House of Representatives by the gentleman from Illinois and when no opportunity or chance of reply is afforded this soldier. I believe a party, the one to which the gentleman from Illinois belongs, that gives ungrudgingly its millions to build up the Navy, which it hopes to be the pride of the world; that gives of its treasure for the purpose of making its Army the glory of the country, ought to deal at least fairly with the men who consecrate their lives to the defense of their country. [Applause.] The gentleman by this amendment would cut out this soldier. He would shut the door of hope and advancement in the face of this gallant soldier, one who is as patriotic and as brave as any who ever led a charge in the name of his country, and not content with making his assault upon him here, he goes back and assails him about some other legislation. But it is sufficient answer to that to say that the gentleman ought to have made his objection then, because I presume he was in Congress. If he did not make his objection at that time he ought to assault the Congress or the President rather than to assault the soldier. But here he would deny this man this preferment, while at the same time he fails to state to the House that this man upon the frontier for twenty years stood fighting the battles of his country, and when in battle with the Indians one of his men was shot he stood in the forefront and drew the fire of the enemy and stood there battling alone until the men under his command took that wounded soldier to the rear, and for this act of courage he was awarded a medal of honor. [Applause.] If there is one man in the service of the United States Army who deserves to be promoted, General Hall is the one, rather than to be denied that promotion. I say that it is the duty of this Congress to hold out some hope, some chance, some opportunity for promotion in time of peace to the soldiers who stand ready to draw the sword in time of war. I say the soldier who stands as our outpost and defense in time of peace is entitled to as much praise, as much preferment, as the soldier who does service in the field.

I hope this House will vote down the amendment of the gentleman from Illinois and vote to concur in the Senate amendment and give to this brave soldier this promotion he so richly deserves. [Applause.]

Mr. HULL. I yield one minute to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I do not think the language under debate can possibly admit of any two constructions. The provision is:

That officers who served creditably in the regular or volunteer forces in the civil war prior to April 9, 1865, and who now hold the rank of brigadier-general on the active list of the Army, having previously held it for three years or more, etc.

"Previously" unquestionably refers to now.

Mr. PRINCE. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. PRINCE. General Hall served in the Army prior to that time?

Mr. SLAYDEN. According to this bill; yes.

Mr. PRINCE. He is now a brigadier-general?

Mr. SLAYDEN. Yes.

Mr. PRINCE. If he serves as brigadier-general for three years before retirement does he not comply with all the requirements in the law?

Mr. SLAYDEN. I think not, but I can not answer the gentleman's question; but had it been intended to provide for the future the provision would have used the future tense of the verb.

Mr. GROSVENOR. Mr. Speaker, whether or not this legislation would be wise and proper if it had come here in a proper manner I will not discuss, but when a bill or an amendment to a bill is brought into the House of Representatives with the direct purpose of striking a blow at a man who for forty years has followed the flag of my country, and who carries with him the attestation of a medal of honor, I will not discuss the merits of the proposition only to say that it is small, petty, and contemptible legislation. [Applause.] And I hope the matter may be so approved by the House of Representatives. [Cries of "Vote!"]

Mr. HULL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment proposed by the gentleman from Illinois [Mr. PRINCE].

The question was taken; and the amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Virginia [Mr. HAY] to concur in the Senate amendment.

The question was taken; and the Senate amendment was agreed to.

Mr. PRINCE. Mr. Speaker, upon that vote I call for the yeas and nays. I want the gentlemen to go on record.

The SPEAKER. The gentleman from Illinois demands the yeas and nays. All who are in favor of demanding the yeas and nays will rise and stand until counted. [After counting.] Nine gentlemen have arisen, not a sufficient number, and the yeas and nays are refused. So the motion to concur is agreed to.

On motion of Mr. HAY, a motion to reconsider the vote by which the Senate amendment was agreed to was laid upon the table.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 14, line 16, after the word "cents," insert:

"*Provided*, That hereafter any paymaster's clerk of the Army who shall have had in all thirty-five years' faithful service in the Army may be nominated by the President and, by and with the advice and consent of the Senate, be appointed a first lieutenant, mounted, United States Army, and placed on the retired list thereof as of that rank."

Mr. HULL. Mr. Speaker, I move that the House insist on its disagreement to the amendment, No. 25, just read.

The SPEAKER. The gentleman from Iowa [Mr. HULL] moves that the House insist on its disagreement to amendment No. 25.

The question was taken; and the motion was agreed to.

Mr. HULL. Mr. Speaker, I move that the House agree to the request of the Senate for a conference and that the Speaker announce the conferees.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER announced the following conferees: Mr. HULL, Mr. PARKER, and Mr. HAY.

## APPEALS IN CRIMINAL PROSECUTIONS.

Mr. JENKINS. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 15434) to regulate appeals in criminal prosecutions, and I would ask that the report be read.

The SPEAKER. Without objection, the Clerk will read.

There was no objection.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 15434) to regulate appeals in criminal prosecutions, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with the following amendment: In lieu of the said amendment insert the following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a writ of error may be taken by and on behalf of the United States from the district or circuit courts direct to the Supreme Court of the United States in all criminal cases, in the following instances, to wit:

"From a decision or judgment quashing, setting aside, or sustaining a demurrer to any indictment, or any count thereof, where such decision or judgment is based upon the invalidity or construction of the statute upon which the indictment is founded.

"From a decision arresting a judgment of conviction for insufficiency of the indictment, where such decision is based upon the invalidity or construction of the statute upon which the indictment is founded.

"From the decision or judgment sustaining a special plea in bar, when the defendant has not been put in jeopardy.

"The writ of error in all such cases shall be taken within thirty days after the decision or judgment has been rendered and shall be diligently prosecuted and shall have precedence over all other cases.

"Pending the prosecution and determination of the writ of error in the foregoing instances, the defendant shall be admitted to bail on his own recognizance: *Provided*, That no writ of error shall be taken by or allowed the United States in any case where there has been a verdict in favor of the defendant."

Amend the title so as to read: "An act providing for writs of error in certain instances in criminal cases."

And the Senate agree to the same.

JOHN J. JENKINS,
B. P. BIRDSALL,
D. A. DE ARMOND,
*Managers on the part of the House.*

KNUTE NELSON,
P. C. KNOX,
A. O. BACON,
*Managers on the part of the Senate.*

STATEMENT.

The House bill is as follows:

"A bill (H. R. 15434) to regulate appeals in criminal prosecutions.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all criminal prosecutions the United States shall have the same right of review by writ of error that is given to the defendant, including the right to a bill of exceptions: *Provided*, That if on such writ of error it shall be found that there was error in the rulings of the court during the trial, a verdict in favor of the defendant shall not be set aside.

"SEC. 2. That this act shall take effect and be in force from and after its passage and shall apply to all cases pending."

The Senate struck out all after the enacting clause and inserted in lieu thereof the following:

"That a writ of error may be taken by and on behalf of the United States from the district or circuit courts to the Supreme Court or the circuit courts of appeals, as prescribed in an act entitled 'An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes,' approved March 3, 1891, and the acts amendatory thereof, in all criminal cases, in the following instances, to wit:

"From a decision or judgment quashing, setting aside, or sustaining a demurrer to any indictment, or any count thereof, where the ground for such motion or demurrer is the invalidity or construction of the statute upon which the indictment is founded.

"From a decision arresting a judgment of conviction for insufficiency of the indictment, where the ground of insufficiency thereof is the invalidity or construction of the statute upon which the same is founded.

"From the decision or judgment sustaining a special plea in bar, when the defendant has not been put in jeopardy.

"Appeals or writs of error in all such cases shall be taken within thirty days, shall be diligently prosecuted, and shall have precedence over all other appealed cases.

"Pending an appeal or writ of error by the United States the defendant shall be admitted to bail on his own recognizance: *Provided*, That if upon appeal or writ of error it shall be found that there was error in the rulings of the court during the trial, a verdict in favor of the defendant shall not be set aside.

The Senate receded from its amendment to the extent of agreeing to substitute the following in lieu of the Senate amendment:

"That a writ of error may be taken by and on behalf of the United States from the district or circuit courts direct to the Supreme Court of the United States in all criminal cases in the following instances, to wit:

"From a decision or judgment quashing, setting aside, or sustaining a demurrer to any indictment, or any count thereof, where such decision or judgment is based upon the invalidity or construction of the statute upon which the indictment is founded.

"From a decision arresting a judgment of conviction for insufficiency of the indictment, where such decision is based upon the invalidity or construction of the statute upon which the indictment is founded.

"From the decision or judgment sustaining a special plea in bar, when the defendant has not been put in jeopardy.

"The writ of error in all such cases shall be taken within thirty days after the decision or judgment has been rendered, and shall be diligently prosecuted, and shall have precedence over all other cases.

"Pending the prosecution and determination of the writ of error in the foregoing instances, the defendant shall be admitted to bail on his own recognizance: *Provided*, That no writ of error shall be taken by or allowed the United States in any case where there has been a verdict in favor of the defendant."

Amend the title so as to read: "An act providing for writs of error in certain instances in criminal cases."

The changes in the amendment of the Senate made by the conferees are as follows:

In line 2, after the word "courts," insert the word "direct."

In line 3, after the words "preme court," insert the words "of the United States;" and, after such insertion, strike out all of the remainder of lines 3, 4, 5, 6, 7, and that part of line 8 down to and including the word "thereof."

In line 12 strike out, after the word "where," the following words: "the ground for such motion or demurrer" and insert in lieu thereof the words "such decision or judgment is based upon."

In line 16, after the word "where," strike out the following words: "the ground of insufficiency" and insert in lieu thereof the words "such decision is based."

In line 17 strike out the words "thereof is" and insert in lieu thereof the word "upon."

In line 18 strike out the word "same" and insert in lieu thereof the word "indictment."

In line 21 strike out the words "appeals or" and insert in lieu thereof the word "the;" and in line 21 take off the letter "s" from the word "writs."

In line 22, after the word "days," insert the words "after the decision or judgment has been rendered and."

In line 23 strike out the word "appealed."

In line 24, after the word "pending," strike out the words "and appeal or" and insert in lieu thereof the words "the prosecution and determination of the."

And in line 24, after the word "error," strike out the words "by the United States" and insert in lieu thereof "in the foregoing instances."

In line 26, after the words "*Provided*, That," strike out all of the balance of line 26, commencing with the word "if," and all of lines 27, 28, and 29, and insert in lieu thereof the following: "no writ of error shall be taken by or allowed the United States in any case where there has been a verdict in favor of the defendant."

Amend the title so as to read: "An act providing for writs of error in certain instances in criminal cases."

JOHN J. JENKINS,
B. P. BIRDSALL,
D. A. DE ARMOND,
*Managers on the part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A further message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate insists upon its amendments to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, agrees to the conferences asked by the House, and had appointed Mr. HALE, Mr. ALLISON, and Mr. BERRY as conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House was requested.

IN THE SENATE OF THE UNITED STATES,
*February 27, 1907.*

*Resolved by the Senate (the House of Representatives concurring)*, That the Clerk of the House of Representatives be instructed in the enrollment of the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, to strike out the word "connecting," on page 105, line 1, and to insert in lieu thereof the word "Swan," to correct what is evidently a clerical error in the preparation or printing of the bill.

The message also announced that the Senate had passed without amendments bills of the House of the following titles:

A bill (H. R. 7153) for the relief of David McClelland for loss sustained at Chickamauga Park, Ga., January 29, 1904; and

A bill (H. R. 8080) for the relief of S. Kate Fisher.

MESSAGES FROM THE PRESIDENT.

Several messages in writing from the President of the United States were communicated by Mr. LATTA, one of his secretaries.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire to call up conference report on the naval appropriation bill, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 27.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: On page 10 of the bill, in lines 20 and 21, change the subtotal so as to read "fourteen thousand six hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four million one hundred and fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "wall" insert "on Government property;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lines 4 and 5 of said amendment strike out the words: "from its present location to the hill in the rear of building numbered sixty-five;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In line 6 of said amendment strike out the word "one" and insert in lieu thereof the word "two;" and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "equal," insert: "in the judgment of the Secretary of the Navy;" and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of said amendment insert the word "ten;" and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of said amendment insert the word "twenty-three;" and the Senate agree to the same.

On amendment numbered 1 the committee of conference have been unable to agree.

GEORGE EDMUND FOSS,
H. C. LOUDENSLAGER,
ADOLPH MEYER,
*Managers on the part of the House.*

EUGENE HALE,
GEO. C. PERKINS,
B. R. TILLMAN,
*Managers on the part of the Senate.*

The statement was read as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the amendments of the Senate, viz:

On amendment No. 2: Provides for two copyists at the Naval War College, Rhode Island, at $900 each per year, as proposed by the Senate.

On amendment No. 3: Provides for a change of totals.

On amendment No. 4: Appropriates $4,000,000 for a reserve supply of ammunition, instead of $2,000,000 as proposed by the Senate.

On amendments Nos. 5 and 6: Provides for one clerk at $1,200 in lieu of one writer at $1,000 under the civil establishment, Bureau of Ordnance, navy-yard, Boston, Mass., as proposed by the Senate.

On amendment No. 7: Provides for a change of totals under civil establishment, Bureau of Ordnance.

On amendment No. 8: Appropriates $4,150,000 for coal and transportation, instead of $3,750,000.

On amendment No. 9: Strikes out the appropriation of $15,000 for coaling plant at the navy-yard, Portsmouth, N. H., as proposed by the Senate.

On amendment No. 10: Appropriates for the following improvements at the navy-yard, Portsmouth, N. H., pattern shop for steam engineering, to complete, $61,200; track for 40-ton crane extension, $10,000, the limit of cost to be $46,800, as proposed by the Senate.

On amendment No. 11: Provides for a change of totals under navy-yard, Portsmouth, N. H., as proposed by the Senate.

On amendment No. 12: Appropriates for the following improvements at the navy-yard, New York, N. Y., railroad equipment, additional, $5,000; railroad system extension, $10,000; sewers and drains, $10,000; cement storehouse, $11,000, as proposed by the Senate.

On amendment No. 13: Provides for a change of totals under navy-yard, New York, N. Y., as proposed by the Senate.

On amendment No. 14: Appropriates $130,000 for a central power plant at the navy-yard, Norfolk, Va., as proposed by the Senate.

On amendment No. 15: Provides for change of totals under navy-yard, Norfolk, Va., as proposed by the Senate.

On amendment No. 16: Provides for an appropriation of $2,500 for sidewalks along outside station wall on Government property at the naval station, Key West, Fla.

On amendment No. 17: Provides for the change of totals under naval station, Key West, Fla., as proposed by the Senate.

On amendment No. 18: Provides for a central light and power plant at navy-yard, Mare Island, Cal., to cost $100,000, and for the removal of office building No. 103, $1,000, as proposed by the Senate.

On amendment No. 19: Provides for change of totals under navy-yard, Mare Island, Cal., as proposed by the Senate.

On amendments Nos. 20 and 21: Appropriates $200,000 to enable the Secretary of the Navy to repair and reconstruct where necessary the buildings, wharves, and other public works recently damaged by the hurricane at the navy-yard, Pensacola, Fla., and changes totals accordingly, as proposed by the Senate.

On amendment No. 22: Provides for change of total under public works, navy-yards and stations, as proposed by the Senate.

On amendment No. 23: Strike out the word "repair" and insert the word "construction," as proposed by the Senate, so as to read, "naval hospital, Puget Sound, Washington, for the construction of naval hospital buildings, $75,000 (total cost not to exceed $150,000)," as proposed by the Senate.

On amendment No. 24: Appropriates $60,000 for the erection of an addition symmetrical with the northeast pavilion, solarium, and connecting corridor to the naval hospital, Washington, D. C., as proposed by the Senate.

On amendment No. 25: Provides for a change of totals under public works, Bureau of Medicine and Surgery, as proposed by the Senate.

On amendment No. 26: Provides for change of totals, as proposed by the Senate.

On amendment No. 28: Provides that the Secretary of the Navy shall hereafter report to Congress at the commencement of each regular session the number of vessels and their names upon which any repairs or changes are proposed which in any case shall amount to more than $200,000, the extent of such proposed repairs or changes, and the amounts estimated to be needed for the same in each vessel; and expenditures for such repairs or changes so limited shall be made only after appropriations in detail are provided for by Congress, as proposed by the Senate.

On amendments Nos. 29 and 30: Changes the words "naval station" to "navy-yard," so as to read, "navy-yard, Charleston, South Carolina," as proposed by the Senate.

On amendments Nos. 31, 32, and 33: Provides at the Naval Academy for one bandmaster, at $1,200; 21 first-class musicians, at $420 each, and 7 second-class musicians, at $360 each, and changes totals accordingly, as proposed by the Senate.

On amendments Nos. 34 and 35: Provides for seven brigadier-generals and two colonels instead of six brigadier-generals and three colonels, under Marine Corps, as proposed by the Senate.

On amendment No. 36: Strikes out the word "the" and inserts the word "each," under pay of civil force, Marine Corps; so as to read: "in the office of each assistant paymaster, one clerk, at $1,400," as proposed by the Senate.

On amendments Nos. 37 and 38: Changes totals, as proposed by the Senate.

On amendments Nos. 39, 40, and 41: Reduces appropriation for provisions, Marine Corps, from $613,503 to $548,503; and for clothing, Marine Corps, from $655,000 to $600,920; and increases military stores, Marine Corps, $782, as proposed by the Senate.

On amendments Nos. 42, 43, 44, 45, 46, and 47: Increases the appropriation for transportation and recruiting, Marine Corps, from $80,000 to $86,000; for repairs of barracks, Marine Corps, from $70,000 to $78,836; and for hire of quarters, from $40,000 to $51,548; and for contingent, Marine Corps, from $260,000 to $280,800, and changes the totals accordingly, as proposed by the Senate.

On amendment No. 48: Inserts the words "subsurface or" after the word "for;" so as to read: "to contract for subsurface or submarine boats," as proposed by the Senate.

On amendment No. 49: Inserts the following language after the word "expended:" "no part of this appropriation to be expended for any boat that does not in such test prove to be equal, in the judgment of the Secretary of the Navy, to the best boat now owned by the United States or under contract therefor; and no penalties under this limitation shall be imposed by reason of any delay in the delivery of said boat due to the submission or participation in the comparative trials aforesaid," as proposed by the Senate.

On amendments Nos. 50 and 51: Increases the appropriation for armor and armament from $9,000,000 to $10,000,000, and changes totals accordingly, as proposed by the Senate.

The committee of conference have been unable to agree on the following amendment:

On amendment No. 1: Which appropriates $50,000 for the naval training station, Port Royal, S. C., as follows:

"Maintenance of naval training station, Port Royal, S. C., namely: Manuel labor and material; general care, repairs, and improvements of grounds, buildings, and wharves; wagons, carts, implements, and tools, and repairs to same; gymnastic implements; models and other articles needed in instruction of apprentice seamen; stationery, books, periodicals, and other contingent expenses; necessary repairs to the buildings now erected to fit them for berthing, messing, and drilling purposes, and for galleys, latrines, and washhouses; for purposes of administration in connection with the training of apprentice seamen.

GEORGE EDMUND FOSS,
H. C. LOUDENSLAGER,
ADOLPH MEYER,
*Managers on the part of the House.*

Mr. FOSS. Mr. Speaker, I wish to state for the information of the House that this conference settles all matters in disagreement between the two Houses except Senate amendment No. 1, which relates to the opening of Port Royal as a naval training station. Now, the naval appropriation bill as reported to the House carried $95,404,717. As it passed the House it carried $95,027,481.50. As reported to the Senate it carried $100,727,807.50; as it passed the Senate, $101,108,007.50. After the first conference, which is this conference, in this provision in Senate amendment No. 1 it carries $99,008,007.50. Now, Mr. Speaker, I move the previous question on the adoption of the report.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. FOSS. Mr. Speaker, I will withdraw my motion for a moment.

Mr. FITZGERALD. What disposition was made of Senate amendment No. 28, requiring the Secretary of the Navy to report the number of vessels and names and character of changes to be made in the nature of repairs?

Mr. FOSS. That provision was left in, but it was increased to $200,000 instead of $100,000. The report as to repairs is over $200,000.

Mr. FITZGERALD. Were there any important legislative changes incorporated?

Mr. FOSS. There were comparatively few Senate amendments, and no important legislative changes. Now, Mr. Speaker, if there are no other questions——

Mr. PAYNE. Does the gentleman mean to say that the bill has come over here without any provision in it to retire somebody at a higher rank, or anything of that kind?

Mr. FOSS. Those matters were left out. They were not reported to the Senate.

Mr. PATTERSON of South Carolina. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PATTERSON of South Carolina. I desire to move that the House recede and concur in Senate amendment No. 1.

Mr. FOSS. Mr. Speaker, that is not in order at this time. The question now is on agreeing to the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. FOSS. Now, Mr. Speaker, I call up the amendment in disagreement.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment No. 1:

"Naval training station, Port Royal, S. C.: Maintenance of naval training station, Port Royal, S. C., namely: Manual labor and material; general care, repairs, and improvements of grounds, buildings, and wharves; wagons, carts, implements, and tools, and repairs to same; gymnastic implements; models and other articles needed in instruction of apprentice seamen; stationery, books, periodicals, and other contingent expenses; necessary repairs to the buildings now erected to fit them for berthing, messing, and drilling purposes, and for galleys, latrines, and washhouses; for purposes of administration in connection with the training of apprentice seamen; in all, naval training station, Port Royal, S. C., $50,000."

Mr. FOSS. Mr. Speaker, I wish to state to the House that this is the only matter in disagreement. The question came up a year ago, and the gentleman from South Carolina made a motion to recede and concur in the Senate amendment, but the House, by a vote of nearly two to one, voted down that proposition, and it comes again before the House in the shape of a disagreement between the two Houses. I understand the gentleman desires to speak upon the proposition.

The SPEAKER. What is the gentleman's motion?

Mr. FOSS. My motion is that the House do further insist upon its disagreement to the Senate amendment.

The SPEAKER. The gentleman from Illinois moves that the House do further insist on its disagreement to the Senate amendment.

Mr. PATTERSON of South Carolina. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from South Carolina moves that the House recede from its disagreement and concur in the Senate amendment.

Mr. FOSS. How much time does the gentleman desire?

Mr. PATTERSON of South Carolina. Twenty minutes.

Mr. FOSS. I yield to the gentleman twenty minutes.

Mr. PATTERSON of South Carolina. Mr. Speaker, as the gentleman from Illinois has stated, this is not the first time that this proposition has been before the House. I introduced a bill last session providing for an appropriation of $96,000 for Port Royal training station. This is the second time that the Senate has made this amendment to the naval appropriation bill. The Senate desires to take care of this property owned by the Government at Port Royal. It is a business proposition that is before the House now. At Port Royal the Government has property upon which it has expended more than $1,000,000. A considerable amount of that money was expended in building elegant houses, residences for officers, and large brick structures that were at one time filled with machinery used there in connection with the naval station.

Now, Mr. Speaker, these buildings are sought after by the Navy Department. The Navy Department has time and again requested that this small appropriation be made in order that this station may be utilized as a naval training station in connection with the naval training station at Newport, R. I. The appropriation asked for is much smaller than was asked for a year ago. Last year they asked for $96,000. This year they only ask for $50,000. This $50,000 will protect and care for this valuable property owned by the Government, which cost more than $1,000,000.

As it stands to-day, that property is abandoned and virtually thrown away. It is there to rot down. It is a valuable property. The Navy Department needs it. They are clamoring for it and begging this Congress for this small appropriation. I say to you, gentlemen of the House, that it is a business proposition and it is up to you, and you should exercise just as much judgment in dealing with this as you would dealing with your own personal property. Certainly no sane business man would

invest a million dollars in lands, houses, and buildings and then throw the investment away and allow the buildings to rot down and decay, when they could be utilized. In this case the property could be well utilized for the benefit of the Government. You are building more and more war ships every year. You want American seamen to man those war ships. You want trained men, so as to avoid the accidents that we have had in the past. Here is the opportunity to utilize these grounds at Port Royal, S. C., as a naval training station.

The conversion of this place into a naval training station is no new idea. In 1902 Secretary Long brought this matter forcibly to the attention of the Committee on Naval Affairs, and I quote from his letter addressed to Hon. William Elliott, as follows:

I have the honor to inform you that the total appraised value of the plant at Port Royal is $949,000. * * * The buildings and other public works at the yard are neither extensive nor valuable. Their appraised value at that time was $284,000, the remainder of the appraised value being $147,000 for tools, furniture, and floating property. This $284,000 represents forty-five buildings. All the larger ones are of brick laid with cement and having concrete foundations, and it is believed that the cost of taking them down, preparing the material for reuse, and removing it to another site would more than equal the value of the material.

The buildings and property at the Port Royal station can wisely be used in connection with the very important purpose of training recruits for the Navy; in fact, building No. 20, intended for sawmill and boat shop, has already been fitted to accommodate 360 landsmen for training; and the Department is only waiting appropriation of the money asked for to arrange for the accommodation of 1,000 men here.

The necessity of stations for this purpose has become very urgent, and this station is peculiarly well adapted for the purpose. * * *

As Port Royal has been pronounced to be a most suitable location for a training station by the board, of which Capt. J. J. Hunker, United States Navy, commandant of the training station at Newport, R. I., was senior member; as arrangements have already been made to locate 360 men under training here, and the Bureau of Navigation is desirous of extending by October next the facilities so that 1,000 can be accommodated; as the board on torpedo boat bases has recommended the establishment of a base here, and one has been so established, and as the Bureau of Equipment has a calling station in operation here, the Department deems it unwise to sell the property. The Department can not state what price would be realized from such sale, but believes it would be difficult to effect a sale.

Rear-Admiral H. C. Taylor, United States Navy, who is to relieve Rear-Admiral A. S. Crowninshield, United States Navy, as Chief of the Bureau of Navigation, has latterly visited Port Royal and earnestly recommends the establishment of a permanent training station there.

And again, in 1906, Secretary Bonaparte, in a letter addressed to Senator HALE, chairman of the Naval Affairs Committee of the Senate, recommended an appropriation of $96,000 for Port Royal training station. His letter is as follows:

NAVY DEPARTMENT,
*Washington, May 21, 1906.*

SIR: I have the honor to recommend the following amendment to the naval appropriation bill now pending in the Senate (H. R. 18750) in order that the Department may make such use of the Port Royal Naval Station for a winter training station as may be found desirable and necessary:

On page 8, after line 8 of the bill (Naval Training Station, Rhode Island), add:

"*Provided*, That the naval station at Port Royal, S. C., including all buildings and other property thereon and the employees attached thereto, be hereby transferred to and placed under the control of the Bureau of Navigation, Navy Department, as an adjunct to the Naval Training Station, Rhode Island, to be used for the instruction of recruits during the winter months and at such other times as may be deemed advisable; and for that purpose the following sums are appropriated: Necessary repairs to the buildings to fit them for berthing, messing, and drilling purposes, and for galleys, latrines, and washhouses for apprentice seamen, and for purposes of administration in connection with the training of the same, $51,000; installing necessary distilling plant for fresh-water supply, $20,000; maintenance of the station as a training station, $25,000; in all, $96,000."

This amendment is requested for the reason that the Department deems it necessary to have available some station for the training of recruits should an epidemic of disease render one of the present training stations inadequate. This condition has existed for the past two winters, causing the partial suspension of enlistments and the unnecessary deaths of several men, besides risking the lives of a large number of others who were exposed to fatal disease.

Respectfully,

CHARLES J. BONAPARTE,
*Secretary.*

Hon. EUGENE HALE,
*Chairman Committee on Naval Affairs,*
*United States Senate.*

Several naval boards have had this matter under consideration on several occasions, and their reports have always been most favorable to the establishment of a naval training station at Port Royal, and I invite your attention to the report of the board of naval officers, of which Capt. J. J. Hunker, United States Navy, was senior member. This is quite a voluminous report. This board of naval officers took this matter up and carefully considered it in every detail. I read from this report as follows:

The board is of unanimous opinion that the Port Royal station is the most suitable one for the purpose of training landsmen, owing to its mild and healthful climate; to the opportunities furnished by the commodious buildings for quarters, drill, and inspection rooms; to the quiet and spacious waters adjoining for boat drill, gunnery practice, and exercise afloat; to the extensive level grounds that can be made available for drill and parade; to its remoteness from large cities, with their accompanying distractions, and to its ready access by rail and water, and believes that if a sufficient quantity of fresh water could be furnished to allow a liberal supply for the purpose of cooking, washing, bathing, and scrubbing clothes, hammocks, etc., the site would fulfill every requirement.

Much could be said as to the health of this locality, which is unequalled. They have never had any sickness there at all and there is an adequate supply of pure artesian water.

I might go on multiplying and piling up evidence to show the necessity of this appropriation, but I deem this sufficient to convince the Members of this House that they ought to vote for this appropriation and give us a much-needed training station and protect and preserve this valuable Government property.

Mr. Speaker, I yield to the gentleman from South Carolina [Mr. FINLEY] five minutes.

Mr. FINLEY. I shall detain the House but a very few minutes. The principal complaint that has been made against the course of Congress in increasing the Navy is that battle ships are built faster than the Government is able properly to man them. It is true, as shown from the annual report of the Secretary of the Navy on pages 34 and 35, that desertions are on the increase. I stated here a year ago, and I repeat now, that the principal reason why there are so many desertions is that boys are enlisted, are placed directly on the battle ships, are taken out of their surroundings and homes, and go into entirely new surroundings where they are incapable of discharging the duties put upon them. I say to gentlemen on the other side of this House that this question of desertions is a most serious matter; that last year or the year ending June 30, 1906, there were 3,998 desertions from the Navy of the United States, a percentage of 9.04 out of a total enlistment of 44,222; so that there is something wrong with the Navy of the United States. We are building battle ships; we are building up a great Navy that is to-day in point of effectiveness the second in the world; and, gentlemen, the charge has been made, and it has been practically substantiated, that you will not provide men for these ships; you will not provide efficient seamen. This is all I care to say; this is all there is in the proposition. The Government has the property at Port Royal suitable for a naval training station. It will cost very little to establish a naval training station there, and to send recruits to this station for training and initial service for, say, six months of the year would give them a preparatory education and they would go from there to the battle ships, and with training of this character you would not have one-half of the desertions that you have to-day. I repeat that this is a proposition that Congress must consider and the method of dealing with it effectively. The following table, from the report of the Bureau of Navigation, shows the number of desertions from the Navy in detail:

*Desertions, by ships and stations.*

| | |
|---|---|
| Active | 2 |
| Alabama | 81 |
| Albatross | 29 |
| Amphitrite | 8 |
| Arkansas | 12 |
| Atlanta | 5 |
| Baltimore | 8 |
| Bennington | 3 |
| Blakely | 6 |
| Boston | 36 |
| Brooklyn | 42 |
| Callao | 2 |
| Celtic | 10 |
| Charleston | 164 |
| Chattanooga | 24 |
| Chauncey | 4 |
| Chicago | 77 |
| Cincinnati | 4 |
| Cleveland | 18 |
| Colorado | 128 |
| Columbia | 51 |
| Concord | 29 |
| Constellation [a] | 347 |
| Culgoa | 5 |
| Dale | 2 |
| Davis | 1 |
| Decatur | 2 |
| Denver | 20 |
| Des Moines | 22 |
| Detroit | 1 |
| Dixie | 9 |
| Dolphin | 9 |
| Don Juan De Austria | 2 |
| Dubuque | 18 |
| Dupont | 3 |
| Eagle | 4 |
| Elcano | 12 |
| Farragut | 2 |
| Fish Hawk | 7 |
| Florida | 8 |
| Fortune | 3 |
| Fox | 1 |
| Frolic | 1 |

[a] Receiving ship.

| | |
|---|---|
| Franklin [a] | 461 |
| Galveston | 36 |
| Glacier | 10 |
| Hancock [a] | 178 |
| Hartford | 4 |
| Hist | 1 |
| Hopkins | 13 |
| Hull | 3 |
| Illinois | 73 |
| Independence [a] | 114 |
| Indiana | 32 |
| Iowa | 50 |
| Iroquois | 5 |
| Kearsarge | 48 |
| Kentucky | 62 |
| Lancaster | 63 |
| Lawrence | 14 |
| Lawton | 26 |
| Louisiana | 19 |
| Macdonough | 6 |
| Maine | 64 |
| Marblehead | 36 |
| Marietta | 6 |
| Maryland | 182 |
| Massachusetts | 29 |
| Massasoit | 1 |
| Mayflower | 39 |
| Minneapolis | 23 |
| Missouri | 86 |
| Mohican | 3 |
| Monadnock | 8 |
| Nashville | 15 |
| Naval Academy | 5 |
| Nevada | 6 |
| Newark | 10 |
| New Jersey | 19 |
| Nicholson | 9 |
| Nina | 6 |
| O'Brien | 4 |
| Ohio | 22 |
| Olympia | 11 |
| Oregon | 14 |
| Osceola | 1 |
| Paducah | 6 |
| Pampanga | 3 |
| Paul Jones | 13 |
| Pennsylvania | 152 |
| Pensacola [a] | 165 |
| Perry | 4 |
| Philadelphia [a] | 54 |
| Piscataqua | 3 |
| Potomac | 5 |
| Preble | 11 |
| Princeton | 29 |
| Quiros | 3 |
| Raleigh | 5 |
| Rainbow | 3 |
| Reserve torpedo flotilla | 15 |
| Rhode Island | 66 |
| Scorpion | 5 |
| Solace | 18 |
| Sotoyoma | 1 |
| Southery | 3 |
| Stewart | 3 |
| Stranger | 3 |
| Stringham | 1 |
| Supply | 12 |
| Tacoma | 23 |
| Terror | 2 |
| Texas | 18 |
| Triton | 1 |
| Truxton | 6 |
| Uncas | 1 |
| Vesuvius | 6 |
| Villalobos | 2 |
| Virginia | 23 |
| Vixen | 2 |
| Wabash | 46 |
| Wasp | 2 |
| West Virginia | 178 |
| Wilmington | 3 |
| Wisconsin | 8 |
| Wolverine | 9 |
| Wompatuck | 2 |
| Worden | 7 |
| Wyoming | 2 |
| Yankee | 3 |
| Yankton | 9 |
| Navy-yard, Portsmouth, N. H | 1 |
| Torpedo station, Newport, R. I | 2 |
| Naval Home | 5 |
| Navy-yard, Washington, D. C | 3 |
| Navy-yard, Pensacola, Fla | 6 |
| Naval station, New Orleans, La | 6 |
| Total | 3,998 |

Mr. FOSS. Mr. Speaker, I would like to ask the gentleman from South Carolina if the other side is through with the discussion?

Mr. PATTERSON of South Carolina. Yes.

Mr. FOSS. Mr. Speaker, a number of years ago we closed up Port Royal station, which was a navy-yard, and we understood that we were going to Charleston and there build up a new navy-yard, because that place was better fitted for a navy-yard than Port Royal. This amendment carries $50,000 for the purpose of opening up this navy-yard at Port Royal.

Mr. FINLEY. I understood the gentleman to say that there was an agreement made to close the Port Royal station. Does the gentleman know with whom that agreement was made?

Mr. FOSS. That was the understanding at that time, that Port Royal was to be closed.

Mr. FINLEY. Is this a proposition to reopen or reestablish a naval station at Port Royal? There never was a navy-yard there.

Mr. FOSS. There was a navy-yard.

Mr. FINLEY. A naval station.

Mr. FOSS. This is not a proposition to open it up as a navy-yard, but as a naval training station.

Mr. FINLEY. That is right.

Mr. FOSS. This matter was thoroughly discussed in this House a year ago and the sentiment of the House was strongly against the proposition. The vote, as I recollect it, was two to one. I do not care to enter into a discussion at this time, but I desire to put into the RECORD in connection with my remarks a report which was made upon Port Royal by the Secretary of the Navy, Mr. Moody.

Mr. MANN. Will the gentleman from Illinois yield for a question?

Mr. FOSS. Yes.

Mr. MANN. When we had the naval bill under discussion, there was considerable said in reference to moving certain men from Port Royal to Charleston.

Mr. FOSS. That only related to the clerical force. All we have at Port Royal is a caretaker, about two men, I think.

Mr. MANN. And the navy-yard is established at Charleston?

Mr. FOSS. Yes.

Mr. MANN. This is a proposition to have two naval places in South Carolina?

Mr. FOSS. This is a proposition to open up Port Royal as a naval training station.

Mr. MANN. Both in the same State?

Mr. FOSS. Both in the same State, within 60 miles of each other.

Mr. MANN. Does not the gentleman from Illinois imagine that South Carolina would like to have a third naval station in that State?

Mr. FINLEY. I think I can answer that question. While I do not think it is necessary, if there was a necessity for it I suppose South Carolina is the best fitted for it.

Mr. MANN. I suppose the gentleman thinks that South Carolina is the best for everything connected with the Navy?

Mr. FINLEY. The gentleman is correct. [Laughter.]

Mr. MANN. I assume from the attention that the gentlemen of South Carolina have given this matter that if they get Port Royal they intend to absorb all the balance of the naval stations. [Laughter.]

Mr. FOSS. They will probably want to go right along with the Charleston station at the same time. Now, Mr. Speaker, I call for a vote.

The SPEAKER. The question is on the motion of the gentleman from South Carolina [Mr. PATTERSON] that the House recede from its disagreement to the Senate amendment and concur in the same.

The question was taken, and on a division (demanded by Mr. Foss) there were 40 ayes and 78 noes.

So the motion was lost.

Mr. FOSS. Now, Mr. Speaker, I renew my motion that the House further insist on its disagreement to the Senate amendment.

The question was taken, and the motion was agreed to.

### DISPOSITION OF CONDEMNED GUNS, ETC.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25401) to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized, in his discretion, to give to the Monument Association, Athens, Ohio, four condemned brass or bronze guns, with suitable outfit of cannon balls, which may not be needed in the service. Such gift shall be made subject to rules and regulations covering the same in the War Department, and the Government shall be at no expense in connection with such loan or gift.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. GROSVENOR, a motion to reconsider the last vote was laid on the table.

[a] Receiving ship.

JAMESTOWN EXPOSITION.

The SPEAKER laid before the House the following communication, which was read:

JAMESTOWN EXPOSITION COMPANY (INCORPORATED),
*Norfolk, Va., February 25, 1907.*

*To the Speaker and Members of the House of Representatives,*
*Washington:*

The honor of the presence of the Speaker and the House of Representatives of the United States is requested at the formal opening of the Jamestown Tercentennial Exposition at Norfolk, Va., on April 26, 1907. The acceptance of this invitation and the attendance of the Speaker and the House of Representatives upon the ceremony of the formal opening will be most gratifying to the president and the directors of the exposition and to all through whose agency the tercentennial has been made worthy of the cause it represents.

H. ST. GEO. TUCKER, *President.*

Mr. MAYNARD. Mr. Speaker, I ask unanimous consent for the present consideration of the following concurrent resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring),* That the invitation extended to the Congress of the United States by the Jamestown Tercentennial Exposition to attend the opening ceremonies of said exposition to be held April 26, 1907, is hereby accepted.

That the Speaker of the House of Representatives and the President of the Senate be, and are hereby, authorized and directed to appoint a committee, to consist of ten Senators and fifteen Representatives of the Fifty-ninth Congress, to attend the formal opening of the ceremonies referred to and to represent the Congress of the United States on that occasion.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

FELIX G. MORRISON.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring),* That the President be requested to return the bill H. R. 21606, entitled "An act granting an increase of pension to Felix G. Morrison."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

RELIEF OF WHITE PERSONS WHO INTERMARRIED WITH CHEROKEE CITIZENS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8535) for the relief of certain white persons who intermarried with Cherokee citizens, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That for sixty days after the approval of this act white persons who intermarried with Cherokee citizens prior to December 16, 1895, and made permanent and valuable improvements on lands belonging to the Cherokee Nation prior to the decision of the Supreme Court of the United States in the case of Daniel Red Bird, the Cherokee Nation, and others, against The United States (203 U. S., p. 76), shall have the right to sell such improvements to citizens of the Cherokee Nation entitled to select allotments at a valuation to be approved by an official to be designated by the Secretary of the Interior for that purpose; and the vendor shall have a lien on the rents and profits of the land on which the improvements are located for the purchase money remaining unpaid and shall have the right to enforce such lien in any court of competent jurisdiction.

With the following amendment:

*Provided,* That where citizens of the Cherokee Nation entitled to allotments have heretofore applied for lands on which intermarried white persons own improvements, such citizens entitled to allotments shall have the prior right to purchase said improvements, as herein provided.

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to have some explanation of this bill.

Mr. SHERMAN. Mr. Speaker, the decision of the Supreme Court in the Daniel Red Bird case, rendered last fall, with reference to the rights of intermarried whites with Cherokee citizens, the gentleman will recall, settled the question that the intermarried whites had no right to allotments in the Indian Territory. These intermarried whites, many of them, had made improvements to the land. Those improvements are there. This bill gives the right to these intermarried whites to sell the improvements on the land, giving the preference to the persons who had the fee to the several allotments to purchase the same.

Mr. FINLEY. Is it a fact that a number of these intermarried whites had received allotments themselves?

Mr. SHERMAN. They had asked for allotments; yes, and there had been claims in which their right to such allotments was contested. The Supreme Court of the United States has held that they had no right to such allotments.

Mr. FINLEY. I am familiar with that decision.

Mr. MANN. Who owns the fee?

Mr. SHERMAN. The fee is in the Cherokee Nation, and the land is being allotted to Cherokee citizens. Certain intermarried white people claimed that they had a right to allotments.

Mr. MANN. I understand that; and this allows the owner of the fee to take the improvements by paying for them. Who owns the fee? How is that question settled?

Mr. SHERMAN. The Indian allottees.

Mr. MANN. The property has not been allotted yet, has it, to the Indian allottees?

Mr. SHERMAN. Well, when it is allotted, it permits the white people to sell the improvements, giving the allottee the prior right to purchase.

Mr. MANN. Is there a process by which that allotment will soon be made?

Mr. SHERMAN. Certainly. It is going on right now.

Mr. MANN. It may be going on, but will it soon be made?

Mr. SHERMAN. Certainly; it is being made right along.

Mr. HINSHAW. And there is nothing in this bill that confers the preferential right absolutely. They can sell to somebody else if they do not agree upon the terms?

Mr. SHERMAN. Certainly. They simply have a preferential right.

Mr. FINLEY. About what is the number of the intermarried whites, and about the value of the improvements they made on these lands?

Mr. SHERMAN. The value is very considerable, and the number goes into the thousands; my recollection is it is something over three thousand.

Mr. MANN. The gentleman has no information as to the value of the improvements altogether?

Mr. SHERMAN. I have not definite information here; it is very considerable.

Mr. MANN. Let me ask the gentleman further. Under the provisions of this bill is the gentleman quite sure there will be no claims made against the United States on account of these improvements?

Mr. SHERMAN. I am not very sure there will be no claims made against the Government of the United States. My experience is nothing can arise in reference to the Indians, but somebody somewhere—some claim agent, I was about to say, but I will not designate them by any title—but that somebody will arise somewhere and make some claim against the Government.

Mr. MANN. Take this case of a fairly just claim. Here is a piece of land upon which a white person has settled and made improvements. Under the law it is subsequently allotted——

Mr. SHERMAN. But it is land the United States never owned.

Mr. MANN. That is what I know. Subsequently it is allotted to him in fee. Therefore we say to him he can not have the land until he pays some money to somebody else.

Mr. SHERMAN. Oh, no; we do not say that at all. We simply give authority to the white person who owns improvements upon the property to sell those improvements.

Mr. MANN. Well, I know that, but we are making a lien upon the land——

Mr. SHERMAN. Let me say to the gentleman——

Mr. MANN. Then I would like to ask the gentleman to have the bill read. There is something in there about its being a lien upon the land, or if the gentleman will call attention to that.

Mr. SHERMAN. The Clerk will again report the bill.

Mr. MANN. The gentleman can call attention to that provision of the bill.

Mr. SHERMAN. It as as follows [reading]:

That for sixty days after the approval of this act white persons who intermarried with Cherokee citizens prior to December 16, 1895, and made permanent and valuable improvements on lands belonging to the Cherokee Nation prior to the decision of the Supreme Court of the United States in the case of Daniel Red Bird, the Cherokee Nation, and others, against The United States (203 U. S., p. 76), shall have the right to sell such improvements to citizens of the Cherokee Nation entitled to select allotments at a valuation to be approved by an official to be designated by the Secretary of the Interior for that purpose; and the vendor shall have a lien on the rents and profits of the land on which the improvements are located for the purchase money remaining unpaid, and shall have the right to enforce such lien in any court of competent jurisdiction.

Now, if he buys it, it is a lien on the property; if he does not buy it, it is not.

Mr. MANN. That is a right to sell for sixty days.

Mr. SHERMAN. Certainly.

Mr. MANN. The allotment is not to be made for sixty days—that is, after the allotment or after the passage of the act?

Mr. SHERMAN. After the approval of the act.

Mr. MANN. But the allotments are not yet made.

Mr. SHERMAN. The allotments are in process of making now.

The SPEAKER. The Clerk informs the Chair that he has not the Senate bill, and until the bill is found the gentleman will suspend.

Subsequently.

Mr. SHERMAN. The Senate bill is now at the Clerk's desk.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I understand the gentleman from New York will offer an amendment, and with that amendment to the bill I have no objection.

The SPEAKER. The Chair hears no objection. The gentleman from New York will send his amendment to the Clerk's desk.

Mr. SHERMAN. After consultation with the gentleman from Illinois, I offer the following amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, strike out the words "after the approval of this act" and insert in lieu thereof the following: "After allotment, but in no case in less than sixty days after the approval of this act."

The SPEAKER. Has this been reported from the committee?

Mr. SHERMAN. A similar House bill has been reported from the Committee on Indian Affairs.

The SPEAKER. Is the Senate bill with the committee?

Mr. SHERMAN. The Senate bill is with the committee.

The SPEAKER. Then the gentleman's motion is to discharge the committee from the further consideration of the bill and to consider the same. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the last vote was laid on the table.

A similar bill (H. R. 25737) was ordered to lie on the table.

CONFERENCE REPORT ON DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GILLETT. Mr. Speaker, I call up the conference report of the District of Columbia appropriation bill, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Massachusetts calls up the conference report on the District of Columbia bill, and asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the statement.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24103) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 7, 14, 15, 17, 18, 20, 21, 22, 29, 31, 37, 40, 44, 46, 47, 52, 53, 54, 55, 56, 58, 59, 66, 68, 70, 71, 72, 73, 75, 79, 80, 90, 91, 92, 95, 96, 97, 99, 105, 106, 109, 110, 111, 112, 113, 114, 115, 116, 121, 138, 143, 145, 146, 147, 155, 163, 173, 174, 175, 181, 182, 183, 185, 186, 188, 194, 195, 201, 202, 203, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 223, 231, 234, 236, and 237.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 8, 9, 11, 12, 13, 23, 25, 27, 30, 32, 33, 38, 39, 41, 42, 43, 45, 48, 49, 50, 51, 57, 62, 64, 65, 69, 74, 78, 81, 82, 83, 85, 87, 88, 100, 101, 102, 103, 104, 107, 108, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 137, 139, 141, 142, 148, 150, 151, 152, 153, 154, 156, 158, 159, 160, 161, 162, 164, 165, 169, 170, 171, 172, 176, 178, 179, 180, 187, 189, 192, 197, 199, 200, 206, 222, 224, 226, 228, 229, 230, 232, 233, 235, 238, 240, and 241.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and four thousand five hundred and nineteen dollars;" and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twenty-one thousand three hundred dollars;" and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one thousand four hundred dollars;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and eighty-two thousand eight hundred and eighty-two dollars;" and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "nine thousand four hundred dollars;" and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "nine hundred dollars;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "thirty-four thousand nine hundred and forty dollars;" and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "sixty-six thousand nine hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That hereafter no street or avenue in the District of Columbia shall be paved less in width than the width now provided by law except by express authority of Congress upon estimates to be submitted to Congress by the Commissioners of the District of Columbia;" and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "three thousand dollars;" and the Senate agree to the same.

Amendment numbered 60: That the House receded from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and forty-seven thousand four hundred dollars;" and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Strike out all after the word "advisable," in line 5 of said amendment, and insert in lieu of the matter so stricken out the following: "*Provided*, That all appropriations under this paragraph shall be immediately available;" and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "four thousand dollars;" and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven thousand dollars;" and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twenty-one thousand dollars;" and the Senate agreed to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twenty-one thousand dollars;" and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: " : *Pro-*

*vided*, That any association or corporation engaged in the manufacture and sale of gas for illuminating and fuel purposes in the District of Columbia, through its president or other duly authorized officer, shall make a sworn statement to Congress annually, on or before the first day of February in each year. Said report shall contain a detailed statement of the condition of the business of said association or corporation for the year ending December thirty-first next preceding, and such statement shall set forth the actual cost and also present value of the property of such association or corporation used in the conduct of its business, the amount of paid-up capital stock, the amount and character of the indebtedness of such association or corporation, the amount and cost of materials used in making gas, the amount of gas manufactured, the amount of gas sold, the average price per thousand cubic feet received for gas sold, the revnue from the sale of all by-products, the revenues from all other sources, the extensions and improvements made in the plant and works, the actual cost of the same, the amount expended for labor, the amount set aside for depreciation, the amount set apart for insurance and renewals, the amount paid out of earnings for betterments, the amount paid for betterments from other sources, the amount set aside and paid in interest and dividends, the surplus after paying the operating expenses and fixed charges, the statement of the operating expenses to be itemized and classified as is done by other public utility corporations in the District of Columbia, the names of the stockholders and the amount of stock held in such association or corporation by each of them on December thirty-first next preceding the date of such report.

"Any such association or corporation, not later than the fourth day of December in the year nineteen hundred and seven shall make to Congress a sworn report in accordance with the requirements of this provision and showing the condition of its business as near as its present method of bookkeeeping will permit for the year ending December thirty-first, nineteen hundred and six."

And the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with amendments as follows: After the word "balances," in line 2 of said amendment, insert the following: "not to exceed in all ten thousand dollars;" and at the end of said amendment insert the following: "*: Provided*, That any company, association, or corporation engaged in the manufacture and sale of electricity for illuminating or heating or power purposes, or either, in the District of Columbia, through its president or other duly authorized officer, shall make a sworn statement to Congress annually, on or before the first day of February in each year. Said report shall contain a detailed statement of the condition of the business of said company, association, or corporation for the year ending December thirty-first next preceding, and such statement shall set forth the actual cost and also present value of the property of such company, association, or corporation used in the conduct of its business, the amount of paid-up capital stock, the amount and character of the indebtedness of such company, association, or corporation, the amount and cost of materials used in making electricity, the quantity of electricity manufactured, the quantity of electricity sold, the amount received per annum for each public arc light, the amount received per kilowatt for each public incandescent light, the average price received per annum for each arc light furnished to others than the public, the varying discounts allowed to consumers using arc lights during a part of or the entire night, the average price charged per kilowatt for incandescent lights furnished to others than the public, with the varying discounts, and the price charged per kilowatt hour for power or heat furnished, and the gross revenues from each source, the revenues from all other sources, the extensions and improvements made in the plant and works, the actual cost of the same, the amount expended for labor, the amount set aside for depreciation, the amount set aside for insurance and renewals, the amount paid out of earnings for betterments, the amount paid for betterments from other sources, the amount set aside and paid in interest and dividends, the surplus after paying the operating expenses and fixed charges, the statement of the operating expenses to be itemized and classified as is done by other public utility corporations in the District of Columbia, the names of the stockholders and the amount of stock held in such company, association, or corporation by each of them on December thirty-first next preceding the date of such report. And any such company, association, or corporation, not later than the fourth day of December in the year nineteen hundred and seven, shall make to Congress a sworn report in accordance with the requirements of this provision and showing the condition of its business, as near as its present method of bookkeeping will permit, for the year ending December thirty-first, nineteen hundred and six;" and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "eight hundred and forty dollars;" and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "fifty-three thousand seven hundred dollars;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and in line 21, on page 47, of the bill strike out the word "four" and insert in lieu thereof the word "five;" and the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the number proposed insert "one hundred and ten;" and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the number proposed insert "one hundred and twenty-seven;" and the Senate agree to the same.

Amendment numbered 140: That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "nine hundred and twelve thousand five hundred and forty-five dollars and sixty-three cents;" and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "forty-seven thousand seven hundred and fifty-five dollars;" and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and five thousand three hundred and sixty dollars;" and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "fifty-one thousand nine hundred and forty dollars;" and the Senate agree to the same.

Amendment numbered 166: That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twenty-five thousand eight hundred dollars;" and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one thousand seven hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 168: That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "fourteen thousand three hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 177: That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "fourteen thousand six hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 184: That the House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "thirty-seven thousand two hundred and fifty-one dollars;" and the Senate agree to the same.

Amendment numbered 190: That the House recede from its disagreement to the amendment of the Senate numbered 190, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "one servant, one hundred and forty-four dollars;" and the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In lieu

of the sum proposed insert "ten thousand nine hundred and forty-four dollars;" and the Senate agree to the same.

Amendment numbered 193: That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one thousand seven hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 196: That the House recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "thirty-nine thousand four hundred and seventy-four dollars;" and the Senate agree to the same.

Amendment numbered 198: That the House recede from its disagreement to the amendment of the Senate numbered 198, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For repairs and equipment, Central Dispensary and Emergency Hospital, four thousand dollars."

And the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four hundred and eighty dollars;" and the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "eleven thousand six hundred dollars;" and the Senate agree to the same.

Amendment numbered 207: That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 208: That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "thirty-four thousand one hundred dollars;" and the Senate agree to the same.

Amendment numbered 225: That the House recede from its disagreement to the amendment of the Senate numbered 225, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "six thousand one hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 227: That the House recede from its disagreement to the amendment of the Senate numbered 227, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "sixteen thousand six hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 239: That the House recede from its disagreement to the amendment of the Senate numbered 239, and agree to the same with amendments as follows: In lieu of the sum proposed insert "three thousand dollars;" and on page 90, in line 1, of the bill, before the word "installing," insert the word "purchasing;" and the Senate agree to the same.

F. H. GILLETT,
WASHINGTON GARDNER,
A. S. BURLESON,
*Managers on the part of the House.*
J. H. GALLINGER,
J. W. DANIEL,
*Managers on the part of the Senate.*

The statement was read as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24103) making appropriations for the expenses of the government of the District of Columbia for the fiscal year 1908, submit the following written statement in explanation of the effect of the action agreed upon and submitted as to each of the Senate amendments in the accompanying conference report:

On amendments numbered 1, 2, 3, 4, 5, and 6, relating to the Executive Office: Strikes out increase in the salaries of the inspector of buildings and the assistant inspector of buildings of $250 and $200 each respectively; increases, as proposed by the Senate, the compensation of one steam engineer from $900 to $1,000 and the property clerk from $2,000 to $2,500; and appropriates, as proposed by the Senate, $1,200 for temporary employment in connection with plumbing inspection.

On amendments numbered 7, 8, 9, and 10, relating to the collector's office: Strikes out proposed increase in salary of the deputy collector of $200 proposed by the Senate; provides for an additional coupon clerk at $900; and one clerk at $1,000.

On amendments numbered 11, 12, and 13: Provides for an additional clerk at $720 in the auditor's office and increases the salary of the disbursing officer from $2,500 to $3,000, as proposed by the Senate.

On amendments numbered 14 and 15: Strikes out provision proposed by the Senate for an additional laborer at $365 in the coroner's office.

On amendments numbered 16, 17, 18, and 19, relating to the engineer's office: Increases the salary of the superintendent of parking from $1,300 to $1,400, instead of $1,500, proposed by the Senate; and strikes out the increase proposed by the Senate of the assistant permit clerk from $900 to $1,000; and an index clerk and typewriter from $720 to $900.

On amendments numbered 20 and 21: Strikes out increase proposed by the Senate in salary of one clerk from $1,200 to $1,500, in the street-sweeping office.

On amendments numbered 22, 23, and 24: Strikes out increase proposed by the Senate in salary of the superintendent of insurance from $3,000 to $3,500; and provides $600 for appraisers, as proposed by the Senate, in the department of insurance.

On amendments numbered 25, 26, 27, and 28, relating to the free public library: Increases, as proposed by the Senate, the salary of the assistant librarian from $1,200 to $1,500; provides for a librarian's secretary at $900; and for one additional assistant at $480.

On amendment numbered 29: Appropriates $2,750, as proposed by the House, instead of $3,000, as proposed by the Senate, for miscellaneous expenses for the coroner's office.

On amendment numbered 30: Appropriates $30,000, as proposed by the Senate, for addition to the Eastern Market House.

On amendment numbered 31: Strikes out appropriation of $1,000 proposed by the Senate for testing materials for fireproof buildings.

On amendment numbered 32: Appropriates $3,000 as proposed by the Senate for identification number tags for motor vehicles.

On amendment numbered 33: Appropriates $3,000 as proposed by the Senate for completing card indexes in office of the register of wills.

On amendments numbered 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43, relating to the paving of streets: Appropriates $66,950, instead of $72,250 as proposed by the House and $72,350 as proposed by the Senate, for work on streets and avenues named in the Book of Estimates; strikes out the provision proposed by the Senate with reference to the width of streets to be paved and substitutes therefor a provision prohibiting hereafter the paving of any street less in width than the width provided by law except by express authority of Congress; strikes out the provision proposed by the Senate with reference to the name of Georgia avenue; inserts the provision proposed by the Senate increasing the price that may be paid to $1.80 per square yard for asphalt paving during the current fiscal year; inserts the provision proposed by the Senate extending to July 1, 1908, the time within which the Connecticut Avenue Bridge may be completed; strikes out the appropriation of $7,500 proposed by the Senate for paving Second street NW. from B to C streets and inserts the appropriations proposed by the Senate of $2,750 for paving Twenty-third street NW., $9,000 for paving South Carolina avenue SE., and $2,500 for paving Florida avenue.

On amendment numbered 44: Strikes out the provision proposed by the Senate with reference to condemnation of lands for reservations.

On amendments numbered 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, and 60: Inserts all of the specific appropriations proposed by the Senate for improving certain county roads and suburban streets, except the following, which are omitted, namely, Pennsylvania avenue extended SE., Seventh Street NE, Thirteenth street NW., streets in American University Park and Wesley Park NW., North Capitol street, Ontario Place NW., Girard street NE., M street NE., and strikes out the provision proposed by the Senate renaming Sixteenth street.

On amendment numbered 61: Inserts a provision authorizing changes in the lines of curb of Pennsylvania avenue and its intersecting streets in connection with their resurfacing, and makes the appropriation for repairs of streets immediately available.

On amendment numbered 62: Inserts the provision proposed by the Senate authorizing a new highway plan for that portion of the District lying north of Tilden street, south of Albermarle street, east of Reno road, and west of Connecticut avenue.

On amendment numbered 63: Appropriates $110,000, instead of $100,000 as proposed by the House and $120,000 as proposed by the Senate, for repairs to county roads.

On amendment numbered 64: Appropriates $80,000 as proposed by the Senate for the repair of Aqueduct Bridge.

On amendment numbered 65: Extends the time to July 1, 1908, within which the Anacostia Bridge may be completed.

On amendment numbered 66: Leaves in the bill the provision proposed by the House requiring any street railway company that may use the bridge carrying Monroe street over the Baltimore and Ohio Railroad to pay one-sixth of the cost of said bridge.

On amendment numbered 67: Appropriates $4,000 instead of $5,000, as proposed by the Senate, for plans and estimates for the treatment of the valley of Rock Creek from Massachusetts avenue to the mouth of Rock Creek.

On amendment numbered 68: Strikes out the provision proposed by the Senate making appropriation for sewer construction available for rights of way.

On amendment numbered 69: Appropriates $28,800, as proposed by the Senate, for a sewer in the valley of Broad Branch.

On amendments numbered 70 and 71: Strikes out the appropriations proposed by the Senate of $75,000 for dikes in connection with the sewage-disposal project and $100 for the drainage of certain houses in Tacoma Park.

On amendments numbered 72 and 73, with reference to sprinkling, cleaning, and sweeping streets: Leaves the rates per thousand square yards, as proposed by the House, in the event the work be undertaken by the District of Columbia authorities instead of by contract.

On amendments numbered 74 and 75: Appropriates $30,000, as proposed by the House, instead of $32,500, as proposed by the Senate, for the Parking Commission.

On amendments numbered 76 and 77: Appropriates $7,000 instead of $5,000, as proposed by the House, and $8,000, as proposed by the Senate, for the bathing beach.

On amendments numbered 78 and 79: Appropriates $75,000, as proposed by the Senate, for the purchase of playgrounds; and strikes out the appropriation of $10,000 proposed by the Senate for improving and equiping playgrounds.

On amendment numbered 80: Strikes out the appropriation of $500, proposed by the Senate, for the harbor and river front.

On amendments numbered 81, 82, 83, 84, and 85, relating to the electrical department: Provides, as proposed by the Senate, for one additional electrical inspector, at $1,200; appropriates $15,000, as proposed by the Senate, instead of $14,000, as proposed by the House, for general supplies; $21,000 instead of $23,000, as proposed by the Senate, and $18,600, as proposed by the House, for placing wires in conduits; and appropriates $17,260, as proposed by the Senate, for moving the fire-alarm apparatus to the new municipal building.

On amendment numbered 86: Inserts as a substitute for the provision proposed by the Senate relative to the annual reports from gas companies in the District of Columbia the provision which is fully set forth in the conference report that is printed in the RECORD.

On amendments numbered 87, 88, and 89: Appropriates $100,500, as proposed by the Senate, instead of $95,000, as proposed by the House, for electric arc lighting; fixes the price for each lamp at $85 per annum, as proposed by the Senate, instead of $80, as proposed by the House; continues available for the fiscal year 1908 not exceeding $10,000 of the unexpended appropriations for gas and electric lighting made for the fiscal year 1907, and inserts a provision requiring reports from companies manufacturing electricity, which is printed in full in the conference report.

On amendments numbered 90 and 91: Strikes out the appropriations proposed by the Senate of $10,000 for investigations and surveys for increasing the water supply, and $3,000 for a storehouse and stable at Great Falls.

On amendment numbered 92: Strikes out the provision proposed by the Senate extending to the towns of Tacoma and Chevy Chase, Md., the water-distribution system of the District of Columbia.

On amendments numbered 93 and 94: Provides for two stenographers at $840 each, instead of $900 each, as proposed by the Senate, for the board of education.

On amendments numbered 95 and 96: Restores to the bill the provisions proposed by the House with reference to the appropriations for the salaries of school-teachers.

On amendment numbered 97: Strikes out the provision proposed by the Senate extending the school hours.

On amendments numbered 98 and 99: Appropriates $5,000, instead of $4,000 as proposed by the House and $8,000 as proposed by the Senate, for industrial and commercial instruction in night schools.

On amendments numbered 100, 101, 102, 103, and 104: Makes verbal corrections in the text of the bill, and provides for a janitor at $120 for the Grant Road Public School.

On amendments numbered 105 and 106: Appropriates $15,684, as proposed by the House, instead of $17,184, as proposed by the Senate, for rent of school buildings.

On amendment numbered 107: Appropriates $70,000, as proposed by the Senate, instead of $65,000, as proposed by the House, for repairs and improvements to school buildings.

On amendment numbered 108: Appropriates $50,000, as proposed by the Senate, instead of $45,000, as proposed by the House, for changes in plumbing in school buildings.

On amendments numbered 109, 110, 111, 112, 113, and 114: Appropriates $6,950, as proposed by the House, instead of $7,750, as proposed by the Senate, for furniture for certain new school buildings.

On amendment numbered 115: Restores to the bill the provision proposed by the House with reference to service of high school cadets.

On amendment numbered 116: Strikes out the appropriation of $1,500 proposed by the Senate for free evening lectures.

On amendments numbered 117, 118, and 119: Increases the salary of the bookkeeper and custodian of text-books and supplies from $1,000 to $1,200, as proposed by the Senate.

On amendment numbered 120: Appropriates $1,000, as proposed by the Senate, for utensils, material, and labor for school gardens.

On amendments numbered 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, and 133, relating to public school buildings: Strikes out the appropriation of $57,040 proposed by the Senate for equipment of the extension of the McKinley Manual Training School; appropriates $25,000, as proposed by the Senate, instead of $40,000, as proposed by the House, for site for an addition to the Langdon school; and $33,000, as proposed by the Senate, instead of $28,000, as proposed by the House, for site and erection of addition to the Emery School; and makes certain corrections in the text of the bill.

On amendments numbered 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, and 144, relating to the Metropolitan police: Provides for twelve additional privates at $1,200 each and six additional privates at $1,080 each; and reduces the number of privates at $900 each by sixteen in number; provides for an additional laborer at $600; strikes out the increase of five proposed by the Senate in the number of officers and privates that may be mounted; increases the pay of twenty-six drivers from $600 to $720 each; appropriates $500 additional, as proposed by the Senate, for miscellaneous and contingent expenses; and strikes out the appropriation of $20,000 proposed by the Senate for the reconstruction of cell corridors in four precinct stations.

On amendments numbered 145, 146, 147, 148, 149, 150, 151, and 152, relating to the fire department: Strikes out the appropriation proposed by the Senate for two marine firemen at $720 each; appropriates $8,000, as proposed by the House, instead of $10,000, as proposed by the Senate, for repairs to engine houses; appropriates $15,000, as proposed by the Senate, instead of $13,000, as proposed by the House, for purchase of hose; appropriates $30,000, as proposed by the Senate, for a truck house in the southwest section of the city, and $500 additional for the hook and ladder truck authorized at the last session.

On amendments numbered 153, 154, 155, 156, 157, 158, 159, and 160, relating to the health department: Provides, as proposed by the Senate, for an additional inspector at $1,000 and one at $900; strikes out the appropriation proposed by the Senate of $900 for an assistant poundmaster; appropriates $2,400, as proposed by the Senate, instead of $1,920, as proposed by the House, for laborers at $40 per month each; increases the amount for the roadway to the smallpox hospital from $500 to $800, as proposed by the Senate, and appropriates $3,000, as proposed by the Senate, for maintenance of the public crematory.

On amendments numbered 161 and 162: Increases the salary of the probation officer of the juvenile court from $900 to $1,200, as proposed by the Senate.

On amendments numbered 163, 164, 165, 166, 167, and 168, relating to the police court: Strikes out the proposed increase in the salaries of the police-court judges proposed by the Senate; provides for three additional bailiffs, at $600 each, and a matron, at $600, as proposed by the Senate; and appropriates $1,750, instead of $1,500, as proposed by the House, and $2,500, as proposed by the Senate, for contingent expenses.

On amendments numbered 169 and 170: Increases the salaries of six justices of the peace from $2,000 to $2,500, as proposed by the Senate.

On amendments numbered 171 and 172: Appropriates, as proposed by the Senate, $25,000 for metal file cases in the clerk's office, supreme court of the District of Columbia, and $2,000 for repairing the records of the old circuit court of the District.

On amendments numbered 173, 174, 175, 176, and 177: Strikes out the increases in salaries of certain employees of the board of charities proposed by the Senate, and appropriates $400, as proposed by the Senate, instead of $200, as proposed by the House, for traveling expenses.

On amendments numbered 178, 179, 180, 181, 182, 183, 184, 185, and 186, relating to the Washington Asylum: Increases, as proposed by the Senate, the salaries of the property clerk from $840 to $1,000; the principal overseer, from $1,200 to $1,400, and of fifteen overseers, from $600 to $660 each; strikes out the increases proposed by the Senate in the salaries of superintendent of nursing from $600 to $720; of three graduate nurses from $365 to $480 each; appropriates $48,000, as proposed by the House, instead of $50,000, as proposed by the Senate, for provisions and other expenses, and strikes out the appropriation of $3,000 proposed by the Senate for additional land for the Home for the Aged and Infirm.

On amendments numbered 187, 188, 189, 190, 191, 192, 193, 194, 195, and 196, relating to the Home for the Aged and Infirm: Increases, as proposed by the Senate, the salaries of two female attendants from $240 to $300 each, and of one laundryman from $240 to $540; strikes out the provision proposed by the Senate for a blacksmith and woodworker, at $540, and provides for one additional servant, at $144; appropriates $1,750, instead of $1,500, as proposed by the House, and $2,000, as proposed by the Senate, for grading roadways and purchase of farm implements; strikes out the appropriation of $3,000, proposed by the Senate, for fire escapes and $600 for telephone system.

On amendments numbered 197 and 198: Appropriates $15,000, as proposed by the Senate, instead of $10,000, as proposed by the House, for the Central Dispensary and Emergency Hospital, and $4,000, as proposed by the Senate, for repairs and equipment of that hospital.

On amendments numbered 199 and 200: Appropriates $4,000, as proposed by the Senate, instead of $3,000, as proposed by the House, for the Home for Incurables.

On amendment numbered 201: Strikes out the appropriation of $5,000 proposed by the Senate for free dispensary service to be provided by the board of charities.

On amendments numbered 202, 203, 204, 205, 206, 207, and 208, relating to the Tuberculosis Hospital: Strikes out the increase proposed by the Senate in the salary of the chief cook from $480 to $600 and the provision for a gardener at $540, and increases the salary of the laundryman from $300 to $480; appropriates $7,500, instead of $5,000, as proposed by the House, and $10,000, as proposed by the Senate, for furniture.

On amendments numbered 209, 210, 211, 212, 213, 214, 215, 216, 217, and 218: Leaves the appropriations in every particular for the Board of Children's Guardians as they were provided by the House.

On amendments numbered 219, 220, 221, 222, 223, 224, 225, 226, and 227: Leaves the appropriations for the Industrial Home School for Colored Children as provided by the House, except that the salary of the farmer is increased from $480 to $600; two watchmen at $240 are provided for, and $1,500 is appropriated for a stable.

On amendments numbered 228, 229, and 230: Increases the salary of the florist at the Industrial Home School from $600 to $720.

On amendment numbered 231: Appropriates $5,400, as proposed by the House, instead of $6,000, as proposed by the Senate, for the Washington Hospital for Foundlings.

On amendments numbered 232 and 233: Fixes the salary of the superintendent of the Temporary Home for ex-Union Soldiers and Sailors at $1,200, as proposed by the Senate.

On amendments numbered 234, 235, 236, 237, and 238, relating to the militia: Appropriates $24,000, as proposed by the House, instead of $24,500, as proposed by the Senate, for rent; $750, as proposed by the Senate, instead of $500, as proposed by the House, for lockers; $1,000, as proposed by the House, instead of $2,000, as proposed by the Senate, for cleaning and repairing uniforms, and $720, as proposed by the House, instead of $840, as proposed by the Senate, for salary of a clerk.

On amendment numbered 239: Appropriates $3,000, as proposed by the Senate, instead of $2,500, as proposed by the House, for contingent expenses of the water department.

On amendments numbered 240 and 241: Inserts as a separate section the provision proposed by the Senate authorizing for the fiscal year nineteen hundred and eight advances out of the Treasury to meet any deficit that may occur in the revenues of the District of Columbia that year and makes correction in the number of a section.

F. H. GILLETT,
WASHINGTON GARDNER,
A. S. BURLESON,
*Managers on the part of the House.*

Mr. GILLETT. Mr. Speaker, this is a complete agreement; and if no information is desired, I ask for a vote.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

CATHARINE LIPES.

The SPEAKER laid before the House the bill H. R. 25440, entitled "An act granting an increase of pension to Catharine Lipes," with a Senate amendment, which was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken; and the Senate amendment was agreed to.

EMELINE H. HARDIE.

The SPEAKER also laid before the House the bill H. R. 25005, entitled "An act granting an increase of pension to Emeline H. Hardie," with a Senate amendment, which was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken; and the Senate amendment was agreed to.

JOHN R. KISSINGER.

The SPEAKER also laid before the House the bill H. R. 21721, entitled "An act granting an increase of pension to John R. Kissinger," with a Senate amendment, which was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken; and the Senate amendment was agreed to.

AARON DAVIS.

The SPEAKER also laid before the House the bill H. R. 19589, entitled "An act granting a pension to Aaron Davis," with a Senate amendment, which was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken; and the Senate amendment was agreed to.

EDWARD W. HOBAN.

The SPEAKER also laid before the House the bill H. R. 10574, entitled "An act granting a pension to Edward W. Hoban," with a Senate amendment, which was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House do concur in the Senate amendment.

The question was taken; and the Senate amendment was agreed to.

Mr. GOLDFOGLE. Mr. Speaker, I ask that the gentleman yield to me for a few minutes for the purpose of making a statement regarding a matter connected with pensions.

Mr. LOUDENSLAGER. I can not yield, because this is only by unanimous consent under the rule to concur in the Senate amendments.

The SPEAKER. The House, under previous order adopted, is in the Committee of the Whole House for the further consideration of the merchant marine bill.

Mr. TAWNEY. Mr. Speaker, pending that motion I ask unanimous consent to take from the Speaker's table the bill H. R. 25745—the sundry civil appropriation bill—and disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Minnesota [Mr. TAWNEY] asks unanimous consent that the House disagree to the Senate amendments to the sundry civil appropriation bill and ask for a conference.

Mr. MANN. May I ask the gentleman to include in his request that the bill be printed with the Senate amendments?

The SPEAKER. It will be printed under the rule.

Mr. TAWNEY. And the Senate amendments will be numbered.

Mr. CLARK of Florida. Mr. Speaker, reserving the right to object, I want to make a statement that will just take a moment. There are two amendments that I want to call to the attention of the gentleman from Minnesota [Mr. TAWNEY]. There are amendments put upon the sundry civil bill by the Senate covering the purchase of four different tracts of land for park purposes. Two of those propositions I have investigated.

As to the one in southeast Washington, the land proposed to be sold constitutes 121 acres, and at the price which this bill proposes to purchase, considered in relation to the estimated actual value put upon it by the tax assessor of the District, makes a profit of $147,000 on the 121 acres. Also, in the Georgetown proposition, as authorized, there is a clear-cut profit of $25,000. I have all those facts here, and I simply wanted to call it to the attention of the House before the bill went to conference.

Mr. SULLIVAN. Mr. Speaker, I would like to address a question to the chairman of the committee.

The SPEAKER. Does the gentleman yield?

Mr. TAWNEY. I yield to the gentleman from Massachusetts.

Mr. SULLIVAN. In that part of the bill referring to the Panama Canal the Appropriations Committee recommended and the House adopted a provision which removed the limit of cost imposed in the act of June 28, 1902; and the reason assigned was that the act of 1902 might prevent the President from making a contract such as was then contemplated for the construction of the canal. So as not to embarrass the President or impede the progress of the work, the committee determined to raise the limit of cost and give the President power to make all contracts necessary for the completion of the construction of the canal.

All the testimony given before the committee was based upon the assumption that the bid upon a 6¾ per cent profit basis would be accepted. Now it appears that that bid, with all others, has been rejected, and therefore the premises upon which the legislation was based have been removed. We now stand confronted with this situation: We do not know whether contracts will be made for the construction of the canal, or whether it will be constructed under the auspices of Army engineers. No contracts may be made, or, if they are made, may be upon a basis of profit larger than that which the committee supposed it was acting upon as a legislative premise. The percentage of profit in a new contract may be, for example, 12 per cent or 25 per cent. Congress will have no power to control that. The House will adjourn and the President will have complete power to make any contract he pleases, involving an expenditure of a thousand million dollars, or a billion dollars, or any fanciful figure which anyone may please to put down. I simply wanted to suggest that before this session ended some means ought to be found to place some limit of cost upon the construction of the canal. I do not mean so low as to embarrass the President and those authorized to finish the work, but at all events some limit of cost, a reasonable one, based upon some approximation of the actual cost of doing the work. I do not know whether that can be reached in the conference. I do not believe it can, and if it can not be, I suggest, then, for the consideration of the chairman of the committee, that it might be well to provide for it by a joint resolution before Congress adjourns.

Mr. GAINES of Tennessee. There is no limit now?

Mr. SULLIVAN. Absolutely none.

Mr. MANN. Mr. Speaker, the suggestion or criticism of the gentleman from Massachusetts [Mr. SULLIVAN] has much weight. On the other hand, I do not anticipate that the contingency which he fears is likely to arise before the meeting of another Congress. The bid which was made has been rejected. It was obvious, I think, upon an examination of that matter, that under the specifications and advertisements which have been issued, too large a sum of money out of the 6¾ per cent was required to be paid to the men who were doing the financing, leaving a very small portion for the men who were to do the actual work. Now, that has been rejected. The chief engineer has resigned, and as I understand, it is proposed to place the management of this work, for the time being at least, in the hands of certain of the Army engineers, to make at least further experiments in two directions; first, as to whether the Government itself shall proceed with the actual construction of the canal, and second, if it shall be determined that that is not desirable, the plan upon which an advertisement shall be made or a new contract let. I may say to the gentleman that I have received some letters in reference to the actual work of excavation on the canal for the months of last year, and for the month of January of this year. Late last year this excavation in the Culebra cut was running at the rate of a little over 200,000 cubic yards per month. For the month of January it ran something over 500,000 cubic yards. It is estimated that for the month of February it will be something over 600,000 cubic yards, and that for the month of March, over 800,000 cubic yards. In the best days of the French company, while they were excavating a total amount of more than 1,200,000 cubic yards upon the entire stretch of the canal, at no time did they excavate in the Culebra cut more than two or three hundred thousand cubic yards per month; so that now, with our present organization, we are excavating two or three times as much as the French ever excavated in the Culebra cut, and it may be that with this tremendous success, which has now developed in the organization of our own work on the canal, it will not be considered desirable to do the work by contract.

Mr. FITZGERALD. Has the gentleman from Illinois any assurance that a contract will not be let before the next session of Congress?

Mr. MANN. I have not. The letters to which I referred are as follows:

ISTHMIAN CANAL AFFAIRS,
OFFICE OF ADMINISTRATION,
*Washington, D. C., February 18, 1907.*

SIR: Referring to my letter to Mr. HEPBURN of the 12th instant, inclosed herewith, the Secretary of War has informed me that what you desired was a statement as to the amount of material taken out of the Culebra cut each month since the United States undertook the construction of the Panama Canal, and he has requested me to send this information directly to you. Accordingly I beg to inclose a statement showing the amount of material excavated from the Culebra cut for each month from July, 1904, to January, 1907, inclusive.

I may also add, for your information, that on the 13th instant a cable was received from the chief engineer, stating that in February, with twenty-three working days, there would probably be 600,000 cubic yards excavated from Culebra cut, and also estimating that 800,000 yards would be excavated during the month of March.

Very respectfully,

T. P. SHONTS, *Chairman.*

Hon. JAMES R. MANN,
*House of Representatives, Washington, D. C.*

*Memorandum on excavation operations in Culebra cut.*

| | | Cubic yards. |
|---|---|---|
| 1904 | July | 31,599 |
| | August | 35,056 |
| | September | 25,220 |
| | October | 19,695 |
| | November | 28,860 |
| | December | 42,935 |
| 1905 | January | 70,650 |
| | February | 75,200 |
| | March | 132,840 |
| | April | 126,749 |
| | May | 75,935 |
| | June | 76,905 |
| | July | 78,570 |
| | August | 49,210 |
| | September | * 50,000 |
| | October | 52,940 |
| | November | 60,540 |
| | December | 70,630 |
| 1906 | January | 120,990 |
| | February | 168,410 |
| | March | 239,178 |
| | April | 213,177 |
| | May | 194,645 |
| | June | 207,760 |
| | July | 157,093 |
| | August | 244,844 |
| | September | 292,000 |
| | October | 325,835 |
| | November | 221,642 |
| | December | 278,197 |
| 1907 | January | 566,750 |

WAR DEPARTMENT,
*Washington, February 25, 1907.*

MY DEAR MR. MANN: I send you a copy of a letter which I have just received from Mr. Stevens.

Very sincerely, yours,

WM. H. TAFT.

Hon. JAMES R. MANN,
*House of Representatives.*

ISTHMIAN CANAL COMMISSION,
DEPARTMENT OF CONSTRUCTION AND ENGINEERING,
*Culebra, February 15, 1907.*

Hon. WM. H. TAFT,
*Secretary of War, Washington.*

SIR: I have the honor to quote from the report of work done by the construction and engineering department of the Panama Canal for January, 1907, as the matter will probably be of interest to you:

"During the month of January there was removed from the canal prism 566,750 cubic yards, at a cost of 57.22 cents per cubic yard. This yardage shows an increase over December of 288,553 cubic yards and also shows a decrease in cost of 29.80 cents per cubic yard.

"The yardage gotten out during January is the greatest taken out of the canal prism in any one month since the Americans have had control, and exceeds by 240,915 cubic yards the best previous month.

"In looking over the only records available here, 'The Bulletin du Canal Interocéanique,' the official publication of the first French canal company, published in Paris, it has been found that in any of their most active years—when their output for the year 1886 was 15,338,916 cubic yards—there was never more than 20 to 21 per cent of the total yardage of the entire canal taken out in that section of the canal now called the 'Culebra division.' This publication shows that during May, 1886, of the total output for the canal of 1,412,640 cubic yards, only 209,280 cubic yards was removed from the section now covered

"During October, 1886, out of a total of 1,230,828 cubic yards, only 264,216 cubic yards were removed from this same district.

"December, 1886, had a total output of 1,083,024 cubic yards, and only 209,280 cubic yards was removed from that section now covered by the Culebra division.

"The above figures show that during the month of January, 1907,

* Estimated.

from the records that are available, the output of the Culebra division probably doubles that of anything taken out in a month by the first French company from the same section of the canal."

Truly, yours,

JNO. F. STEVENS, *Chief Engineer.*

Mr. SULLIVAN. Right there is our difficulty.

Mr. TOWNE. I want to ask the gentleman if my impression is correct, that under the estimated time for the completion of the canal it will be necessary in each and every month to excavate an average of 1,900,000 cubic yards?

Mr. MANN. That is not correct.

Mr. TOWNE. I understand it is correct. There are about 126,000,000 cubic yards, or thereabouts, to be excavated, and you expect to do it in eight and one-third years. The gentleman will have to revise his figures in order to indulge successfully in any such optimistic predictions.

Mr. MANN. The gentleman can make his own prediction as to the time.

Mr. TOWNE. I was going to do that, with the permission of the gentleman.

Mr. SULLIVAN. Let me ask the gentleman a question.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection?

Mr. TAWNEY. Mr. Speaker, I now yield to the gentleman from Ohio.

Mr. KEIFER. Mr. Speaker, I do not object to taking this up in this way at this time. I do not desire to embarrass the conference committee, but I do wish to state, in the matter of an amendment that has been put in the bill by the Senate, to wit, an amendment providing for the transportation of silver coin, that I do not wish it to be inferred that it is the judgment of this House that it is opposed to that amendment. I wanted to say that before the vote is taken on the motion of the gentleman from Minnesota.

Mr. SIMS. Mr. Speaker, I want to ask the gentleman a question. I do not object to this, because it is a great bill and ought to go to conference, but I do hope that the chairman and the House conferees will not submit to that omnibus park bill going through this House without a particle of consideration in the House whatever. I hope they will not submit to be treated in that way by that body.

Mr. TAWNEY. I will say to the gentleman that I do not think the House will have any cause of complaint of not having an opportunity by reason of any action on the part of the conferees of the House preventing discussion on new propositions that the Senate have seen fit to put upon the bill.

Mr. WILLIAMS. Mr. Speaker, I want to say, in response to the gentleman from Tennessee, that I hope, if the conferees allow any of the parks to go through, they will no longer continue to favor the northwest at the expense of the balance of the city of Washington, but will give an equal opportunity for parks in other parts of the Federal capital.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman from Minnesota a question. Are they going to shut all the scholars out of these parks, the way they do the rest of them?

Mr. TAWNEY. There is a provision of law now on the statute book authorizing the superintendent of public buildings and grounds to set apart certain portions of any park in the city of Washington for the use of the children as playgrounds.

Mr. CLARK of Missouri. Is that Mr. Elliott Woods?

Mr. TAWNEY. No; the superintendent of public buildings and grounds is Colonel Bromwell.

Mr. CLARK of Missouri. Very well, I will go after him, then. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER appointed as conferees on the part of the House Mr. TAWNEY, Mr. SMITH of Iowa, and Mr. TAYLOR of Alabama.

## LEASING COAL LANDS.

Mr. GAINES of Tennessee. Mr. Speaker, I ask unanimous consent to print in the RECORD a letter on the subject of leasing coal lands.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The letter referred to is as follows:

MIAMI, BISCAYNE BAY, FLA., *February 22, 1907.*

Hon. JOHN W. GAINES,
*Washington, D. C.*

DEAR SIR: Your inquiry regarding the disposition that should be made of the mineral products of Government lands is so broad and so fraught with importance to the people of this country that it requires much thought and mature deliberation before attempting to suggest the best method of handling the question. If the Government had retained all the minerals in the lands it has ceded in the past, even at a nominal royalty, it would to-day pay all the legitimate expenses of the Government. The vital question to-day is: "If the Government retains the minerals, how will it dispose of them, handle them, and deal with the varying values on account of quantity, quality, and location, transportation facilities, and points of consumption?" All these are so different that it is impossible to fix a positive price, even where quality and quantity are relatively the same. Take coal, for instance. A seam of coal 1 inch thick covering an acre of land will yield approximately 100 tons, which, at a royalty of 2 cents per ton, would mean $2 per acre for each 1 inch thickness of the aggregate strata of coal in this particular section. Ordinarily a seam of coal is not considered workable commercially unless it is over 30 inches thick. This would mean 3,000 tons to the acre, and at a royalty of 2 cents per ton would be $60 per acre. Many veins in our coal lands carry as much as 100 inches of coal, which would mean 10,000 tons per acre, or at a royalty of 2 cents a ton would be $200 per acre. While this looks like a large price, the royalty which is being paid on coal mined on this basis is really from 6 cents to 15 cents per ton, which would bring the royalty value of coal, depending on the variable working values, all the way from $200 per acre up to $3,000 per acre.

As an illustration of the value of coal, it is stated that the church parish of Bishop Auckland, in England, is the richest in the world, and that the wealth is obtained and has been obtained for the past century from royalty derived from coal under lands which were given the church by the Crown over a century ago. So large are the revenues from this source that all the legitimate expenses of the church and its missions are supported from this source without absorbing all the revenue.

Another view of the question is that if the Government should decide to withdraw the mineral lands from entry and decide to lease upon a royalty, as individuals and corporations now do, what price would the Government establish as the proper royalty? In my opinion, it should be entirely governed by the "law of supply and demand." Certainly the royalty on a ton of anthracite coal in Pennsylvania would be worth very much more than the royalty on a ton of coal in any other section of the country where there is no demand for fires and no manufacturing.

I take it that the two minerals in which the Government feels the greatest interest are coal and iron ore, as these are the minerals which have the greatest value in this country. While the supply of coal is so great that the question of its exhaustion may properly be left to future generations, it is a different question with the known deposits of iron ore. At the present rate of consumption, increasing as it is at such an enormously accelerated ratio, it looks as though the next generation would see the practical exhaustion of our iron-ore supply.

I take it that the Government would hardly care to deal with the precious metals on account of their scarcity and uncertainty. The other nonmetallic minerals, with the exception of coal, seem to be so plentiful that no legislation with reference to them is necessary.

Yours, very truly,

A. M. SHOOK, *Nashville, Tenn.*

## SHIP-SUBSIDY BILL.

The SPEAKER. The House, under the rule adopted, will now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the merchant-marine bill.

Accordingly, the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CURRIER in the chair.

Mr. DALE. Mr. Chairman, there is one objection to the pending measure—it does not go far enough. I fully agree with Senator MALLORY, of Florida, as quoted in the report accompanying this bill:

> I do not find fault with the postal subsidy. I think that is one of the best features of this bill. The Senator knows that I acquiesced readily, as a member of the Commission. The only fault I ever found with that is I do not think we give postal subsidy enough.

Indeed, I very much question whether lines to South American ports can be maintained on the subsidy provided in this bill. But, Mr. Chairman, the bill is a step in the right direction, and for that reason I shall vote for it.

And now what is the object and purpose of this bill? In the first place, to style it a "ship-subsidy bill" is a misnomer; the true title of the bill is "to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce." I believe the title fairly expresses the object and purpose of the bill—a purpose, all will agree, truly patriotic and highly desirable. The only discussion, the only dispute, that can arise is whether the enactment of the bill will fulfill that purpose and attain that object.

If I mistake not, several years ago a ship-subsidy bill was drafted by that great constitutional lawyer, ex-Senator George F. Edmunds, and Senator WILLIAM P. FRYE, of Maine, in reporting the bill from the Committee on Commerce, used the following words:

> The importance of a national merchant marine in foreign trade to a nation of the rank of the United States is self-evident. We are almost wholly dependent on foreign agencies for the means of transporting the bulk of our exports and imports. For such favors we pay with a portion of our independence. A war between two maritime nations would leave our producers practically without access to foreign markets. Even the war between Great Britain and the Transvaal has materially reduced our means of transportation and embarrassed our ocean mail service. For our recent war with Spain we were compelled to rely to a humiliating extent on vessels bought or chartered from British owners for the transportation of troops and supplies.

Mr. Chairman, for such a power and such a nation as ours these are humiliating admissions, but that they are truthful

none will gainsay. In my opinion they show the almost absolute necessity for legislation to secure a national merchant marine in foreign trade. The decline in the amount of our exports and imports combined, carried in American vessels, is without a parallel and constitutes one of the most disheartening pages of our national history.

In 1807, with a population of 7,000,000, the United States had a larger registered tonnage for foreign trade than in 1906, with more than 77,000,000 of people. In 1869 there was carried in American vessels 33.1 per cent of our exports and imports, A decade after, in 1879, there was carried in American vessels 23 per cent of our exports and imports. In 1889 there was carried in American vessels 14.3 per cent of our exports and imports. In 1899 only 8.9 per cent of our combined exports and imports was carried in American vessels. In other words, while the value of our exports and imports constantly and continuously increased, an increase from 1869 to 1899 of over 100 per cent, the amount carried in American vessels decreased from 33.1 per cent to 8.9 per cent. And from 1899 to 1906 the value of our exports and imports combined increased as never before, while the percentage carried in American vessels decreased and decreased until to-day it practically amounts to nothing. In my opinion, Mr. Chairman, there is crying need for legislation to arrest this decline in American shipping.

Doubtless there are other reasons for this decline, but without entering upon an extended discussion, it seems to me that at least four reasons stand out prominently:

First. Because of change from wood to iron in the construction of ships.

Second. Because of the increased cost of construction of American ships on account of the higher wages paid American mechanics.

Third. Increase of cost of maintenance on account of higher wages paid American seamen.

Fourth. Because of the aid given their marine by other nations.

There is a wide diversity of opinion as to the cost to the United States Treasury if this bill becomes a law. It is the opinion of the committee reporting the bill that the cost will be merely nominal. I am inclined to agree with the committee, and believe the increased postal receipts will nearly if not entirely equal the subsidy granted by the bill. But supposing it does cost something, what of it? I, for one, am willing to vote to expend something in an attempt to put into American pockets some of the more than $200,000,000 our people are now paying every year in freight to foreign ships to transport our foreign trade.

And now who are opposing the passage of this bill? The opposition is almost exclusively confined to the Democratic side of this House. With great modesty I suggest that, with their usual fatalistic tendency, the leaders of that party are aligning their forces upon the wrong side of this question. Over and over again the national platforms of the Republican party have declared in favor of national aid to our merchant marine, and the American people have confided to the Republican party power and supremacy in the councils of our nation, with the expectation that this bill, or one drawn upon similar lines, will become a law for the building up of our merchant marine.

The protective tariff, as enacted and applied by the Republican party, has caused almost every other line of American industrial activity to go forward in such leaps and bounds as to be the envy of the nations and the wonder of the world. In my judgment, the pending bill is an attempt to apply the principle of protection to American shipping, so that eventually some appreciable part of American commerce shall be transported in American ships by American seamen and under the American flag.

In a speech delivered some years ago, and which is just as applicable to-day as then, Senator DEPEW declared:

> To-day the American makes the circuit of the globe. He sails into the harbors of Europe, of Asia, of Africa, and of South America amidst the abundant shipping which fills these ports. He passes upon the different seas the argosies of commerce, carrying the product of his own and other countries. The flags of all nations fly from the mastheads of these steamers except one. He sees nowhere the Stars and Stripes. He finds the merchants and the peoples of foreign lands familiar with every emblem but our own. If he wishes to address a letter home, it goes from South America through Liverpool, from China through London, from the East through the mails and under the flag of every country but his own. Under this bill as new lines are established between our ports and lands across the Atlantic or Pacific they must carry free American mail. With the enactment of this measure, five years will witness a wonderful change in the relation of the United States to ocean transportation. We can again proudly boast that our ships are on every sea, our flag in every port, and the name and fame of our country respected by all nations, and that the products and the goods of the United States are in successful competition in every market of the world with our rivals in production, trade, and manufacture.

Mr. MINOR. Mr. Chairman, I trust that order will be preserved as far as possible while I occupy the floor, because I find myself somewhat hampered by reason of a severe headache, and I want to speak in a tone of voice so that all may hear and yet not tax my physical powers too much.

Mr. Chairman, I support this bill not because I believe it is just such a bill as we should have, but I support it because it is the best we can get. I support it because, in my judgment, it is a step in the right direction. Had I possessed the power to legislate for the country I would have made a bill much broader in its provisions than the one before us now. I am a firm believer in the cargo subsidy, and for that I have worked the best I could, but all legislation, we are told, is the result of compromise, and in deference to that theory and accepting the judgment of those who are better able to judge than I, I give up my cargo idea and indorse this as coming the nearest to meeting my views of anything we could secure.

Mr. Chairman, there is absolutely nothing in the bill except the continuation of a policy which was adopted by Congress in 1891. We then enacted legislation that enabled the Postmaster-General to contract for the carrying of mail across the seas and to foreign countries. We subsidized or paid mail subvention to certain ships whose owners were willing to enter upon the service provided for by law. Unfortunately that subvention was too small for the legislation to accomplish all that its friends desired, and this is simply a continuation of the policy with more liberal or adequate pay for the service rendered. It has been charged throughout the length and breadth of this country, away from the seacoast, particularly in the Middle West and in the South, that we are endeavoring to put our hands into the Treasury and taking out money to pay for services not rendered, which statement we, who favor this bill, denounce as being absolutely without foundation in fact. We are simply asking that shipowners who enter into contracts with the Postmaster-General shall carry the mails as provided for at a certain rate of speed and at stated times and to receive therefor the stipulated amount provided in the contract, which may be awarded by the Postmaster-General as the bill provides.

Mr. Chairman, we are paying to-day $50,000,000 for the transportation of our mail by land. Is it right or is it wrong? If it is right to pay this vast sum of money for the rapid transportation of mail across the continent and to other points within the United States by rail on the land, why may we not with equal propriety and justice pay a reasonable sum for the transportation of mail by ships on the high seas? If it is wrong, then repeal your provisions in the postal mail law that provide for the payment of subsidies to railroads. If we are paying this vast sum to railroads for carrying mails across the continent, why do we do it if it is not for the reason that the American people demand the most expeditious transportation of their mails? They exact constant, frequent, and rapid communication one with the other, because the producer and the consumer by these rapid mails are brought in close touch with each other, and so we say the purchasers of our products in other countries should be reached by mail in the shortest time possible. We must find markets abroad for a part of our goods because the productive capacity of this country is so great that the least thing that might happen to interrupt the great wave of prosperity now running so high throughout the country under the splendid policies of the Republican party would compel us to look abroad for customers with whom we could place our surplus, and if we expect to find purchasers abroad we have got to be placed in close, frequent, and rapid communication with them. You can not expect to succeed where you are denied the advantages of rapid mail facilities that place you in close touch with the purchasers of your commodities.

In South America there are great opportunities for cultivating a demand for our products. Argentina alone has a foreign trade of $500,000,000 annually. Her wants can be supplied by us, her imports are largely what we produce and must find a market for. But, gentlemen, what is the situation? Unfortunately not one single American line plies between our ports and the ports of South America. Six or seven irregular foreign tramp ship lines, employing obsolete sailing tramp ships, are the only means by which we can reach that country direct, and it is a startling fact that if the chairman of this committee desired to go to Buenos Ayres rapidly and with some degree of comfort he would be compelled to take a ship in New York and go to Liverpool, across the Atlantic, and from Liverpool to take an English ship and recross the Atlantic and go to Buenos Ayres, thus crossing the Atlantic twice. Then our chairman, if he should undertake that trip, would reach Buenos Ayres far in advance of the fellow who left New York the same day on one of these slow foreign ships. And so it is with your mail. Those ships are making from 9 to 11 knots per hour and carrying your mail. This bill provides for 16 knots per

hour. If you desire to get a letter to Buenos Ayres quickly you must send it via Liverpool, England, across the Atlantic, and have it recross and go to Buenos Ayres, and you will get your answer much in advance of the communication between New York and Buenos Ayres by the present direct lines. So, I say, that if we expect to cultivate, to extend, to increase and build up American trade and increase the demand for American products we must place ourselves in closer communication and in more ready touch with those to whom we expect to sell our goods.

Mr. Chairman, I happened to be a member of the Merchant Marine Commission that traveled all over this country in 1904 taking testimony touching this vital question. We visited nearly every port in the United States, and at each one of these ports we invited all who wished to do so to come before us and testify, and the testimony taken at Cleveland alone was enough to convert any man, no matter what his prejudice might have been, against this proposed legislation. We were told by the president of one of the great industrial concerns of that city that they undertook to build up a trade in Argentina and other places in South America where there was great demand for their goods, but that it was absolutely impossible to do so. He said: "We can ship our products from this factory here in Cleveland without difficulty; we can lay them down at tide water regularly, but when we get to tidewater we must depend on a foreign ship to carry them to South America, and of all the ships trading to South America none, so far as we know, are equipped for the handling of heavy castings, heavy steel and iron machinery. They are not provided with powerful windlasses and winches and great purchase blocks, such as are necessary to enable them to handle this class of heavy freight, and the result is that that machinery lies at tide water waiting for a suitably equipped ship to come, and when the ship comes and takes it on board and it goes to its destination—frequently it reaches there after expiration of the contract providing it should be there—often with broken and lost parts. Thus our contract has been violated and we are liable to damages, and the result is that after several years of effort to build up that trade we have been compelled to abandon it to Europeans and other foreigners, when if we had been able to ship our goods in American ships with regular sailings we could have built up an immense trade."

Mr. Chairman, I want to refer for just a moment to the situation on the Great Lakes, because it has been my theory from beginning to end that if we do our duty toward the merchant marine engaged in foreign trade, we will thereby cheapen freight, and to illustrate my position I want to refer to the Great Lakes where I live. Well do I remember, Mr. Chairman, away back in 1858, prior to the war, when the largest cargo vessels on our lakes were what we called "canal sailing schooners," and the most that one of them could carry was twelve or fourteen thousand bushels of grain or 600 tons of coal.

These vessels sailed down to eastern ports with twelve or fourteen thousand bushels of grain and there loaded with coal for a return cargo, and on that freight, Mr. Chairman, the vessel received for the grain 16 to 20 cents a bushel and frequently 25 cents a bushel, and for coal back, $3 a ton. I have watched the progress and development of lake shipping from that time to this. We began immediately after the war, or about 1867, to build larger, and as we built larger vessels the freights went down. So it continued from decade to decade until to-day what do we find? We find the grandest ships that float upon the surface of the waters of the globe upon the Great Lakes—the most beautiful, the most useful for the purposes for which they were constructed that have been built anywhere under the sun. We find them to-day 600 feet long, 60 feet beam, and 35 feet in depth, capable of carrying 14,000 tons of coal or iron ore, and with our modern appliances we can load one of these monsters in two hours. We find them carrying 400,000 bushels of grain; and you can ship coal from Ohio ports to Duluth, a thousand miles away, for less money than it takes to move that same coal from the sidewalk into the basement of your home; and the ships that are now carrying grain for a cent and a quarter a bushel are making more money by reason of their increased carrying capacity and their modern economical power than they were when the ships were carrying 600 tons of coal each and transporting it at $3 per ton, although thousands of tons of coal are now carried at 30 cents per ton 1,000 miles. Mr. Chairman, last year through the "Soo" canals went 51,750,000 tons of freight, and down the Detroit River floated more than 70,000,000 tons. Ah, sir, 200 tons of freight pass the city of Detroit every minute in the hour and every hour in the day and every day in the month for eight months—and that means the season of navigation, and this freight was moved at the rate of eight-tenths of 1 mill per ton mile. Such a record was never before heard of in the world; and now I want to read a statement based upon official records which may be found in the War Department, made by William Livingston, the president of the Lake Carriers' Association, that may be new and possibly astonish some of the Members of this House, especially when it is known that this statement is based on the cheapest railway freights known, which are from 4 to 5 mills per ton mile.

Mr. Livingston says:

I am now in receipt of figures showing that the amount of saving in freight rates on Lake Superior alone during the year 1905 exceeded by $1,000,000 the entire amount appropriated by the United States Government for all the harbors and waterways on the Great Lakes above Niagara Falls from the formation of the Government up to the close of that year, and that the saving on Lake Superior commerce for the year 1906, just closed, exceeded by $13,000,000 the appropriations above Niagara Falls from the formation of the Government up to the close of 1906.

And, gentlemen, that is a copy of the official record that may be found at the War Department, submitted by the International Waterways Commission. If such things can be accomplished on the Great Lakes, why may we not with proper encouragement build larger ships for the foreign trade, equip them with more modern and economical machinery, plan our docks and our hoisting apparatus so that we may more expeditiously handle cargoes, and thereby cheapen the rate of freight across the Atlantic and the Pacific? Every dollar thus saved is a dollar added to the profits of the producers here at home. If we can do that, we have conferred a blessing upon the farmers, the producers, and the laboring men of this country. That has been my hope from the beginning, and that is why I have given to this measure all the consideration that I was capable of giving it for the past eight years. Another thing I want to say to you gentlemen from the Atlantic and Pacific coasts, who think perhaps we are but infants on the Lakes, that to-day on the Great Lakes floats more than one-third of all the registered and enrolled tonnage of the United States. If we can accomplish this much on the Great Lakes in such a comparatively short time, we have done a splendid work. We have brought the producer and consumer just that much closer together. It is but a few years ago that it cost the farmers of Iowa, Wisconsin, and eastern Nebraska 30 or 40 cents per bushel to get their grain to the consumer. To-day it is a cent and a quarter a bushel on wheat, so far as lake freight is concerned, and that means to the farmers of the Middle West much saved in transportation.

Mr. SULZER. Will the gentleman permit a question?

Mr. MINOR. Oh, surely.

Mr. SULZER. The ships on the Great Lakes are built there, are they not?

Mr. MINOR. Yes.

Mr. SULZER. You do not get any subsidy?

Mr. MINOR. No; but we get a better thing; we get protection by reason of the coastwise laws. [Applause on the Republican side.] And that is what I am coming to. Wherever an industry of this country has received the fostering care of protection as advocated and enunciated in Republican platforms and carried into effect by Republican Administrations that industry has prospered. [Cheers on the Republican side.] Ships flying the American flag engaged in the foreign trade are outside of the bulwark of protection, but are still under the old Democratic free-trade policy. What is the result? Gone, gone off the sea. The time was when we built ships for the world. The time was when we carried nearly all our commodities out and in——

Mr. SULZER. The gentleman does not contend that we have free ships now, does he? I would like to have the gentleman answer that question.

The CHAIRMAN. Does the gentleman yield?

Mr. MINOR. Surely. What is it?

Mr. SULZER. The gentleman does not contend that we have free ships now, does he?

Mr. MINOR. The gentleman does not contend that we have free ships, and, God being willing, he never will.

Mr. SULZER. Is the gentleman speaking for God?

Mr. MINOR. I am speaking for my people and my country, a thing that the Democratic party never did.

Mr. SULZER. I hardly think I would couple God with the Republican party.

Mr. MINOR. I hope, Mr. Chairman, that the gentleman will treat the matter a little more seriously. I know him; he is one of the best fellows on earth, but he is a Democrat, and an ardent member of his party; that means that he is opposed to every worthy and valuable thing on the face of the earth. [Applause.]

Mr. Chairman, up to 1861 we were carrying considerably more than two-thirds of the commerce in and out of this country. But in 1862, as a result of the war, 750,000 of American tonnage went out from under our flag, and we have never been able to

regain it. I know they talk about free ships. Free ships? Oh, Lord! The Democratic party is talking about free ships, free trade, and free silver, and we have been doing that for all these years and they have been rapidly losing their prestige with the American people till the places that knew them once shall know them no more forever. There is not a Democrat who served on the Merchant Marine Commission, and I believe not one now on the Committee on Merchant Marine and Fisheries, that to-day advocates the purchase of ships abroad free of duty. You can go over to England and buy them much cheaper—35 per cent cheaper—than you can purchase them here. Why? Because of the cost of labor employed in their shipyards. Where is the Democrat—let him rise if he is here—who desires that the American mechanic employed in the shipyards, the American laborer employed there, or the American labor employed in the great iron mines of the West or on the railroads shall have wages reduced to a level with foreign labor? Let him get up if that is his position, and if it is not his position and he is willing to admit that ships constructed in our yards cost from 30 to 35 per cent more than in England, then join with us and pass this bill.

Mr. GOULDEN. Will the gentleman permit an interruption?

Mr. MINOR. Surely.

Mr. GOULDEN. I would like to ask the gentleman why all the labor organizations in this country, and the Patrons of Husbandry, the Seamen's Union, in fact, all the labor organizations, are opposed to the bill?

Mr. MINOR. I want to say to the gentleman from New York, Mr. Chairman, that it is not true. The boiler makers, the riveters, and the iron-ship builders came before the committee in armies and advocated the passage of this bill in your presence.

Mr. GOULDEN. Will the gentleman allow me? I want to say that that was denied authoritatively by a telegram from the boiler makers' union and from the iron-ship builders' union. They had no authority to speak for them. You will remember it was denied by a telegram, and, authoritatively, by their president. Mr. Gompers also came before us and denied it absolutely and proved it to our entire satisfaction.

Mr. MINOR. To your satisfaction only. Mr. Chairman, it never has been successfully denied. Oh, they tried to make out that there was gross forgery. They tried to drag a certain gentleman in New York into the court, but when they got down to the facts and took the affidavits, they gave it up. The trouble is that the president of the Federation of Labor is opposed to this bill, or was opposed to it—I have not heard from him lately—because of the conscription clause, as he termed it, and gentlemen, unfortunately I believe for this country, he exercises too much control over 3,000,000 laboring men in the United States.

The so-called "conscription clause" never had any place in any bill. It could be found nowhere except in the minds of those who were opposing this legislation.

Mr. Gompers is not recognized as a broad-gauged American citizen. He is not a shipbuilder; he is a cigar maker by trade. He came before our committee and antagonized this bill in deference to the wishes of those of his order who belong to the seamen's union. The boiler makers' union, the riveters' union, the iron-ship builders' union came before our committee and urged the passage of this legislation. These men were of a high order of intelligence, fully as bright and respectable as the much-vaunted "boss." I call on every member of the Merchant Marine Committee on the majority side to correct me if I am not right. It is only a part of the Federation of Labor, under the whip and spur of its president, that opposes this bill. Why should they oppose it? They are organized for the upbuilding of the best interests of the laboring men of the country, and this bill not only touches the men in the shipyards on the coast, but it begins away up in the mines where they dig the ore from the ground. It begins in the woods where they fell the trees for the lumber. It continues along down our lakes and affects the vessels that carry the ore. It goes across to Pittsburg, and in the manufacturing plants of that city it reaches thousands of laboring men, all of whom will be benefited by this proposed legislation. Why oppose it? The opposition to this bill is grounded on misconception, false teaching, and demagogism. There is nothing in it.

Now, Mr. Chairman, on yesterday I was very much surprised to hear an eminent gentleman, for whom I entertain the highest opinion, get up on the Democratic side and say we were building more ships out of wood to-day than we ever built in the history of the country. I heard him say it, and for fear that I might be mistaken I went to the RECORD this morning and looked it up, and that was his language. Oh, I am sorry that any man who possesses intelligence enough to represent a constituency on this floor should make such a statement as that, so misleading; and it is statements of that character, made to the people in the Middle West, that has led our citizens so largely astray. What our people want is light on this subject, which is perhaps the hardest to understand of anything that has been presented to them in recent times; but when the light comes and they realize that this bill means the employment of thousands of laboring men, a demand for thousands of tons of material, and that it means an opportunity of sending our mails with dispatch, that it means the lading of those ships with American products, that it means the manning of those ships by Americans, that it means American men and American officers on American ships with American products and going abroad to find markets for the products of American farmers and laborers of our land, and that it means the flying of our flag at the masthead of additional American ships, I believe they will all support it. I want to correct the gentleman from Illinois [Mr. RAINEY], who said that we are building more ships now out of wood than ever before. I want to read an extract from the report of the Commissioner of Navigation. In the year 1855 the vessels built and documented in the United States aggregated 583,450 tons gross, of which 1,891 tons were metal and 581,659 tons were of wood.

[The time of Mr. MINOR having expired, Mr. GOULDEN yielded to him five minutes more.]

Mr. MINOR. In the year 1906 the vessels built and documented in the United States aggregated 418,745 tons gross, of which 297,000 were of metal, and only 121,000 tons were of wood. I infer that the gentleman from Illinois did not take the necessary time to inform himself thoroughly.

Mr. Chairman, there are practically no wooden vessels built for commercial purposes to-day. You can not point to them. The gentleman undoubtedly posted himself on this matter about as well as he did on the watchmaking business a short time ago.

Now, in closing, I want to say that when I see the Democratic party in the House lined up against a proposition as they are lined up against this, I do not hesitate in declaring my position. Everything they have touched in the past has gone to decay, and if they should ever have the opportunity to touch any American industry in the future it will go to decay. Democracy flourishes best when surrounded by wreck and ruin caused by its own misdirected policies that insure the decay of American industries.

Gentlemen, hark back to the last Presidential campaign; go back to the campaign between McKinley and Bryan; then go back to the time when you were shedding crocodile tears for fear of the passage of the Dingley tariff bill, that, as you said, would ruin the country and impoverish the people. Your love for us was then unceasing and boundless. We were urged to place ourselves in your fostering care, and we had your sympathies for fear we were going to disintegrate. But, thanks to the intelligence of the people and the Congress, God be blessed, the Republican party won at every point; this American Republic still lives and the flag flies over the most prosperous nation in all the world, made so by the brilliant policies of the Republican party. [Applause on the Republican side.]

The total registered and enrolled tonnage of the United States at the close of 1906 was as follows:

*Comparison of merchant marine of 1905 and 1906.*

| Classification. | 1905. | | 1906. | |
|---|---|---|---|---|
| | Number. | Gross tons. | Number. | Gross tons. |
| GEOGRAPHICAL DISTRIBUTION. | | | | |
| Atlantic and Gulf coasts | 17,357 | 3,396,452 | 17,477 | 3,427,046 |
| Porto Rico | 57 | 1,915 | 59 | 5,499 |
| Pacific coast | 2,674 | 793,088 | 2,787 | 817,572 |
| Hawaiian Islands | 56 | 28,622 | 49 | 22,463 |
| Northern lakes | 3,011 | 2,062,147 | 3,052 | 2,234,432 |
| Western rivers | 1,526 | 174,319 | 1,582 | 167,957 |
| Total | 24,681 | 6,456,543 | 25,006 | 6,674,969 |
| POWER AND MATERIAL. | | | | |
| Sail:[a] | | | | |
| Wood | 15,566 | 2,388,351 | 15,274 | 2,369,248 |
| Iron and steel | 218 | 326,698 | 232 | 330,434 |
| Total | 15,784 | 2,715,049 | 15,506 | 2,699,682 |

[a] Including canal boats and barges.

We have 6,674,969 tons of American shipping, of which amount 5,735,483 is under the coastwise laws and 939,486 tons in the foreign trade. The world's shipping at the close of 1904 amounted to 37,806,609 tons. England had at the close of the year 1904 approximately 11,000,000 tons, nearly all of which is available for the foreign trade.

We are paying to foreign ships each year for transporting our exports, imports, and passengers $200,000,000, all of which goes out of the country. At the present time foreign ships are carrying 90 per cent of our products and about the same per

cent of our imports. It is unfortunate that our people do not study this question more thoroughly. If they gave this subject more thought, they would be prepared to meet demagogues and false teachers, who are purposely or otherwise misleading the public, especially people of the Middle States.

Mr. Chairman, during the last campaign I heard a candidate in a public address say that ships on our Great Lakes did not need this kind of help, that they were in a flourishing condition, and that he was therefore opposed to this legislation. When men who assume to be competent and qualified to become Members of this House will ignorantly make a public statement of that character we should not wonder at the prejudice among our people against this bill. Let it be known once and for all time that all ships on the Great Lakes, all ships in the coasting trade on the Atlantic and Pacific, are excluded from this bill. No benefits of any kind are proposed by this bill for any ships except those contracted with by the Postmaster-General for carrying the mails, and they receive only the sums provided in the bill. And these steamships must carry the mails from ports in the United States to ports in foreign countries.

We have heard much about the cost of operating suitable ships for this service. Many Members of this House have fired their wads into this debate, each wad containing estimates of the cost of building and operating this class of vessels, and nearly every estimate is as wide of the mark as it well can be. I have taken some pains to get the true situation touching the engineer force, horsepower, coal consumption, and speed of a ship large enough and fast enough to meet the provisions of this bill. The *statement* which I shall include in my remarks was carefully prepared by two eminent engineers, who I believe are as good authority on this question as any in the United States. I refer to Capt. C. A. McAllister, engineer in chief of the Revenue-Cutter Service, and his able assistant, John Q. Walton, a chief engineer in the same Service. [Cheers on the Republican side.]

The statement above referred to is as follows:

The example taken is a medium-sized freight and passenger steamer of 10,000 tons register, fitted with twin-screw engines.

The relations between the speeds of the vessel and the corresponding horsepower required of the engines are plotted on a curve sheet, and shows the following results:

| Horsepower required for a speed of— | |
|---|---|
| 10 knots per hour | 2,100 |
| 12 knots per hour | 3,600 |
| 13 knots per hour | 4,600 |
| 14 knots per hour | 5,800 |
| 16 knots per hour | 8,600 |
| 18 knots per hour | 12,250 |
| 20 knots per hour | 16,800 |

The horsepower required for speeds not given in the above table may be read off the curve sheet. A glance at the curve shows at once the great increase in horsepower that is required to produce a small increase in speed after passing a speed of about 14 knots per hour.

The relations between the speeds of the vessel and the corresponding consumption of fuel in tons of coal per day are plotted on a curve sheet, and show the following results:

| Tons per day for a speed of— | |
|---|---|
| 10 knots per hour | 40 |
| 12 knots per hour | 67 |
| 13 knots per hour | 85 |
| 14 knots per hour | 109 |
| 16 knots per hour | 164 |
| 18 knots per hour | 233 |
| 20 knots per hour | 320 |

The consumption of fuel at speeds not given in the above table may be read off the curve sheet. A glance at the curve shows at once the great increase in the consumption of fuel required to produce a small increase in speed after passing a speed of about 14 knots per hour.

In this connection it is well to mention the fact that the consumption of fuel in tons per day is based on the presumption that the vessel has a clean bottom and clean boilers starting out on a voyage. After a few days the boiler connections, tubes, and funnels become dirty by reason of soot, etc., and then more coal would be required to produce the same speed, which, of course, would also be the case with a vessel which had not been recently docked and whose under-water body was foul with marine growths. As the above conditions usually exist, it is only fair to assume that the consumption of fuel would generally be greater and never less than that shown in the table.

The bunker capacity of a vessel making a voyage of fifteen days would have to be at least the number of tons shown in the following table, but in order to be on the safe side and have a reserve supply of coal in case of delays by storms, etc., this net capacity should be increased by 20 per cent at the very lowest.

| Tons for a speed of— | |
|---|---|
| 10 knots per hour | 600 |
| 12 knots per hour | 1,005 |
| 13 knots per hour | 1,275 |
| 14 knots per hour | 1,635 |
| 16 knots per hour | 2,460 |
| 18 knots per hour | 3,495 |
| 20 knots per hour | 4,800 |

The relations between the speeds of the vessel and the corresponding weight of machinery required, in tons of 2,240 pounds, are plotted on a curve sheet, and shows the following results:

| Tons for a speed of— | |
|---|---|
| 10 knots per hour | 383 |
| 12 knots per hour | 655 |
| 13 knots per hour | 840 |
| 14 knots per hour | 1,056 |
| 16 knots per hour | 1,566 |
| 18 knots per hour | 2,230 |
| 20 knots per hour | 3,060 |

Inspection of the curve shows at once the great increase in the weight of machinery required for a slight increase in the speed of the vessel after passing a speed of about 14 knots. This is due to the great increase in horsepower of engines and boiler power necessary to produce a high speed.

Crew required for engineer's department: One chief engineer, five assistant engineers, six oilers, three water tenders, two storekeepers. The above men should be carried in any case.

Allowing one fireman to each furnace in the boilers, which, when the watches are arranged four hours on and eight hours off, as is the custom, makes one fireman look out for three furnaces, and allowing one coal passer to every two firemen, we would have, in addition, the following fireroom force necessary for vessels of the various speeds:

| | |
|---|---|
| Firemen for a speed of 10 knots per hour | 12 |
| Coal passers for a speed of 10 knots per hour | 6 |
| Firemen for a speed of 12 knots per hour | 18 |
| Coal passers for a speed of 12 knots per hour | 9 |
| Firemen for a speed of 13 knots per hour | 21 |
| Coal passers for a speed of 13 knots per hour | 9 |
| Firemen for a speed of 14 knots per hour | 24 |
| Coal passers for a speed of 14 knots per hour | 12 |
| Firemen for a speed of 16 knots per hour | 36 |
| Coal passers for a speed of 16 knots per hour | 18 |
| Firemen for a speed of 18 knots per hour | 48 |
| Coal passers for a speed of 18 knots per hour | 24 |
| Firemen for a speed of 20 knots per hour | 66 |
| Coal passers for a speed of 20 knots per hour | 33 |

It is necessary to state that the number of men carried in the engineer's department of vessels varies with different lines, arrangement and type of boilers, etc., but the above table is based on an average example of a seagoing steamship in the merchant service.

Mr. GOULDEN. Mr. Chairman, I now yield thirty minutes to the gentleman from Michigan [Mr. TOWNSEND].

Mr. TOWNSEND. Mr. Chairman, I do not rise at this time with any hope that I can shed much light on this subject. I do speak to the question before the committee, however, because somehow or other I believe that I am not entirely alone in my lack of full knowledge on this subject, for it seems to me that for a question of so much importance there is the least absolutely reliable information upon it of any question that has ever been presented to the House since I have been a Member of it. I hesitate when I find that my ideas are different from very many men whose counsels I have been willing to adopt, men whose patriotism I do not question, who I believe are working for what they think is the best interest of our country. I think, however, as I said before, that this is a subject which has come to us in a peculiar and unusual manner. I have heard as a Member of this House that the Committee on the Merchant Marine and Fisheries had for some time been considering this question. I had supposed from what rumor had given out that an altogether different bill was to be reported from the one that is now before us. In fact, we have heard many rumors concerning that committee, and finally the result is the bill now before the committee, a bill, as I understand it, upon which there were never any hearings, and that of itself is a most marvelous thing, as it seems to me.

If it is an ex parte bill, a bill prepared in secret and not even in full committee, the proponents of it at least ought to present good and sufficient reasons, and those without reasonable doubt. Therefore, inasmuch as I have convictions on this subject and am looking for light upon it, I have seen fit to intrude upon the committee for a few moments for the purpose of asking some questions and making some suggestions.

As I understand it, the Congress has a right to legislate only as it enacts measures which are in the interest of the common good and the general welfare. However desirable the measure may be to any individual, it has no business before the Congress unless the ultimate end is to benefit all the people or a majority of them. I agree with all of the gentlemen on this side and on the other that it would be a most desirable thing to have our commerce extended, a most desirable thing for us as Americans that the Stars and Stripes should float at the mast of vessels in every port in the world; but unless they so put our flag over those ports or in those ports that the result is to bring benefit to the people it will be but something to contribute to our fancy and would hardly be worthy of the Congressional legislation. The flag is an emblem of all the people, and where it waves it should never suggest piracy or dishonor.

Now, what are the circumstances at present? Are the needs pressing? Are they so great that in this unusual manner we should present this bill and enact it into law, changing, I submit, somewhat, at least, the policy of this country. Do present conditions demand that we should proceed with this scheme at once on this large scale? There never was a time in the history of the country when our commerce was so congested at home. Why, from all over the land comes up to the Congress petitions asking us to do something to move the wheels of transportation in compliance with the needs of the people of the United States. Our railroad facilities, they tell us, are absolutely insufficient to meet the necessities of the case at home.

No man would consent at this time to Congress voting $4,000,000 for the purpose of building equipment for the railroads, and

yet I submit, gentlemen, it would be the height of wisdom as compared with the untried policy, so far as some of these things are concerned, of imposing upon the Treasury of the country the burden of $4,000,000 a year for doing something which is so little understood and about which there is so much uncertainty, and against which there is such widespread opposition.

I have read with a great deal of pleasure, a good deal of profit, and much respect the report of the great Secretary of State after he returned from South America; and, having such confidence in him as I have and believing that we owe a special duty to the countries of the Western Continent, I am in favor, and shall not oppose before this House, the proposition to extend new lines from the Atlantic and Pacific seaboards to the ports in South America.

I submit that there is a question whether, if we established a line along the Atlantic seaboard, we would not decrease our merchant marine by putting out of business possibly some of the coastwise vessels which ply along the coast, and besides there is no assurance, it seems to me, that we shall have any new ones built. No gentleman has proven that to me thus far who has spoken on this question, and I submit that declamation will not count alone. We must know for a fact whether new vessels will be built or not. It is stated that these oriental lines are not paying expenses now, and some most marvelous statements are presented to us through the mail of this House; presented, it seems to me, on the assumption that the Members of the House have not sufficient intelligence to even make computations after the figures have been given to them.

But the action of these companies themselves tells the story to the Congress whether they are profitable or not. On the 3d day of May, 1905, I was before the Senate Committee on Commerce at the time they were having hearings on the rate bill. At that meeting Mr. James J. Hill, the president of the Great Northern Railroad, was giving testimony. He made this statement, which is found in the printed record of those hearings, the second volume, on page 1493. He was being questioned by Senator FORAKER, of Ohio, and was asked a question which led up to this answer. Mr. Hill said, in substance:

> We carried 106 locomotives from Philadelphia to Yokohama for about the same price that another railroad [a southern railroad, as he called it] hauled 106 locomotives in the United States 500 miles.

He was then asked, "Were you getting too little, or the other fellow too much?" "Well," said Mr. Hill, "we were satisfied with what we were receiving."

He was shipping 106 locomotives from Philadelphia over to the Pacific coast and then on his vessels to Yokohama, and was satisfied with what he was getting. Now, if you build these lines, or if you grant this subsidy, doesn't it stand to reason, whatever gentlemen may say about it, that the vessels now in business there must either get subsidy or go out of business? No other line can compete with the one which receives this benefit. Therefore I say it seems to me we are taking the chances of putting these vessels out of business. I do not want to stand here in the House and harp on questions and make statements that might be branded perhaps as statements of a demagogue. I do not want to make an argument for the poor man as against the rich man or the rich man as against the poor man. We know no rich nor poor. I care not who grants the benefit if the people receive it. This is a plain business proposition—nothing more and nothing less. I do not care whether you call it Republican or Democratic. One gentleman on this side seems to fear something, and he denies it is Republican. Our friends on the other side deny that it is Democratic and charge it up as a Republican measure, and then the retort is made from this side that the Democratic Administrations in the past have been favorable to this kind of subsidy. I am not very particular as to whether it is Democratic or Republican. What I want you to show me is that we can go back to our constituents and give them good reasons for granting this almost $4,000,000 a year; that we shall be satisfied we are going to get results that will be beneficial to the people of the United States. It has not yet been clearly demonstrated to me, nor have I become convinced from what investigation I have been able to give the subject, that any subvention or mail subsidy which we may grant will result in great benefit to the people. The fact that we are growing, that we boast in this country of our ability as business men, of our wealth as a nation, of our genius as a people, it seems to me, should give us assurance that whenever the commerce of the country that seeks entry into another country is sufficiently large, this wealth and genius will be employed to furnish the means necessary to meet the commercial demands of the country. I believe that when the need becomes sufficient the ships will be forthcoming. I am perfectly willing, however, to try the subsidy for our South American ports. Let us begin on a small scale. Statements have been made here that our shipyards are already working overtime. They can not build all these imaginary ships at once, and by the time the next Congress meets, by another session, perhaps we will have more light on the subject. Let us be content at this time to pass a bill which shall grant some aid to some of the boats that shall sail into the southern seas, but the bill should be so amended as to provide that all contracts shall be let to the lowest bidder. Whatever gentlemen may say about it, I believe there is not a single thing in it that provides that the contract shall be let to the lowest bidder in letting these contracts. That certainly should be settled, it seems to me, if the measure shall pass.

In the course of this debate reference has been made to the representatives of "cornfields," as though it required less intelligence to represent such a constituency than some other. The gentleman, I am sure, meant no discourtesy, for his is a rural district; but it may be proper for me to say in this connection that from the cornfields must come not only the products which make ships necessary, but also the men who man and support them. Destroy your fields and every factory wheel stands still, every furnace fire goes out, every industry dies, and ships become useless things rotting at their wharves. [Applause.]

The cornfield districts are not for this measure. Does it lie with us to say they do not know what they want?

We can not afford to ignore any class of the people. My experience is that the farmers of this country come as near knowing what is right as gentlemen in the manufacturing districts, as far as that is concerned, and it has been the glory of the Republican policy, as I understand it, that all of the interests of the country have been subserved; subserved by granting such aid where it was necessary, as has spread out and taken in all of the people, either directly or indirectly. Now, if you will amend this bill so that it will simply grant a subsidy to the South American ports and stop there, well and good. Who has stood in his place here or who will stand here on this floor and tell us why they grant the specific amount of bounty in each one of these cases, why the $200,000, why the $600,000? Is there any testimony on the subject? Has anybody said that that was the amount that was necessary, or has some one guessed that we must have these amounts, and therefore they have been named in the bill? Have the gentlemen who hope to receive the benefits suggested the amounts?

I am informed that the information upon which gentlemen relied in drawing this bill was that obtained by the Commission. This information they had when the Senate bill was drawn, and yet the amounts in that measure were not the same as those in this one. In the latter they are increased. Why?

In fact, I hope some of the gentlemen who have advocated this measure will tell us how the committee, or the responsible part of the committee, came to the conclusion in regard to the particular figures put in it and the basis for such conclusion. Mr. Chairman, I did not expect to occupy over ten minutes and that is all I asked for, but I find I have intruded upon the committee longer than I expected. My suggestions may be of no avail, of no value to you. I have put them in the form of questions, in the form of statements, which I hope gentlemen will answer, not simply with assumptions, not with an appeal of oratory or to fancy, but simply give us the facts as to what is going to be accomplished. Does our country at the present time need this character of legislation, and if it does, will this measure supply that need? [Applause.]

Mr. GARDNER of Massachusetts. May I ask the gentleman a question?

Mr. TOWNSEND. Certainly.

Mr. GARDNER of Massachusetts. The gentleman has had a good deal of nautical experience? He knows this subject fairly well?

Mr. TOWNSEND. I will say the gentleman is more complimentary than correct about that.

Mr. GARDNER of Massachusetts. As his speech will unquestionably be circulated very largely in my district and in other maritime districts, I hope that when he corrects the proof he will refrain from speaking of the Stars and Stripes as "flying at the masthead of American ships." That is where we do not want the Stars and Stripes; we want them at the peak or over the taffrail. The national flag of the port of destination is carried at the masthead. If we wish to know the nationality of a vessel on the salt water—I can not speak for Michigan—we look at the peak on sailing vessels or at the taffrail on steamers. There is where we want to see the American flag. Far too often do we see it already at the masthead of foreign vessels. [Applause.]

Mr. TOWNSEND. I am very sorry I did not know we had such an authority in the Congress, or I certainly should have consulted it before making my remarks. As it is, no one, I

trust, has misunderstood me, and besides, I have afforded the gentleman from Massachusetts an opportunity to display his nautical wisdom on the floor and in the RECORD, and to me, a landlubber from Michigan, the Stars and Stripes mean the same whether on "peak" or mast. Mr. Chairman, I now yield back the remainder of my time. [Applause.]

The CHAIRMAN. The gentleman has had twenty minutes.

Mr. MINOR. If the other side does not wish to use any time just now, I yield to the gentleman from Washington [Mr. HUMPHREY] thirty minutes.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] is recognized for thirty minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, if I can have the attention of the gentleman from Michigan [Mr. TOWNSEND] who has just spoken, I shall attempt in the course of my remarks to answer a few questions which he has propounded to the House. As a member of the Committee on the Merchant Marine and Fisheries, I would have preferred that this bill should have gone much further than it does. In this I agree with my colleague [Mr. MINOR] who has just addressed the committee. There have been many statements made about this bill. Some of them have been absurd and some of them have been gross misstatements and some of them grotesque. The leader of the Democracy, in discussing it the other day, said that it was an extension of the protective system. That is true. That it was an extension of the "hothouse system" of the Republican party, as he is so fond of terming it. It is an extension of the protective system. We have tried the protective "hothouse" system of which he speaks.

We tried the Democratic system for four years, and looking back on those four years of idleness and hunger and rags, I think that the people of this country infinitely prefer the "hothouse" system of the Republican party to the "poorhouse" system of the Democratic party. [Applause on the Republican side.] Now, my distinguished friend from New York [Mr. GOULDEN], upon the committee, in speaking of this question yesterday, made the point against this bill that shipowners and shipbuilders and members of the Navy had been called upon to testify before our committee. I suppose if the minority upon this committee had had their way they would have called in cowboys and barbers to give testimony upon the question, and, judging from the speeches they have made, they must have gotten their information from some such source.

Mr. GOULDEN. Did not the minority of that committee have the right to do as the majority did and summon people there to give testimony upon this subject, if they thought it necessary, or if they thought the people wanted that information?

Mr. HUMPHREY of Washingon. You certainly did, and if you were not satisfied with the testimony the majority produced, why did you not bring other testimony? You admit you had the right.

Mr. GOULDEN. Mr. Chairman, it was too late. After we found that state of affairs, it was too late.

Mr. HUMPHREY of Washington. I never knew a man whom you beat in a case but when pressed into a hole made some excuse about not having had a fair opportunity.

Mr. POU. Mr. Chairman——

Mr. HUMPHREY of Washington. Mr. Chairman, I refuse to be interrupted any further at this time. Now, the gentleman from Michigan [Mr. TOWNSEND] in talking a few minutes ago said this was a new policy.

Mr. POU. The gentleman has made a statement I would like to qualify.

Mr. HUMPHREY of Washington. I yield, then, for a question.

Mr. POU. The gentleman has stated that the country tried the Democratic system for four years. I would like to inquire of the gentleman what four years they were that the country tried that system?

Mr. HUMPHREY of Washington. I did not think there was anybody in this country that could forget those four years, if they tried.

Mr. POU. The gentleman is evading the question. I would like to ask him what four years he refers to?

Mr. HUMPHREY of Washington. I mean the four years of starvation brought upon this country by the Administration of Grover Cleveland during the last four years he was in power.

Mr. POU. Does the gentleman mean to state that during these entire four years that laws passed by a Democratic Congress and a Democratic President were in force? Has the gentleman forgotten the fact that in 1892 or 1893 the laws passed by his own party were in force?

Mr. HUMPHREY of Washington. I have not forgotten the fact of the starvation period I went through under the Democratic Administration; I do not think that anyone else in this country has. [Cries of "Oh!" on the Democratic side.] I did not think that the gentlemen would still be groaning. I knew you were very sick at the time, but I thought you had by this time recovered to some extent. [Laughter.]

Now, then, replying to the gentleman from Michigan [Mr. TOWNSEND]. He said that this was an untried policy. I think the gentleman erred in that unintentionally. This is simply a continuation of the present policy as it exists to-day. It is simply an extension of the present law of 1891. He has propounded this other question, which is perfectly proper and legitimate, and that is, If this law is enacted will it build any ships? My answer to that question is that any ship that may run upon the Atlantic Ocean will have to be constructed. Upon the Pacific Ocean, if the Harriman line and Mr. Hill's line could take advantage of it—the Harriman line can; Mr. Hill's vessels can not—there would be upon the Pacific Ocean several vessels that could take advantage of the law, but outside of these there would be new vessels constructed upon the Pacific Ocean. There would only have to be two new vessels for the Australian line, there would have to be two new vessels for the Pacific Mail Line, and upon the line from Puget Sound there would have to be seven vessels, all of them new.

Mr. WILSON. Why is it that Mr. Hill's line could not take advantage of the subsidy?

Mr. HUMPHREY of Washington. The reason of it is because the ships are not fast enough. Before I get through I hope to be able to refer to the lines upon the Pacific coast, and I wish to answer the charge that has been made here that this bill is drawn in the interest of Mr. Harriman and Mr. Hill. I suppose that I am responsible more than any other one man for that item going into the bill that makes it imperative that one line shall go from the north and one from the south port of this coast. And I put it in there knowingly and deliberately, and I have no reason to attempt to conceal my purpose, and I will take pleasure in explaining to the House when I come to that point why I did it.

And, further than this, I want to make this assertion here and now, that Mr. Hill and Mr. Harriman are not in favor of these lines. If the hand of Mr. Harriman is here in this House now, it is over here on the Democratic side, trying to defeat these lines because Mr. Harriman wants them defeated. And the reason of that is plain. It is because Mr. Harriman has said—and I challenge any man to dispute it—that he will not take advantage of this subsidy, and the reason for it is easy to understand. He can not do it because he will have to change his crews; he will have to run upon regular schedules; he will have to go to the Philippines; and his manager has been before our committee and shown that it was utterly impossible for him to take advantage of this subsidy.

Now, that being true, do you suppose that Mr. Harriman wants another line subsidized to compete with his line? I challenge any man on this floor to show one word of evidence that Mr. Harriman favors this bill.

Mr. GRONNA. May I ask the gentleman one question?

Mr. HUMPHREY of Washington. Yes, sir.

Mr. GRONNA. Will the gentleman tell us why Mr. Harriman can not take advantage of this?

Mr. HUMPHREY of Washington. I have just explained that, but I will explain it again for the benefit of the gentleman; but I can not let him take up too much of my time.

The reason why Mr. Harriman can not take advantage of this subsidy is this: It will compel him to carry a certain proportion of American citizens as crews. He now carries Chinese crews. It will compel him to run to the Philippine Islands. Now he only runs to Japan and China.

Mr. GRONNA. Is it not possible for Mr. Harriman to build new boats and to ship American crews and take advantage of this subsidy?

Mr. HUMPHREY of Washington. It would be possible for him to do so, but not at the amount that is now provided. The gentleman from Michigan [Mr. TOWNSEND] asked how these sums were fixed.

Mr. TOWNSEND. May I ask you a question before you leave that subject?

Mr. HUMPHREY of Washington. Yes.

Mr. SULLIVAN. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. I have already yielded to the gentleman from Michigan.

Mr. TOWNSEND. I understood the gentleman to state that he was responsible for the line from Puget Sound being placed in the bill.

Mr. HUMPHREY of Washington. No; I did not say I was responsible for that line. I said I was responsible, I supposed,

for that item in the bill that made it impossible for both Pacific lines to run from the same port, either from San Francisco or Puget Sound.

Mr. TOWNSEND. You were working to get one line from the north.

Mr. HUMPHREY of Washington. I was not working to get one line from the north, if we did not get one from San Francisco. We are a thousand miles nearer the Orient than San Francisco, and we could certainly take our chances on getting a line. I will tell you why I wanted one line from San Francisco. Because if both lines went from Puget Sound we would have none of our ships running via Hawaii, and I believe that this country ought to have its own means of communication with its own possessions, and that was the reason why I favored one line going from San Francisco.

Mr. TOWNSEND. I do not think the gentleman will charge me with being impertinent, but I should like to ask——

Mr. HUMPHREY of Washington. There was some insinuation, though, in the gentleman's question.

Mr. TOWNSEND. I did not mean that, but what I wanted to know was if the gentleman would have voted for this bill if route No. 6, or the route at the north, whatever the number of it is, had been left out?

Mr. HUMPHREY of Washington. Why am I called upon to answer that question? The question is whether that line should be there, not whether I would vote for it. I am surprised at the gentleman standing up here a few moments ago and saying that he did not want to send out anything over the country that looked like he was playing the demagogue, and then have him two minutes afterwards ask me such a question as this. [Applause.]

Mr. TOWNSEND. I wanted to say to the gentleman that he invited that, because he brought it up. He did discuss on the floor here the action of the committee, and I have been informed—now the gentleman has brought it out—that the committee did not want to report this line in connection with the Northern Pacific Railroad Company, but was obliged to do it in order to get the measure reported out.

Mr. HUMPHREY of Washington. I do not know where you got your information, but I am perfectly free to state that I would not vote to report a bill to this House that provided for no lines to run to the Philippines. That is what I said, and there is where I stand to-day. We have only two vessels now running to the Philippines flying the American flag. Three disappeared within the last thirty days, and I said, and I say now, that I would not vote to report any bill that would not provide for our own flag to go to the Philippines, and, further than that, I will tell you why. That is what the Democratic party is trying to do now, to keep us from having communication with the Philippines in order to bring disgrace upon our administration of those islands. The Democratic party would like to see us lose the islands. They hope to make us so helpless on the Pacific that Japan will attack us, and then they hope to ride into power over their country's disgrace. [Derisive laughter on the Democratic side.]

Mr. SULLIVAN. Will the gentleman yield?

Mr. HUMPHREY of Washington. No; I will not yield.

Mr. SULLIVAN. You have made a very serious charge about this side of the House. I should like to ask you to submit a particle of evidence upon which that charge is based, that Harriman's hand is felt on this side of the House. Either prove it or withdraw it. [Applause on the Democratic side.]

Mr. HUMPHREY of Washington. I refer to the action of gentlemen themselves. If it is not true, it will not hurt them.

Mr. WACHTER. It is the gentleman's opinion?

Mr. HUMPHREY of Washington. On that side of the House several gentlemen made speeches and said this bill was brought in here for the benefit of Harriman and Hill. I deny that that is true; and whether the Democratic party is doing it knowingly or not I do not charge, but they are doing what Mr. Harriman desires, for Mr. Harriman is opposed to these lines being established on the Pacific, and Mr. Hill has never made any statement upon the question. I challenge any man upon the floor to dispute these statements.

Mr. SULLIVAN. Does it follow, because Mr. Harriman is opposed to it, that the Democrats are influenced by Harriman?

Mr. HUMPHREY of Washington. I did not say that.

Mr. SULLIVAN. You did say that this side of the House was under the hand of Harriman. If you have not more proof of that proposition than you have of the proposition that we are trying to create a war with Japan, we will let both of your statements go to the country and let the country judge of the value of your testimony.

Mr. HUMPHREY of Washington. I am perfectly willing to let my testimony line up by the side of that of the gentleman from Massachusetts.

Mr. SULLIVAN. And so is the gentleman from Massachusetts.

Mr. HUMPHREY of Washington. Now, the gentleman from Michigan [Mr. TOWNSEND] a while ago, in speaking upon this subject, wanted to know whether or not there was any present necessity for this bill. I was a member of the Merchant Marine Commission that went throughout this country getting testimony upon this question. Let me state to the committee the conditions prevailing to-day, and let them judge if there is necessity for present action by Congress.

CONDITION OF OUR MERCHANT MARINE.

The foreign trade of this country for the year 1906 will approximate $3,000,000,000, the largest ever done by any nation in all the history of the race. The balance in our favor will approximate $500,000,000, a sum never before approached on the balance sheet of nations. Of this vast commerce, the greatest the world has ever known, only about 7 per cent was carried in American ships. Our flag is disappearing from the sea. It has become but a memory in most of the ports of the world. You may sail the circle of the globe without seeing the Stars and Stripes except upon a private yacht or a vessel of war.

A half million dollars per day is paid to foreign ships by this nation for carrying our commerce. Ninety per cent of this great sum is paid to foreign labor for work that could be done by American labor. To-day, with all our vast wealth, our unlimited resources, our mighty commerce, we have 108,000 less tons of shipping engaged in our over-sea commerce than we had ninety-five years ago, in the early infancy of the Republic. Only in one port in the United States is a greater tonnage of our foreign trade carried in American vessels than in foreign vessels, and that is Puget Sound, the extreme northwest port of the country.

We are spending millions each year in the construction of naval vessels, and when finished we will have no men to man them. We have vessels of war to-day that we can not furnish with competent crews. We have no auxiliary for our Navy and no transports for our Army.

Only two American vessels to-day go regularly to the Philippines, and these vessels are slow and only 10,000 tons each, and even this shadow of a line, that remains only to shame us, is soon to be discontinued unless help comes. Up until recently twelve vessels went to the Orient. These twelve vessels were the only unsubsidized American vessels that carried our flag. They run in direct competition with heavily subsidized foreign lines. Within the last few days three of these vessels have given up the unequal struggle and have gone into the coastwise trade. Only nine vessels to-day unaided carry the Stars and Stripes, and all these are on the Pacific. Even the supplies for our little army in the Philippines must soon go under another flag. We are spending millions to improve our harbors to accommodate foreign ships. We are spending millions to build the isthmian canal, and when finished it will be traversed almost entirely by the ships of other nations. We are contributing to the naval strength of other nations, building foreign navies, and training foreign seamen that in time of war may be used against us. Our trade is at the mercy of foreign combines that discriminate against us. We are not getting our fair share of the rapidly developing trade in South America and the Orient. Foreign ship trusts and combines are preying upon our commerce. They have largely increased freight rates, in some instances more than 400 per cent.

Such are some of the humiliating and discreditable conditions which the committee found that have this bill in charge, and it was with the sincere hope that this bill would to some extent remedy these alarming conditions and would be the beginning for the complete remedying of them that this bill was reported. We believed there was great necessity for immediate action.

What has brought us to these conditions? This question can be answered in a single sentence: Higher wages paid in this country and the subsidies paid by other countries. This tells the whole story. It costs from 40 to 100 per cent more to build a ship in this country than to build it in a foreign country. It costs from 20 to 30 per cent more to operate an American ship than a foreign ship. This additional cost in construction and in operation is almost entirely due to the high price of labor in this country. In addition to the increased labor cost in this country, the American ship is handicapped by the payment of heavy subsidies by foreign nations. There is not a first-class foreign vessel in the world to-day engaged in the deep-sea commerce that does not directly or indirectly receive a subsidy.

FREE SHIPS.

The minority, in their report, have admitted the conditions which I have described, but they have not attempted to give a remedy. They do make some suggestions and intimations as to what would possibly remedy these conditions. They advocate free ships. A free-ship policy in this country would not be of any effect.

Free ships would not solve the problem. If American lines were given ships, they could not operate them at a profit. To remove the tariff from the material used in building ships would not help the situation, for shipbuilding material used in building ships for the foreign trade is now and for fifteen years has been upon the free list. The only free thing that would solve the problem is free labor. Remove the barrier that prevents the employment of the cheap labor of foreign countries and the American ship can run in spite of foreign subsidies. The mighty, insurmountable obstacle under present conditions to the American ship is the price of labor—the labor that builds the ship and the labor that operates the ship. Then the proposition is this: We must pay the difference in labor to the shipowner or we must reduce the price of labor or we must abandon the field to the foreigner. I do not hesitate to say which of the three propositions I will support, and I challenge any man on this floor to advocate either of the other alternatives. [Applause.]

When the Merchant Marine Commission was having its hearings practically every vessel owner and shipping man in the United States was asked the question, "If given the opportunity, would you buy a foreign ship and run it in the deep-sea trade?" Not one was found that stated he would try the experiment. In many places we saw splendid vessels suitable for the foreign trade swinging at anchor, driven out of business by the subsidized ships of other nations. If the American owner can not run at profit the vessel he already owns, certainly the most stupid would not contend that he would buy and run another, however low the purchase price might be. No advocate of free ships can name a single reputable man in America, who, under the present conditions, would try the experiment. We have in this country to-day practically free ships. Any man in America can buy a foreign ship and get the American flag to run it in the foreign trade. It has not been two weeks since our committee unanimously reported a bill of that character. Ever since I have been on the Merchant Marine Committee this has been the policy of that committee. Every shipowner in America knows that this is true. This is the free-ship policy, but none has ever taken advantage of the opportunity. No man who has studied the situation to-day seriously advocates free ships.

DISCRIMINATING DUTIES.

The minority also speaks of discriminating duties. Discriminating duties have been advocated by some as a remedy. It is entirely safe to use the past tense in speaking of this remedy, for I know of no one who advocates it to-day. The first obstacle that we meet in the way of discriminating duties is more than thirty treaties with foreign nations in which we agree not to do it. It is true that these treaties provide that upon due notice by either party they may be abrogated. But this might involve us in a contest of retaliation. Still, I do not agree with the distinguished Secretary of State that this is the main obstacle in the way of adopting the plan of discriminating duties. I do not have the fear of retaliation that seems to possess many. I believe that in any commercial war we can take care of ourselves.

If it would be to the interests of this country to have discriminating duties, then I would unhesitatingly advocate the abrogation of all these treaties regardless of what other nations might do. I believe it would be our duty to do it; but my opposition to discriminating duties is because it would be utterly futile. The only way to make discriminating duties effective would be to place a duty on the articles now free. This proposition, as every man in this House knows, is utterly impossible. Most of the articles on the free list are noncompeting articles. To lay a tariff on these articles has always been opposed to the policy of protection of the Republican party, except in time of war, and then only for the purpose of revenue. Of course, the Democratic party, true to the doctrines of free trade, would not consent to a duty on articles already free. To place a duty on the free list as it exists to-day would violate the traditions of both the great parties. We can not, of course, place a duty upon exports, as some have advocated, for this is prohibited by the Constitution. A discriminating duty as the tariff now stands would be utterly useless—that is, to reduce the tariff on articles now protected—and especially would this be true in the trade which we most desire, the trade with South America and with the Orient. Forty-seven per cent of our imports are now on the free list, and from the Orient and South America a much larger per cent. Take one illustration. A discriminating duty of 10 per cent upon the imports into Puget Sound would give to a vessel of 10,000 tons an average of about $70 for a 12,000-mile voyage. A Japanese steamer or a British steamer of the same capacity would receive for the same trip more than $50,000. Certainly no further evidence is needed than this one illustration to demonstrate the futility of discriminating duties. Even if we could so arrange discriminating duties as to be effective it would only be accomplishing indirectly what could be done directly by the payment of subsidies. Discriminating duties, even if they could be made effective, are wrong in principle. What we desire is to encourage exports, not imports; selling, not buying. What we desire is to make a market for the products of this country, and not to make this country a market for the products of others. [Applause.]

ATTITUDE OF LABOR.

In the minority report it is claimed that organized labor is opposed to this bill. I do not believe it. Hundreds of petitions received from various labor organizations throughout the country demonstrate that it is not true. Practically all of the opposition to this bill from organized labor has come from the president of one union, and that union has a membership that is composed of nine foreigners for every American. The only thing American about the president of that organization are his naturalization papers. For political purposes this organization is the personal property of its president. His opposition to the bill may be stated in a single sentence: His organization being composed almost entirely of foreigners, can not share in the premiums offered by the bill to American boys to enroll in the naval reserves. From their standpoint, the opposition of this organization composed of foreigners is justified. They object to the advantage given to the American sailor. This bill is not popular with foreigners—either foreign shipowners or foreign sailors. I deny most emphatically that the labor organizations of this country are in harmony with this union of foreigners. The laboring class of this country is more deeply and directly affected by this bill than any other. To-day we pay every twenty-four hours $600,000 to labor for carrying our own foreign commerce. Of this vast amount less than $50,000 are paid to American labor and more than $500,000 are paid to foreign labor. This bill will keep at home a larger and a fairer share of that vast sum and give it to the labor of this country. This bill will create and increase foreign markets for our products, and every time we sell abroad $1,000 worth of American products it puts $900 into the pockets of the men who work in this country. This bill would cause new ships to be constructed that would give employment to thousands of American workmen in our shipyards—employment, if this bill does not pass, that will go to the workmen of other countries. If we were to build our own ships and carry our own commerce, it is a low estimate to say that it would give investment to $700,000,000 of capital and work to 500,000 men. These men would earn more than $1,000,000 each day.

Is it to be doubted that the intelligent laboring men of this country are in favor of a policy that promises such tremendous results? But these results, great as they are, are only the direct benefit to labor. The indirect benefits can not be calculated. It reaches every industry. Labor must fell the trees; it must manufacture the lumber; it must take from the earth the coal and the iron for the furnaces and forges; it must transport the products of the forest, of the mill, and the mine to the shipyard. Labor must fashion and operate the great ships that will carry our products over the seas, and all these countless toilers must be fed and clothed by the farmer. Labor of every class and of every section of our country will feel the benefit of this bill. If we were to carry our own commerce, the vast sum that it would keep at home and give to our own people that now is sent abroad would quicken the pulse of every industry in all this vast country of ours. The labor of this country is not opposed to a law that will cause the American workman, at American wages, to build American ships for American commerce in American yards. [Applause.] American labor is not opposed to a bill that will rehabilitate our own almost destroyed industry, that will brush away the dust of idleness in our shipyards, that will cause the ringing of hammers, the hum of machinery in the shipyards of this country instead of in the shipyards of Europe. American labor is not opposed to a bill that will increase the markets for products fashioned by the hand and brain of the American toiler. Labor is not opposed to a measure that, if carried out fully, would give to American labor a million dollars each day that now goes to foreign labor. Labor is not opposed to a measure that will give more work and higher wages to thousands in this country who earn their daily bread by honest toil. And all the loud-mouthed demagogues that go up and down

the land exercising their lungs pretending to represent them in order to add to their own notoriety and increase their unearned salary can not make the intelligence of this country believe it. [Applause.]

When the laboring men of this country understand that every twenty-four hours they have been deprived by our stupidity of a million dollars in work and a million dollars in wages that is taken from them and given to those who owe allegiance to another flag, it will require more than a free-trade sermon or a denunciation of "subsidy" to convince them that we have honestly and intelligently performed our duty. That class who in the sweat of their brow eat bread is more interested in having this bill enacted into law than any other. Of the countless millions that this bill will keep at home that now goes abroad, more than 90 per cent of the vast sum will go directly into the hands of labor. The passage of this bill concerns directly the fireside of every toiler beneath our flag. We are committing a crime against labor when we permit our work to be done by any other. It may be the crime of ignorance, but the result is the same. The workman may not know that he is robbed, but that does not lessen his burden. It is one of the highest duties of government to first care for its own, to give its work and its wages to its own, to those who support it, to those who pay the taxes, to those who, in time of need, will take up the musket and defend it. [Applause.] This doctrine has ever been the corner stone of Republican faith. We have been true to this faith on land; we have failed to keep it on the sea. On the land we have had Republicanism, protection, progress, and prosperity; on the land we stand supreme. On the ocean we have Democracy, free trade, disaster, and defeat; on the ocean we have recorded our only failure.

WILL THE BILL BE EFFECTIVE?

The question often propounded by many who are in favor of doing something to rehabilitate our merchant marine is, Will this bill be efficient? So far as it goes, I do not hesitate to say that in my judgment it will.

At the hearings before our Commission most of the leading shipping men of the country and all those who contemplate constructing lines to take advantage of the provisions of this bill appeared before us. It was stated by these gentlemen that the sums specified were sufficient; that this bill would accomplish its purpose. Not only the weight of the evidence, but all the competent evidence was to that effect. That the lines contemplated by the bill will be undertaken I entertain no doubt.

This further question has been asked: Will not foreign nations increase their subsidies so as to make any we may give ineffectual? Of course it is impossible to demonstrate mathematically what foreign nations may do. But this we do know, that there is at present keen competition between the other nations in the payment of subsidies and it is reasonable to presume from this competition that they are paying about all that traffic will bear. Another evidence to this effect is that they are so ready to combine to discriminate against us by raising freights. In order to keep the equation as it is now the various subsidy nations, in case we pass the bill, would have to double their pay. I do not believe that so great a subsidy would be profitable. If it would, then their present profits must be enormous. I do not think that all the subsidy-paying countries have the financial resources to pay double what they are now doing. It is claimed even now—a claim which I do not, however, believe—that foreign ships are carrying at a loss. The best evidence obtainable from all sources, and especially from our foreign consuls, indicates that the foreign nations can not materially increase their present subsidies. Even if they did so increase their subsidies as to prevent us from carrying any great portion of our commerce, as a means of defense, as an auxiliary to our Army and Navy we would have our vessels. This would be true even if they had to run entirely empty. But they would not run empty, and an increase of subsidies by foreign nations would inevitably result in a decreasing of freight rates, and as we have more to carry than any other nation, we would be more greatly benefited by such reduction than any other nation.

So our investment in shipping in any event would bring some return so long as they continue to run, as a support to our Navy and by reduction in freights, even if we do not increase the sale of our exports. If another nation should increase their subsidy so that our merchant marine was only temporary, then the payment of the subsidy by us would be only temporary, for it must not be forgotten that the services must first be had and performed, that the Government must first have value received, before any money is paid, and when the service ends the payment ends. In any event there is no possibility of the Government losing, and as the shipowner is willing to take his chances, why should we hesitate? But there is another and larger answer to the argument that the foreigner will increase his subsidy to keep our ships from the sea. We are the wealthiest nation of the earth; we can pay subsidies with a less burden than any other nation. We have more to sell than any other nation; consequently are more interested in getting to foreign markets than any other nation. We can pay more for them than any other nation. From a commercial standpoint we certainly can bid against the world for the trade of the world. From the standpoint of protection we certainly would not admit that the expenditure of money would prevent us from having what safety and honor demands. When we consider our great wealth, our ability to pay, our interests to protect, no American will argue that it is not worth as much to us to have our ships on the ocean as it is worth to any other nation to keep them off the ocean. The pride, the patriotism, the honor, and the safety of the Republic imperatively demand that, whatever the cost may be, no power shall drive our flag from the sea. [Applause.]

MAIL LINES AND TRADE DEVELOPMENT.

The great purpose, the primal object of this bill, is to increase our commerce, to increase the markets for the products of the mine, the forest, the field, and the factory. From our consuls in every country comes the one universal declaration that what we need to develop our trade is direct and regular lines of communication—lines of communication that are not controlled by our competitors, lines that will not give rebates and lower rates to our rivals, lines that will not discriminate against American products, lines of our own ships.

Every American ship that touches a foreign shore is an advertisement of this country. It is an educator; it increases our prestige and our trade. It has often been said that there is no sentiment in trade. This is not far from the truth, but every steamship line favors its own country. It advocates its own products. Every American line must establish American houses and American agencies. This is not sentiment. This is selfishness.

This is the great commercial age of the world. The great contest of nations to-day is not one of arms, but of trade. We might just as well talk about conquering foreign countries by employing foreign navies and foreign armies as to talk of conquering foreign markets by foreign agents, foreign representatives, and foreign ships. The world furnishes no example of a nation expanding her foreign trade by the use of foreign ships. Human selfishness makes this impossible and absurd. You can no more buy patriotism in trade relations in time of peace than you can buy it in time of war. If we are to win the great battle of commercial supremacy we must, as in a contest of arms, use our own weapons, employ our own citizens, and do it under our own flag. [Applause.]

Will this bill, if written upon our statute books, develop our foreign markets? The best evidence of what regular lines of steamships will do in the future is the record of what they have done in the past. That regular lines will develop our markets I have no doubt, and in support of that proposition I ask consideration of the following facts:

Germany, in 1886, established a steamship line to the East Indies. In two years the export trade done by these ships was 27,369 tons; in eight years this trade had increased to 89,148 tons. So well satisfied was Germany with the East India line that in 1890 she subsidized another line running to East Africa. The receipts of this line increased from 453,000 marks in 1892 to 1,476,000 marks in 1898, and in 1898, so satisfactory had been the growth of each of these lines, that the subventions of both were increased and renewed for a period of fifteen years. The tonnage of Japan, under a tremendous subsidy both for construction and operation, has increased from 200,000 tons in 1896 to 1,000,000 tons in 1906. Her commerce has increased in the same time from $153,000,000 to $400,000,000 in 1906. Her commerce has increased in exact proportion and in harmony with her building of ships. The experience of Japan and Germany has been the universal experience of all commercial nations. But the United States does not have to depend entirely upon the experience of other nations. We have had some experience with subsidized lines. A line of subsidized ships runs from San Francisco to Australasia. Our trade with the countries touched by this line has increased from $12,500,000 in 1896 to $43,000,000 in 1906. The foreign trade of Puget Sound in 1900 was approximately $20,000,000. In 1906 it was more than $66,000,000, and this great increase was almost wholly due to the American ships running between Seattle and the Orient. We have an American line running to Cuba, and our trade has increased from $57,884,000 in 1900 to $124,684,000 in 1905. We have our own ships to Colombia, and our trade has increased with that country from $7,017,000 in 1900 to $9,993,000 in 1905. To both Mexico and Canada we have American means of transportation. Our trade with Mexico has increased from $63,620,000 in 1900

to $92,226,000 in 1905. Our trade with Canada has increased from $51,000,000 in 1895 to $161,000,000 in 1903.

In each and in all of these cases our increase in trade was very largely due to the fact of our having our own means of carrying our products to these different countries. To-day we have no line of American steamships running from the United States to Brazil. Our export trade with that country has decreased from $15,000,000 in 1895 to $10,000,000 in 1903. The time was when there were American business houses in South America, in India, and in China. Then we had ships that sailed to those countries. When the American ship disappeared the American business houses vanished and American trade decreased. History demonstrates that as a nation's merchant marine increases so her commerce expands. The experience of our own country and of all other nations demonstrates that trade does follow the flag. Wherever our flag has gone our trade has increased. Whenever it has retired our trade has diminished.

In view of these facts, who can doubt the wisdom of the words of McKinley in his last speech, when he said:

> One of the needs of the times is direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in importance to having the thing to sell is to have the convenience to carry it to the buyer. We must encourage our merchant marine. We must have more ships; they must be under the American flag, built and manned and owned by Americans. [Applause.]

CAN THE FOREIGNER DO OUR CARRYING MORE CHEAPLY?

The argument most used by those opposed to a subsidy is that if the foreigner is carrying our trade for less than we can do it ourselves, then it is distinctly to our advantage to permit him to do it. With this contention I can not agree. I do not believe that any work that can be done by American labor should be given to foreign labor. If the foreigners would do our work for nothing, it would be so costly that the adoption of such a policy would soon destroy our nation. Foreign labor is dangerously dear at any price. What more justification can there be in employing foreign labor in carrying our commerce than there would be to employ foreign labor to produce our manufactured articles?

If we shall subscribe to the doctrine that we shall employ foreign labor to do whatever it will do cheaper than American labor, then the foreigner will do entirely the work for this nation. If we adopt this policy, the foreigner will do all the work on the farm, in the factory, in the mine, for less than American labor. Would it be a good thing for the country to permit this to be done? If it is a good thing, a profitable thing, a patriotic thing, to employ the foreigner to carry our commerce because he will do it for less than American labor, then why would it not be a profitable thing and a patriotic thing to employ him to do all of our work? If this doctrine be true, then we should lose no time in changing our exclusion laws. Across the Pacific are countless millions of patient, honest, industrious, capable toilers to whom it would be the highest blessing that this world can bestow to give to them the opportunity to come here and do our work for a small fraction of the price that is now paid to American labor for doing it. And while this Oriental laborer is doing it he will at least spend a little of his wages in this country. We will at least sell him something. Not all of his money will go to foreign lands. But the foreigner who is now paid to do our shipping does not leave any of the money in this country. Of the half a million of dollars each day paid to foreign labor to carry our commerce, scarcely enough to buy a loaf of bread is again spent in the country that pays it. The foreigner that gets this vast sum, a half a million dollars each day, we do not feed, we do not clothe, we do not shelter. He pays no taxes in this country; he owes no allegiance to our flag. All of his money is given to other countries. No man in this House dare advocate for any other industry the doctrine of "cheapest" labor. The difference to-day in the cost in almost every line of human endeavor in this country and abroad is the exact difference in the price of labor at home and abroad.

The exact difference in the cost of carrying American commerce in American and in foreign ships is the difference paid to American labor and foreign labor, and this difference is the sole thing that has destroyed the American merchant marine. The difference between the price for which the foreigner can do our carrying and the price for which American ships can do it is the difference between the wage scale and the bill of fare on the American ship and on the foreign ship.

Whatever the difference in cost may be, I believe that it is infinitely better for our country that our commerce should be carried in American ships, that our employment should be given to American labor. But I do not believe that the foreigner can do our carrying for less than we can do it ourselves. I do not believe that he can do it as cheaply. This argument that is now advanced against subsidy has been advanced against the protective system, has been advanced against placing a tariff upon every article now upon our schedule. This argument that a subsidy or the protective tariff, the same thing by a different name, will increase the price of the product, and that the advantage goes to the capitalist, and that it is paid by the consumer, is now, and always has been, the foundation of the theory of free trade. Yet the history of every article upon which the protective tariff has ever been laid and the history of every industry that has been protected or subsidized demonstrates the falseness of the doctrine. The history of every protected and subsidized industry in this country proves that the foreigner can not carry our commerce as cheaply as we can do it ourselves. Our railroads demonstrate it on land. Our shipping, coastwise and on the Great Lakes, absolutely protected from foreign competition, has the cheapest freights of the world and stands as an unanswerable demonstration that the foreigner can not carry our commerce on water as cheaply as we can do it ourselves. These facts demonstrate that shipping, like every other industry, if given the same protection and encouragement would soon drive the foreigner from our ports, restore our flag to the sea, reduce freight rates, widen our markets, and increase the wages of those who work on our ships.

Even if the foreigner could do our carrying more cheaply, it is always dangerous to place your business in the control of your competitor. This has always been the doctrine of the Republican party. The Republican party has always contended that human nature was such that just as soon as you are in the power of any other you will be compelled to pay tribute to your master. Even if it were true that the foreigner could carry our freight cheaper than we could do it ourselves, present conditions absolutely demonstrate that just as soon as he is master of the situation he will increase the cost of carrying. No man can safely trust his interests solely to the generosity of his competitor, nor can any nation. The foreign shipowner, like the American shipowner, is made of the same clay as other men, and the very moment that he gets his victim at his mercy his avarice is measured solely by the ability of his victim to pay.

Yesterday, when the gentleman from Minnesota [Mr. STEENERSON] was talking upon this question, he suggested a rather novel idea. He said he was not certain, but he thought we would be better off without ships in case of war, because we would have none then to be destroyed. [Laughter.] I could not help but think that if we had no country, we would have no country to be destroyed in time of war and no necessity for a navy. But I will not take up the time of the committee in discussing this question, but will call the attention of the House to what the condition of the country would be not if we were involved in war, but if some of the great shipowning nations were to become involved in war.

IN CASE OF WAR.

Our foreign commerce is to-day almost completely in control of foreign nations. We are almost entirely dependent upon foreign ships to reach foreign markets. Most of the many million dollars' worth of products that go abroad each year must depend on a foreign flag to reach their purchaser. What would be our condition to-day if one of the leading shipping nations should become involved in war, or, worse still, if two such countries should go to war with each other and should withdraw from our carrying trade, as they would for war purposes, the vessels now engaged in carrying American commerce? We can get some estimate of what would follow such a war by studying the results of England's little contest with the Boers, and, strange as it may seem, the interests first and worst hurt was not shipping nor the importer nor the exporter nor the manufacturer, but it was the farmer. The farmer discovered then that he was interested in shipping. England withdrew her best ships immediately and substituted old, slower, and inferior vessels to carry our trade. Not only were inferior vessels substituted, but freight rates were immediately increased more than 30 per cent. From some ports on the Pacific coast freights were increased more than 150 per cent. On the Pacific coast the farmers had the price of their wheat reduced 25 cents per bushel because of the increased price charged for foreign charters. England levied tribute upon the farmers of the Pacific coast to pay the expense of the Boer war. She compelled every farmer in America to contribute for that purpose. We had stupidly placed ourselves at her mercy and were powerless to prevent this tribute. Not only did the farmer have his freight rates increased and the price of his products lowered, but he had his markets greatly decreased by being dependent upon English vessels to deliver his products. The American farmer lost in the sale of grain to England alone the first year of that war $1,750,000. He lost in sale of cattle to England alone in the same time $4,000,000. He lost in the sale of breadstuffs to Europe in two years $115,000,000. These are only a

few items of the injury brought by the Boer war to a single industry in this country.

Yet, it is argued that the farmers of this country are opposed to this bill, that they would be robbed by its becoming a law, and that its purpose is to levy a tribute upon the people generally for the benefit of those who build and operate ships. The effect upon the farmer that I have mentioned came from a little contest with a little insignificant, unknown nation, a country without a single vessel of war to contend with England, and without a single merchant vessel to be destroyed. If such damage could come from a war so insignificant, with our policy of each year more and more placing our commerce in the absolute control of foreign ships, what would be the results that would follow in case of a war between England and Germany or between either of them and another first-class power? Our foreign commerce would be destroyed; our vast over-sea commerce would be paralyzed; our crops would rot unharvested in the fields; our factories would close; the fires in our furnaces would die; wages would be reduced; labor would be forced into unwilling idleness. Panic, beggary, and want would follow. Industrially, this nation would suffer all the horrors of war. The probability of such a war, of such conditions arising, is much greater than is the probability of our ever having any use for the magnificent Navy we are constructing. While we most willingly spend millions each year for our Navy to protect our commerce, we are unwilling to spend anything to prevent its destruction by conditions more likely to arise at any time when our Navy would be entirely useless. We are willing to spend millions to protect our commerce in time of war, but refuse to spend anything to protect it in the more perilous times of peace.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. Yes.

Mr. MADDEN. The gentleman drew a picture of distress and disaster, describing in the event of England and Germany being in war with some other nation what would happen to us. Will the gentleman be kind enough to tell the House where they would get their food supplies, if they were engaged in war with some other nation, and whether, if we were called upon to supply this food we would still be in distress?

Mr. HUMPHREY of Washington. I will say to the gentleman that they probably would get it where they got it during the Boer war. They evidently got it somewhere else, because our markets decreased very greatly during that time, and not only that, but it increased the freight rates. They would probably get it from countries that had ships to carry it to them. We would have three billions of commerce dependent upon foreign ships to reach its market. Does the gentleman think that this is a safe condition? Does he believe our country would suffer if the ships used for this purpose were withdrawn? I can not take the time to repeat the facts and arguments I have already given upon that point.

ARMY AND NAVY.

According to the report of the War Department, we should have for the use of the Army in case of war 228 merchant ships of various kinds. If we were to face an emergency to-day, we could not even furnish twenty-eight good vessels for war purposes. The Department declares that in case of war thirty-eight vessels should be ready in fifteen days. If every American vessel was in her home port on the day that hostilities were declared and if every one of them should voluntarily be offered to the Government, we could not assemble that many on both oceans combined in double that time. It is doubtful if it could be done in fifteen months, let alone fifteen days. Neither could the needed vessels be purchased from foreign nations, if international law permitted it, which it does not, for practically every first-class foreign ship on the ocean to-day is receiving a subsidy that places it under a contract to its home government that would prevent us from purchasing it. We are in worse condition to-day than we were when we commenced war with Spain. Then it took us twenty days to get enough vessels to carry 10,000 men to the near-by coast of Cuba, and the vessels that we did purchase at enormous prices were inferior and unsuitable for the purpose, utterly unfit to make such a voyage as the one from here to the Philippines would be. For these antiquated, dilapidated vessels we paid an enormous price and then expended millions in addition to repair and refit them. After the war was over most of them were sold for nominal prices, fortunately, some of them were abandoned and sunk, and some still remain to curse us. Even in so short an expedition as from this country to Cuba, the transports we used exposed our troops to great peril. The War Department declares that the safe arrival of this expedition was entirely due to chance, and that the only thing that could justify its starting was its safe arrival. With a quiet sea and the decrepit Spanish navy on the other side of the globe, we managed to get a small army to Cuba. It is a beautiful dream, this of universal peace, of the time—

When the war drums shall throb no longer and the battle flags are furled,
In the parliament of man and the federation of the world,

and it is not poetic to disturb it, but some day the awakening must come to this country. What would we do to-day in case of war with a first-class power? How would we get our troops to the Philippines or Hawaii or to Porto Rico? In what position are we to-day to make a contest on the Pacific? If Japan shows any desire for our Pacific possessions, it would be the part of wisdom to give them to her and save ourselves the humiliation of having them taken from us.

Russia, Japan, Germany, and the United States, by the expenditure of enormous sums of money, have of recent years been considered as possessing great navies. Russia was classed as a great naval power at the beginning of her war with Japan, but though she had vessels she did not have a merchant marine to support them or from which to draw sailors to man them. Russia is the one nation of the earth, except the United States, that has committed the costly blunder of trying to build a great navy without at the same time building a great merchant marine to support it. Her humiliating defeat, her captured and sunken vessels, tell in graphic story her irretrievable mistake. We are as helpless to-day as was Russia when attacked by Japan. We have more battle ships to-day than we are able to furnish with crews. Why continue to spend millions to build vessels that can not be manned—vessels that, in case of war, must be kept at anchor or sunk or given to the enemy? I am thankful that the time has not yet come when even the Democratic party advocates manning our war vessels with foreigners. I am thankful that they still concede that there is at least one thing that Americans should do. I call the special attention of the House to the section of this bill which provides for the enrollment for a period of three years of American boys in the naval reserves. These reserves, under the provisions of the bill, shall be at the call of the President in time of war, and they shall receive such instructions as the Secretary of the Navy may prescribe. To my mind this is one of the most important features of the bill. We have reached the parting of the ways; either we must stop building battle ships or we must get men to man them when built. If it is wise to spend $1,000,000 a year to build up our Navy, is it not wise to spend two or three millions of dollars a year to secure and train men that can handle our vessels when constructed? The President said in a recent speech: "In the event of war the American people must rely mainly upon its volunteer soldiers. While it is comparatively a small act to turn a man into quite a good soldier, you can neither improvise a battle ship nor the crews of a battle ship." It is egotism, grotesquely absurd, for this nation to-day to talk about being a world power, for us to talk about playing a great part in world politics. We play only such a part as the great sea powers can agree that we should play. As a sea power, we are almost as helpless as Russia was at the beginning of her war with Japan. Especially is this true on the Pacific Ocean, and the fate of Russia will be our fate if we have at any time in the near future a contest upon that ocean; and upon that ocean we will have our next combat.

If it was with Japan to-day she could put a half million men in the Philippines and a hundred thousand into Hawaii before we would even dare attempt to give her battle. Not only has she a magnificent navy, but she has to-day 550 vessels that would immediately be available as transports. We have on the Pacific only a few war ships and none of them first-class. What we have are mostly in the Orient exposing their crews to all the debilitating conditions of tropical climate and spending millions for repairs in foreign yards while American yards on the Pacific are asking work. In the event of war these old crippled vessels would limp home as fast as they could, provided they were not captured. The Navy Department informs us that they only have sufficient vessels to form one squadron, so they keep that squadron on the Atlantic, where in time of war it will be practically useless but safe, and in time of peace it permits the gallant officers to show their courage and efficiency in the strenuous social functions of our eastern cities. We are face to face with this proposition to-day. We must take immediate and energetic steps or we will be driven from the Pacific Ocean within the next five years. Not only will our flag be driven from our merchant vessels, but it will be driven from our naval vessels and from our oriental possessions if our present policy is continued. Our boasting will no more save us than Russia's boasting saved her. Other nations know our weakness as well

as they knew Russia's. If this bill is defeated, it means the beginning of the end on the Pacific. Our flag will disappear; our mails, our Army supplies, and even our munitions of war and our soldiers will have to be carried by foreign vessels.

Mr. PRINCE. I desire to ask the gentleman—on page 21 of the bill——

Mr. HUMPHREY of Washington. Is it along the line of what I am now discussing?

Mr. PRINCE. Yes; I think so. I want to know if the gentleman really thinks we are liable to use the total number of petty officers and men enrolled in the Naval Reserve to the extent of not exceeding 10,000?

Mr. HUMPHREY of Washington. I only know that the Navy Department has made the statement that we have not sufficient men to run the vessels we have already. I know they have made a statement that when our battle ships are finished, if we pursue our present policy we will have no men to man them, and I think it is worse than stupidity to spend a hundred million dollars a year to build a navy when we have no crews to put upon the ships after they are finished. [Applause.] A naval vessel without men is as worthless as one without guns or ammunition.

SHIP TRUSTS.

Three years ago I called the attention of the House to the fact that, unless all history were at fault, unless human nature were to be changed, as soon as foreign ships completely dominated our carrying they would combine and raise freights. Upon the Pacific Ocean in sail tonnage the foreign ships now have practically no competition, and the thing prophesied that would happen has happened. A trust has been formed by the foreign sail vessels. It is called the "Sail Shipowners' International Union." It represents more than 1,300,000 tons. It includes almost all of the sail vessels that come to the Pacific Ocean. It is composed of English, German, and French ships. It is open and frank in its purposes. It makes no attempt to conceal its object. Copies of the agreement of this combine, its rules and regulations, can easily be obtained. I will insert copies of these documents in the RECORD. As set forth therein, its principal object is to raise freights from American ports. In this declared purpose it has been most successful. It has raised freights on the Pacific more than 400 per cent. It has increased the freight on a ton of wheat from Seattle to Europe from $1.25 to $5.62 per ton. Its by-laws provide that any ship in the combine that carries freight from an American port for less than the minimum price fixed by the trust has to pay the heavy fine of 5 shillings per ton on the dead-weight capacity of the vessel. From a European port each vessel is free to charge such rate as it sees fit. The object of the trust is not to injure the traffic of the European countries. Its sole purpose is to prey on American commerce. This trust is beyond our laws, and is open and defiant. We have no ships to compete with it and no laws to control it. We are at its mercy. The tribute that we must pay on the Pacific to this foreign combination is measured entirely by its greed. This is the position in which we are placed on the Pacific Ocean to-day by the stupidity and cowardice of Congress. How this trust, this octopus, robbing the American people should vex the virtuous soul of Democracy! [Applause on the Republican side.]

But it will not, for here is a trust where there is no opportunity to exhaust the vocabulary of vituperation upon the system of protection. As this is wholly a foreign trust, composed entirely of foreign ships preying only upon American interests, the great sympathetic heart of Democracy will gaze upon it with patience and complacency. Whatever else may be charged against the Democratic party, never once in all its history can it be said that the Democratic party has ever advocated a policy that did not meet the approval of the other nations of the world. Upon this bill, judging by the speeches that have been made on the Democratic side, the inspiration of the Democratic opposition is drawn from England and Germany. The arguments and figures that have been quoted have been furnished by the London Board of Trade, by the commercial interests of King William, and their representatives in this country.

There is another trust on the Pacific Ocean—on the other side, at Manila—a combination of foreign ships and of British merchants. This combination in its printed agreements may not be as definite as to its purposes as the trust formed by the Sail Owners' Union, but it is as effective in accomplishing its end. When an American vessel goes into Manila immediately the freight rates drop 10, 20, or 30 per cent, or to any extent to prevent the American flag from getting a cargo. When the American ship leaves the harbor she has not departed below the horizon until the freight rates go back to their normal condition. Under such conditions as these few American ships longer go to Manila, for they have found it impossible to get profitable cargoes. Last winter the Insular Committee attempted to remedy this evil.

Instead of attempting to find out what was the cause of the conditions prevailing at Manila, instead of giving the shipowners of this country an opportunity to be heard, the committee in hysterical haste rushed through a bill to prevent the extension of the coastwise laws to the Philippines until 1909. Instead of trying to find out what the real conditions were, the committee simply lifted up their hands in lamentations at the dearth of American ships. It has reached this point in our country to-day, and I say it with the shame, measuring my words as I go, that the shipping interests can no longer rely upon the promises of the Republican party, whether written into statutes or placed in national platforms. Such is our condition on the Pacific to-day. We have largely placed our foreign commerce, our markets, and the price of our products in hostile hands. It is the old story, the very foundation of the doctrine of protection, of preservation, of common sense, that you can not afford to place yourself at the mercy of another.

CONDITIONS ON THE PACIFIC.

I wish to call the attention of the House and the country to the condition of American shipping upon the Pacific Ocean and what the fate of this bill means to our shipping there and what the fate of our shipping on the Pacific Ocean means to the whole country. Three American steamship lines cross the Pacific Ocean. The Oceanic Line consists of three 16-knot 6,000-ton steamships. This line runs from San Francisco to Hawaii, Samoa, New Zealand, and Australia. Distance and all conditions considered, this is the fastest line of ships in the world, and it pays the highest wages; it employs all white crews, and one-half of its crews are American citizens. This is the fastest and the best mail and commercial line between this country and Australia. Under the act of 1891 this line now receives a subsidy of $283,000 annually for carrying the mail.

Under the provisions of this bill it would receive an addition of $200,000, or it would receive in all a subsidy of $483,000. A subsidy of $483,000, character of service considered, would be less than that received by any of its foreign competitors. This company has stated that if the pending bill is passed it will immediately build one or more larger and better vessels. The plans for these additional vessels are already drawn in anticipation of the passage of the bill. This line runs in competition with one French, one German, one Japanese, and three British vessels. Each of these lines is subsidized from two to three times as heavily as the American line. It is claimed that this line is losing several hundred thousand dollars annually. It defaulted in the interest due on its bonds last June. The company declare that this line will be abandoned unless it receives additional mail compensation.

PACIFIC MAIL.

The Pacific Mail consists of five steamers—two of 13,000 tons, two of 11,000 tons, and one of 5,000 tons. This line runs from San Francisco via Hawaii to Japan, China, and occasionally these vessels go to the Philippines. This is the principal mail line to the Orient. Its officers and leading men are white, but the crews of these vessels are Chinamen. This line competes directly with a Japanese line of three steamers, receiving a direct subsidy from the Japanese Government of $520,000 annually. Under the proposed bill this line would receive a subsidy of $700,000. The services called for under this bill would require the addition of several American vessels and would require the line to be extended to the Philippines.

LINES FROM PUGET SOUND.

From Puget Sound two vesels of 20,000 tons each—the Hill vessels—run from Seattle to the Orient. The Boston Steamship Company, consisting of two vessels of 10,000 tons each, and the Boston Towboat Company, consisting of three vessels of about 3,000 tons, until within the last few days ran from Puget Sound to Japan, China, and the Philippines, with occasional visits to Siberia and Manchuria. The vessels of the Boston Towboat Company have given up the struggle and gone into the coasting trade between Seattle and Alaska. The Boston Steamship Company's two boats are now our only regular means of communication with the Philippines. The vessels from Puget Sound run in direct competition with a Japanese line of three vessels subsidized $333,000 annually. These vessels also run in direct competition with a British line of three vessels starting from Vancouver and Victoria, British Columbia, subsidized $300,000 annually. The ships of the Boston Steamship Company have always been run at a heavy loss.

On all these lines on the Pacific new ships will be placed and on the Pacific Mail and on the Puget Sound lines the Chinese crews will be largely replaced by American crews. Japan is negotiating for the purchase of all these ships. Without Gov-

ernment aid they must be sold. Any man can read the result. If we fail to pass this bill, the only element of uncertainty in this problem is the element of time. Foreign subsidized ships have almost driven American ships from the North Atlantic. The same power is working to the same end in the same way to drive American shipping from the Pacific, the only place now left where the Stars and Stripes are still carried on regular lines without Government aid. Unless the Government comes quickly to its aid, the history of American ships on the Atlantic will be its history on the Pacific.

Mr. TOWNSEND. Is the gentleman able to tell us why there should be $350,000 for a monthly service? I would like to get at how the committee determined on the $350,000.

Mr. HUMPHREY of Washington. I will say, for the gentleman's information on that subject, that during the time the Commission went throughout the country we obtained evidence everywhere that we went upon the question of the amount of subsidy that should be paid. We called to our assistance the shipowner, the shipbuilder, the shipping commissioner, and the shipping experts throughout the country, and, taking all things into consideration—the subsidies paid by other nations, the rate of speed, and the size of the vessel—we provided just what we believed would be sufficient. I think practically upon all of these lines—possibly not upon all on the Pacific coast, but all on the Atlantic coast—there was testimony of men who were willing to undertake it at this figure. Upon the Pacific coast I do not believe we succeeded in getting anyone, so far as I recall, to say the amount was sufficient. The conditions differed on the two oceans. It is something that can not be figured out mathematically. The gentleman realizes that. We took expert testimony throughout the country, and reached this conclusion after long and careful study covering two or three years.

Mr. TOWNSEND. Will the gentleman yield for a question in connection with the one I asked a moment ago? How do you determine that $350,000 for a monthly service?

Mr. HUMPHREY of Washington. I do not hear the gentleman.

Mr. TOWNSEND. I notice in the bill your committee considered first that this line for the fortnightly service had a maximum compensation of $600,000, or $100,000 less than was finally determined upon.

Mr. HUMPHREY of Washington. What line are you talking about?

Mr. TOWNSEND. I am mistaken about that—no; I was correct——

Mr. HUMPHREY of Washington. I hope the gentleman realizes he is talking in my time.

Mr. TOWNSEND. I will change my question and ask this one. Practically the same line, as I understand, that was covered by the first bill your committee considered and provided a much less amount than you now provide in this bill, and yet you had the same information that your committee or commission had in going over the country.

Mr. HUMPHREY of Washington. That is easily answered. If you look you will see speed is increased in some cases and the distance in some cases. I think the rate per mile, speed considered, is about the same.

Mr. TOWNSEND. It provides 16 knots, and as I read it here——

Mr. HUMPHREY of Washington. I can not answer the gentleman unless I understand his question. I wish now to explain why two lines run from two different points on the Pacific coast, and if the gentleman from Michigan [Mr. FORDNEY] is in the House I hope he will listen. I said when I first commenced speaking and was interrupted—and I might say that I have, in making this speech, done like I usually do when arguing a lawsuit, had one speech in my mind and made an entirely different one when on my feet—that one line should run from Puget Sound and the other from San Francisco, because the shortest line would not go by Hawaii, and we know the Postmaster-General considers only time, and under those circumstances there would be a strong probability that both lines would run from Puget Sound; but the main reason why I insisted that there should be two lines was this: If you will look at the map of the United States, you will see that there are two great railroad systems running to the Pacific coast, and that there are only two great ports upon the Pacific coast, one at Puget Sound and one at San Francisco. The northern lines are what are termed "Hill lines," and they are to a great extent one system. The other systems all converge at San Francisco, and these are under the control of one man practically, as we speak of it, the Harriman lines. If you had two lines running from Puget Sound, Mr. Hill would not only be able to control the freight upon the land, but upon the ocean, and so all would be compelled to patronize him.

If, on the other hand, both lines started from San Francisco, Mr. Harriman would control the freight rates both upon the land and upon the sea, and what I insisted should be done was that the shippers from the great Mississippi Valley and the shippers from the East and the shippers from the South, who send their products through those ports to the Orient, should not be placed in that position where they would be compelled to patronize only one of these great systems. An opportunity for competition should be given, and that is the reason that item was inserted in the bill making it certain that one line should run from Puget Sound and one from San Francisco; and I do not believe there is any man upon this floor who will study this question, regardless of whether or not he is in favor of this bill, but will agree with me that if there are two lines that it would be wise to have this provision. In addition to the facts as I have already stated, if both lines went from Puget Sound the great Southwest would be shut off entirely. Upon the other hand, if both ran out of San Francisco the great Northwest would be entirely shut out or would have to ship a thousand miles additional by rail in order to reach the vessels.

Mr. FORDNEY. Do you think if there was no reference to Cape Mendocino in that bill the Postmaster-General would exercise such bad judgment that he would send two lines to the Orient out of Seattle or Puget Sound or two lines out of San Francisco? Do you not think, in the exercise of a reasonable judgment, he would send one from Puget Sound and the other from San Francisco, especially so when the Great Northern Steamship Company is controlled by Mr. Hill and the Pacific Mail by Mr. Harriman.

Mr. HUMPHREY of Washington. Is the gentleman through?

Mr. FORDNEY. Yes.

Mr. HUMPHREY of Washington. I will answer the gentleman by saying if it is right, and I believe it is, and the gentleman has not disputed it, why give the Postmaster-General any discretion? Why not make it secure? And in addition to that fact I want to say to the gentleman that my experience with the Post-Office Department has been that they regard nothing but speed; and it has come under my notice, and I am perfectly familiar with the fact, that they have sent mail—and the gentleman knows it—by foreign vessels rather than an American vessel, although the difference was only a few hours in many thousand miles run. And I say to the gentleman frankly I do not want to leave it to the discretion of the Post-Office Department in the light of the experience I have had with them. [Applause.]

Mr. FORDNEY. Will the gentleman permit another question?

Mr. HUMPHREY of Washington. Yes.

Mr. FORDNEY. Is it not true that the Boston Steamship Company, the Boston Towboat Company, and the Great Northern Steamship Company, all running from Puget Sound, all carry mail at the present time, and under this bill the gentleman wants to confine it to one line?

Mr. HUMPHREY of Washington. The gentleman is mistaken. Three of those vessels have already been driven out of the trade and are now running in the coastwise trade. The gentleman probably was not aware of that fact when fighting those lines, and perhaps the minority was not aware of that fact when they made their report.

Mr. FORDNEY. Pardon me, I have never fought any lines, and I am not doing it now.

Mr. HUMPHREY of Washington. It looks very much as if the gentleman was not especially friendly.

I am compelled to refuse to be interrupted further. My time will not permit it.

The gentleman from Michigan [Mr. TOWNSEND], in discussing the South American lines, said that one of the necessities for these lines was the Monroe doctrine, and because of this they were more urgent and more needed than those across the Pacific to the Orient. Does the gentleman think that it is more important to protect the countries of South America than it is to protect the Philippines? Does he think that it is more important to have our mails, our products carried to South America than to have them carried to our oriental possessions? Had we better not care for ourselves before we care for our neighbors? Would it not be wise for us to protect our own possessions before we undertake to protect foreign countries? He also urges, as have several other gentlemen, that the lines to South America are more important because we need lines where there is business, and that lines should be established where trade already exists. It may surprise these gentlemen to know that Puget Sound sent to the Orient more products last year than was sent by all this country to South America. It may surprise these gentlemen to know that our oriental trade already existing, and therefore in accordance with their arguments deserving to be protected by

steamship lines, was last year three times as great as what it was with South America.

I wish to call the attention of those gentleman especially who have taken occasion to praise the President to his attitude upon these oriental lines. In his message to Congress on the 23d of January last, he said:

To fail to establish adequate lines on the Pacific is equivalent to proclaiming to the world that we have neither the ability nor the disposition to contend for our rightful share of the commerce of the Orient, nor yet to protect our interests in the Philippines. It would surely be discreditable for us to surrender to our commercial rivals the great commerce of the Orient and even our communications with Hawaii and the Philippines.

JAPAN.

We can not longer deceive ourselves by attempting to ignore the facts. We are to-day face to face with a most serious situation on the Pacific coast. Since we acquired our new possessions, Hawaii and the Philippines, we have a far greater coast line on the Pacific than is possessed by any other nation. We should and could control the commerce of this greatest ocean, but we have criminally wasted our opportunities and have been willfully negligent of our country's interests. Instead of doing our duty by improving our opportunities to secure the trade of this great ocean, we have contented ourselves with talk about trade following the flag and boasting of our influence as a world power. A new nation has arisen on the farther shores of the Pacific that is rapidly dominating this western sea, controlling the commerce of the Orient, and playing a mighty part in the destiny of the world. Japan in the last fifty years has come from semibarbarism and taken her place among the great powers of the world. This progressive, patriotic, and pugnacious people already largely dominate the Pacific. Her ships go into every port on that ocean. Every one of her steamship lines is enormously subsidized. Every ship built in Japanese yards receives a heavy bounty. On her ways to-day are more than twenty ships under construction. Her tonnage under this tremendous government stimulation has increased from 180,000 tons in 1893 to more than 1,000,000 tons to-day. The foreign commerce of the countries bordering the Pacific Ocean last year was more than $3,000,000,000. This is the vast prize which the wisdom of Japan sees, toward which her tremendous energy is directed and for which her intense patriotism is striving. While we have been shirking our duty and doing nothing but promise, she has been performing. While we have been promising, Japan has been building ships. While she has been paying millions in subsidies, we have been apologizing and explaining for even pronouncing that word.

Japan's commerce has kept pace with her building of ships.

The marvelous increase of the one has exactly measured the growth of the other. Wherever her ships have gone her merchants have followed. New business has been established and developed. Old business has been greatly increased. Japan cares for her own. Japanese merchants on the Pacific coast in this country receive from Japanese steamship lines rebates and other advantages sufficient to destroy competition. By this favoritism many American firms have already been forced out of business, compelled to surrender the field to the Japanese competitor. Japan has not only been building ships for her merchant marine, but she has been purchasing ships wherever she could find them. Within the last year Japan has negotiated for the purchase of every first-class ship on the Pacific Ocean that flies our flag. The final result of these negotiations will probably be determined by the action of this House upon this bill. Japan understands the condition of our shipping on the Pacific far better than this House seems to understand it. She knows that every line, while it is losing money, is constantly increasing our markets. She knows that it is only a question of time when our ships must sell or go under a foreign flag. She knows that if she buys our ships that she will not only possess them, but that she will capture or destroy our markets and widen her own trade. She knows that if she can but procure these vessels that her supremacy on the Pacific is already established. Should Japan buy the vessels of the Pacific Mail—they belong to the Southern Pacific Railway—or the Hill vessels—they belong to the Great Northern Railway—one of the conditions of such sale would most certainly be a contract for a term of years to carry freight for these two great transcontinental lines. Japan would then not only control our commerce on the sea, but she would largely dictate our traffic on land. The probability of these sales is shown by the fact that Japan held for some time and probably yet holds an option of purchase upon the Pacific Mail Line, and that a commission from Japan has been negotiating for the purchase of the Hill vessels.

These are the cold facts of the situation on the Pacific to-day. To state them is sufficient to demonstrate our danger. If this bill is defeated, mark the prediction—in two years not a single American vessel will run to the Orient; in twelve months not an American vessel will run to the Philippines. We can only communicate with our possessions through foreign vessels. The fate of this bill will be the fate of our flag on the Pacific.

The action of Japan commands admiration. I can but regret that we do not possess her wisdom, her courage, her daring determination of supremacy, her splendid spirit of patriotism. Subsidy has been the magic word in Japan's matchless progress. To her subsidized merchant marine, more than to any other one thing, she owes her present greatness. It is her subsidized ships that are to-day carrying her products to every port on the ocean. It is her subsidized ships that have given her commerce a growth that has astonished the world. It was her subsidized ships that so superbly supported her navy in her mighty struggle with Russia. It was the subsidized ships of Japan transformed into transports that carried her troops to Manchuria. It was the subsidized ships of Japan that carried the food and ammunition to her mighty army on foreign soil. It was the subsidized ships of Japan that made possible her magnificent victory on land, and it was from the subsidized ships of Japan that came the trained seamen that manned the vessels of war that annihilated the mighty navy of Russia and brought undying glory to the island Empire. [Applause.] The subsidy bill of Japan was passed by her lawmaking body without a dissenting vote, and most gloriously have events demonstrated its wisdom. What man in all the Japanese Empire to-day could be found to regret the payment of that subsidy? Do you suppose that any man in Japan stutters and apologizes whenever the word "subsidy" falls from his lips? I would that some of my timid colleagues might receive a baptism of Japan's wisdom and faith and patriotism. Will we profit by Russia's humiliating defeat, by Japan's marvelous victory? Shall these mighty events mean nothing to us?

WHAT WE SUBSIDIZE.

So far as I have been able to discover, no man who has given this subject careful study within recent years but what has reached the conclusion that the remedy is subsidy or nothing. To-day every man who is not opposed to anything is in favor of subsidy. We have tried the let-alone policy for forty years, and each year has been a triumph for the enemies of American shipping. It is true that a few years ago several ships for foreign trade were built in our yards. With the single exception, possibly, of the two vessels built by the Great Northern Railway, these vessels were all built because of the promise of the Republican party to do something for our merchant marine, a promise which the party has failed to keep. The one conspicuous failure of the Republican party is the present humiliating condition of our merchant marine. It is the only page in all its glorious history blotted with regret and failure.

The Republican party has always championed the system of protection. It is solely responsible for the present tariff system. It is the system of protection alone as maintained and applied by the Republican party that is responsible for the disappearance of our flag on the sea. Every other industry has been protected by the Republican party from the deadly curse of foreign cheap labor. Every other industry pays higher wages here than is paid for the same labor anywhere else in the world. The shipbuilder must employ this high-priced labor to construct his vessels. The owner of ships must employ this high-priced labor to operate his vessels. Of all industries that of shipping meets the most direct and fiercest foreign competition, and yet is compelled to employ high-priced, protected labor to meet low-priced, free-trade competition.

This, and this alone, is responsible for the present condition of our merchant marine. Give the shipping interests of this country free trade in all things, in all commodities, especially give it free labor, and it will care for itself, notwithstanding the subsidies paid by the foreigner. So will shipping flourish if shipping is protected as every other industry is protected. The truth of the statement stands demonstrated by the history of our coastwise and Great Lake shipping. The history of the Republican party shows that its disgraceful failure in regard to our merchant marine has not been due to a want of wisdom, but for the want of courage. The Republican party heretofore has been too cowardly to meet the prejudice created by the enemies of American shipping against the word "subsidy." The Republican party has protected and subsidized everything upon the land, everything upon the inland waters, and every object of our subsidy has demonstrated the wisdom of the system. We subsidize everything. By many millions of subsidy we are building a great system of irrigation, and some who opposed that project when it was before this House are to-day opposing this bill; but they would not oppose irrigation now. They were mistaken then, and they are mistaken now. We have paid a subsidy to our rivers and harbors of more than $470,000,000. We are subsidizing them now at the rate of more than $40,000,000 annually. We have just passed a bill appropriating $83,000,000

for that purpose, and a large portion of this subsidy has been paid to improve our harbors and rivers for the accommodation of foreign ships, and to-day every time a foreign ship is built that requires an additional depth of water an additional clamor goes up for an additional subsidy to deepen our harbors for its accommodation. We have been willing to subsidize our harbors that foreign vessels may use them, but we have been unwilling to subsidize our own ships in order that they might use our own subsidized harbors, which we improve for the subsidized ships of other countries. We are willing to pay subsidies for others, but not for ourselves. We have subsidized the harbor of Galveston alone in the sum of $5,000,000, a sufficient sum to pay the subsidies proposed by this bill for two years, and, as I understand, one lone American vessel sometimes enters the Galveston harbor, and yet I have heard no Democratic protest against this Galveston subsidy.

We gave a subsidy to destroy the boll weevil, and I failed to hear any of my Democratic friends denouncing it as a robbery. We pay vast subsidies to prevent the overflow of the Mississippi River, to prevent the destruction of property in certain localities, and yet I have not heard any gentleman of the minority, when they are making their customary Democratic speech about "subsidies" being unconstitutional, a squandering of the people's money to benefit a special industry, refer to this tremendous subsidy given to protect the property in the locality of the Mississippi River. If ever a subsidy is a graft, a looting of the Treasury, the robbing of the many for the benefit of the few, a "steal"—as our Democratic friends are fond of portraying it—then the subsidy which we pay to the Southern Railway undoubtedly stands at the head of the list, for that is the most inexcusable, the most local, and it is the least beneficial of any subsidy that this House has ever voted, and yet I have noticed with deepest surprise that most of my Democratic friends, notwithstanding their rabid denunciation of subsidy, whenever this "steal" for the Southern Railway is to be voted upon that they succeeed in getting an anæsthetic for their conscience long enough to enable them to work and to vote for it. We have voted a subsidy for the Jamestown exposition, and I noticed that the Democrats were more than willing to join in this rape of the Treasury and were anxious to repeat the crime. Through the Department of Agriculture millions in subsidy are paid to farming. The great Mississippi Valley receives most of this subsidy. And much to my confounding, many of my sensitive colleagues on this side of the Chamber, whom the very word "subsidy" causes to go into political hysterics, are able to accept their part of this "plunder" with perfect complacency.

But the greatest subsidy paid in this country, paid by the people, is the subsidy that is paid to the newspapers, the magazines, the second-class postal matter of this country. Sixty million dollars a year is the subsidy paid to these publications in the way of postage.

The newspapers and magazines of this country receive a subsidy every year that would pay the subsidies provided for in this bill for twenty years. These publications receive twice as much subsidy every month as would be expended under this bill for a year, and yet, in all these papers and magazines that have so viciously opposed this bill, whose virtuous souls have been outraged by this proposed "subsidy steal," not one of them has denounced his own, not one of them has refused to take his part. When these publications stop taking their share the people will have more confidence in the sincerity of their denunciation of others. These self-righteous publications ought at least not to object to the starving shipping interests getting a few crumbs that fall from their overloaded tables. These papers and magazines whose columns have been filled with sermons on honesty and graft, because of this bill, had better take the $60,000,000 beam out of their own eye before they grow hysterical over the prospective $3,000,000 mote in the shipowner's eye. I am awaiting in breathless anticipation to hear some of these conscience-stricken subsidy-denouncing papers turn loose their lurid vocabulary against this robbery, this plunder of the Treasury in which they have so unsuspectingly, so innocently, and so uncomplainingly participated. I know that as soon as they discover what they have been doing they will return their part of the stolen property to the Treasury. I know that they will not knowingly participate in this "steal." I know that these "holier than thou" editors will not loot the Treasury; that they will not rob the taxpayer. I know that their crime is solely the crime of ignorance. I would like to see a statement from some of these editors, these self-appointed keepers of the country's honor and the country's conscience, who are so outraged by this bill, for I am sure that they are competent to throw light upon the question about another subsidy, and that is the subsidy paid to certain publications in this country by the agents of foreign subsidized steamship lines.

I want to bring this fact home to every person in America, that this Government to-day gives greater subsidies to the newspapers and the magazines of this country in the shape of postage than it gives to any other industry. I want every person in this country to know that when he reads a denunciation of this bill that he reads it in a paper that is doing exactly what the paper denounces in others. I want him to know that when he reads a denunciation of this bill he reads it in a subsidized paper. I want the people of this country to know that every year they are taxed millions, that millions are taken from the Treasury that is given to the newspapers and magazines of this country.

My experience in this House has taught me the difference between a justifiable expenditure and a subsidy steal, as defined by the gentlemen who are opposed to this measure. Their definition, as shown by their votes and their practice, is this: They say to their constituents and to the country, "It is a wise expenditure if I get it; it is a 'subsidy steal' if some one else gets it." The difference between a wise expenditure and a subsidy steal, according to the definition of these gentlemen, depends entirely upon who gets the money.

In a few years the waters of the two greatest oceans will be united by a canal built, owned, and controlled by the great Republic. How many millions it will take to complete this greatest material achievement of the human race no man to-day can tell. But, however great this vast subsidy shall prove to be, we shall most willingly pay it. What a humiliating spectacle, what a reflection upon pride and patriotism it will be if, when it is completed, we are still in the same condition that we are to-day, practically without vessels to use it, and we shall find that we have built it principally for the advantage of others!

I do not believe that the American people will be content solely with the glory of the achievement while the substantial benefit will go to other nations. I believe that the American people are going to do what is necessary to build up a merchant marine worthy of our commerce, or of our country and the canal. As it was the genius of Marcus A. Hanna that located the canal, as it was the courage and the patriotism of Theodore Roosevelt that secured the right of way, as it was the action of Congress in adopting the lock system that has made certain its rapid completion, I hope that the vessel that will first traverse the waters of the newly wedded seas will be an American vessel constructed in American yards by American labor paid American wages [applause]; that it will be manned by American seamen; that the name of that vessel will be the *Marcus A. Hanna;* that on the deck will stand Theodore Roosevelt, and that over it will float the Stars and Stripes! [Loud applause.] I hope that thereafter, so long as the tides shall ebb and flow, that the number of American ships going through the canal will be commensurate with our country's commerce and our country's greatness.

We have subsidized manufacturing, and the products of our factories are vastly more than that of any other two nations combined. We subsidized farming, and we are the greatest agricultural nation that the world has ever seen. We subsidized mining, and last year the products of our mines were far in excess of $1,000,000,000, and in each and all of these industries the cost of production is the least, the reward of toil is the greatest, and the labor engaged therein is the best paid of any similar industry in all the world. We have subsidized our railways by money and by land grants of 200,000,000 of acres, the value of which is now beyond calculation, and we have the greatest railway system and the cheapest freights upon earth, and the labor engaged therein is the best paid labor of its class in all the world. We have subsidized on the sea as well as on the land. We have subsidized our coastwise and lake shipping, and it is the cheapest transportation that men have ever known, and the labor engaged therein is the best paid labor of its class in all the world. By this bill we stand here to-day asking only that the system of protection be extended to shipping, asking only that shipping be subsidized as every other industry is subsidized.

Shipping is the only industry that is absolutely denied the protection of the Government. If protection is right, then it can not be wrong to protect all our industries. Justice demands that we protect all or that we protect none. Our foreign shipping is our only unprotected industry, and it is our only industry in which American labor and American capital has practically no part. It is our only unprotected industry and it is the only one from which American labor and American capital has been driven by foreign labor and foreign capital. It is our only unprotected industry, and of all American industries it

is the most discreditable, gives the poorest return on the investment, and pays the lowest wages to labor. [Applause.]

ATTITUDE OF REPUBLICAN PARTY.

The Republican party has always boasted that it keeps its promises and its pledges. It has always said that its platforms were guaranties of its actions. It has always claimed that it never obtained votes under false promises. What has been the party declarations in regard to American shipping? In 1888 in our national platform was the following plank:

We earnestly recommend that prompt action be taken by Congress in the enactment of such legislation as will best secure the rehabilitation of our American merchant marine, and we protest against the passage by Congress of a free-ship bill as calculated to work injustice to labor by lessening the wages of those engaged in preparing materials, as well as those directly employed in our shipyards.

In 1892, the national platform declared:

We favor the extension of our foreign commerce, the restoration of our mercantile marine by home-made ships, and the creation of a Navy for the protection of our national interests and the honor of our flag.

In 1896 the national platform contained the following plank:

Merchant marine: We favor the restoring of the early American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships—the product of American labor, employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans—may regain the carrying of our foreign commerce.

In our last convention at Chicago, in 1904, we went on record as follows:

While every other industry has prospered under the fostering aid of Republican legislation, American shipping engaged in foreign trade, in competition with the low cost of construction, low wages, and heavy subsidies of foreign governments, has not for many years received from the Government of the United States adequate encouragement of any kind. We therefore favor legislation which will encourage and build up the American merchant marine, and we cordially approve the legislation of the last Congress, which created the Merchant Marine Commission to investigate and report upon this subject.

President Harrison, with all the force of his great intellect, urged that we carry out our platform promises. Among the last words of the beloved McKinley was a statement urging the Republican party to do as it had promised. Frequently has President Roosevelt urged us to be true to the plank adopted at the last national convention. He now sends a special message indorsing this bill and showing the vital necessity for its passage. But these promises of the Republican party we have not kept. We have made no honest attempt to keep faith. A sufficient number of Republicans have always been found to prevent any action as promised by the party. These gentlemen claim that in opposing any subsidy legislation they represent the wishes of the Middle West. I do not believe it. I am from the Middle West. I am one of them. I know the people of that section better than I know any other people on earth. I know that there is not a more patriotic, a more honest, a more intelligent people in the world. If they are opposed to the bill now pending, it is because they do not understand it. If they do not understand it, then it is the fault, to a large extent, of those who represent them here. If those gentlemen who apologize and evade when they hear the word "subsidy" would have the courage to meet and tell their constituents the facts, to tell them that every other industry is subsidized, that our flag is disappearing from the sea, that the commerce of this country is in the control of foreigners, that our Navy to-day can not be manned for want of seamen, that we have no ships and can not procure them in time of war to transport our Army or to support our Navy, that we are in the same deplorable condition Russia was in at the beginning of her war with Japan; in other words, if the people of the West can but know the truth, the people of that section will demand that our merchant marine be rehabilitated just as strongly as they demand it on the Atlantic and Pacific coasts. [Applause.]

I undertake to say here and now that not a single commercial club or business association of any kind or character in the United States, not either directly or indirectly interested in the foreign shipping, has passed a single resolution against this bill or has uttered a single protest against it. Almost every commercial club and business organization, east, west, north, and south, have indorsed it. These and these only are opposed to this bill: The subsidized newspaper, the free-trade newspaper, one labor organization composed of foreigners, foreign steamship interests, and the Democratic party. Why should any Republican take his stand with this selfish, unpatriotic, nondescript aggregation of political monstrosities?

I know the Republicans of the Middle West too well to believe that they do not indorse the teachings of Blaine, of Benjamin Harrison, of Marcus A. Hanna, and of William McKinley. I know them too well to believe that they will refuse to give their indorsement to the bill that has the emphatic and unqualified approval of Theodore Roosevelt. I know them too well to believe that they will ever condemn any Member of this House for supporting a bill that Theodore Roosevelt, in a special message, has urged them to support. [Applause.]

A Democrat can vote against this bill and be consistent with what he preaches, if not with what he practices. But a Republican who votes against it votes against both what he preaches and what he practices. If we are free traders on the ocean, if we are too cowardly to do our duty, let us say it. Let us say that there are so many free traders among us that we can not protect our own interests on the seas. Let us stop making promises. Let us stop playing the demagogue. Let us put the truth in our platforms. To our cowardice, at least, let us add the virtue of honesty. Let us tell the truth. [Applause.] To show further the attitude of the Republican party upon this question I shall insert in the RECORD some of the statements of Harrison, McKinley, and Roosevelt.

DEMOCRATIC OPPOSITION.

The Democratic party is not in favor of this bill. It is useless to attempt to persuade them to see the error of their way. The Democratic party is for free trade. It is wedded to a corpse; it never unites with the living. When you attempt to convert the Democratic party, when you attempt to persuade it to favor any proposition that is right, to vote for any policy that is for the general good, in the language of Holy Writ, "You might just as well fill your belly with the east wind. Yea, they have chosen their own ways, and their souls delight in their abominations." [Laughter.] But after this legislation has been enacted, after its necessity and its success has been indelibly written in the pages of our country's history, after it has caused us to carry our commerce and restored our country's flag to the sea, then will the Democratic party claim that it was always in favor of such legislation, that such legislation was their own, and that the Republican party stole it from them. [Applause.]

The Democratic party has always been opposed to any subsidy national in its scope. The Democratic party has always been opposed to any kind of subsidy except one. It has always favored a subsidy that was local in its application and that was applied to a Democratic locality. When a subsidy possesses these virtues the Democratic party has always gotten the consent of its tender constitutional conscience to vote for it, to work for it, to receive it, and to ask for more. The great Democratic conscience is purely a matter of geography. If the subsidies provided by this bill were to go only to that portion of our coast between Baltimore and Texas, it would receive the solid Democratic vote. If a subsidy is a "steal," then there is one thing commendable about the Democratic party, it never wants to share its iniquity.

Of course the Democratic party is opposed to this bill. The Democratic party is the party of opposition and mistake. I never knew a man that was a Democrat but what he was a Democrat because he was opposed to something. The Democratic party has opposed everything that was right. The Democrat for fifty years has opposed every law that the people have approved. The Democratic party opposed giving liberty to 3,000,000 human beings. If a man's skin was not a certain shade, then the Democratic party was opposed to that man. It was opposed to any law that prevented another from robbing that man of the fruits of his honest toil. The Democratic party was opposed to that man having any of the rights of a man. It was opposed to his being treated as a human being. It was opposed to any law that recognized that man as anything but a chattel to be bought and sold, to be governed by whip and chain. And to-day the Democratic party is opposed to a man being measured by his merit, by his work of hand or brain, by what he is, but insists that a man shall be judged and that he shall be treated solely according to his complexion. The Democratic party's idea of justice has always been, and the Democratic party's idea of justice is to-day, only skin deep. The Democratic party was opposed to reconstruction, to our country being again united and great. The Democratic party was opposed to the thirteenth, fourteenth, and fifteenth amendments, and the Democratic party is opposed to them to-day. The Democratic party was opposed to paying the nation's debts after the war, opposed to the nation redeeming its promises. The Democratic party was opposed to the gold standard. It was opposed to an honest man having his honest debt paid with honest money. The Democratic party was opposed to our flag remaining in the Orient, opposed to it remaining where the honor of our country and the blood of our soldiers demanded that it should remain. [Applause.]

The Democratic party is opposed to protection; it is opposed to protecting the labor of this country from the pauper labor of the rest of the world. The Democratic party is always opposed to prosperity and happiness and content. The Demo-

cratic party always feeds on disaster and fattens on despair. For fifty years the Democratic party has opposed every step of progress in the history of the country. The Democratic party is opposed to anyone talking about its history, about its record. The Democratic party is even opposed to anyone discussing its opposition.

Of course the Democratic party is opposed to this bill. This was to be expected and to be desired. The only dangerous power possessed by the Democratic party to-day is its favor. [Applause.] The highest praise that the Democratic party can bestow is its opposition. Democratic opposition to this bill will disturb no one but its enemies. To wait until the Republican party has taken a position and then oppose it is the highest intellectual performance that the Democratic party has achieved since the day of Appomattox.

For fifty years everything that the Democratic party has favored has been wrong; everything it has opposed has been right. For fifty years the only useful purpose of the Democratic party has been to stimulate Republican endeavor by its opposition. What the Democratic party opposes lives; what it indorses dies. The seal of Democratic approval always carries the skull and crossbones. [Applause on Republican side.]

Every law of national importance upon our statute books for the last fifty years has been placed there by the Republican party in spite of Democratic opposition. The Republican party, in spite of Democratic opposition, kept our country united and freed a race. In spite of Democratic opposition the Republican party wrote the thirteenth, fourteenth, and fifteenth amendments in the Constitution, accomplished reconstruction, defeated repudiation, and made our credit unequaled among the nations of the earth.

In spite of Democratic opposition and the want and beggary and idleness and rags of a Democratic Administration the Republican party preserved the gold standard and declared that this nation could not stamp a lie upon 50 cents worth of silver and make it a dollar, and saved the country from the delusion and the disaster of free silver. The Republican party, in spite of Democratic opposition, placed our flag in the Orient and, in spite of Democratic opposition, has kept it there and prevented it from being lowered in retreat and trailed in the dust of dishonor. In spite of Democratic opposition the Republican party inaugurated and it has maintained the system of protection that has made us the greatest, the richest, and the most prosperous nation on earth and our laboring classes the pride of our country and the envy of the world. [Applause.] Every page in our history for the last fifty years that tells of progress and prosperity, of patriotism and performance, of happiness and content, of heroic deeds and grand achievements, of the triumphs of peace or the victories of war, all were made and written by the Republican party in spite of Democratic opposition. [Applause.]

And so now the Republican party, in spite of Democratic opposition, is going to write a law upon our statute books that will make us supreme upon the ocean as we are to-day supreme upon the land, a law that will cause a just part of our matchless commerce to be carried in American ships, built in American yards by American labor, paid American wages, manned by American seamen, and flying the American flag. [Applause.] The Republican party is going to place upon the statute books a law that will restore the ancient prestige, the greatness, and glory of our merchant marine, a law that will again cause our ships to travel all the highways of the ocean, our sails to whiten every sea, and our flag to shadow all the ports of the world. [Applause.]

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## APPENDIX.

*Attitude of Republican Presidents—Harrison, McKinley, and Roosevelt—upon the necessity and desirability of legislation to assist our merchant marine.*

LETTER OF PRESIDENT BENJAMIN HARRISON ACCEPTING SECOND NOMINATION IN 1892.

Hon. WILLIAM MCKINLEY, Jr., and others,
*Committee, etc.:*

Few subjects have elicited more discussion or excited more general interest than that of a recovery by the United States of its appropriate share of the ocean-carrying trade, and this subject touches not only our politics, but our national pride. Practically all the freights for transporting to Europe the enormous annual surplus of provisions furnished by this country and for the large return of manufactured products have for many years been paid to foreign owners.

Thus the immigrants annually seeking homes under our flag have been denied the sight of it until they entered Sandy Hook, while increasing thousands of American citizens, bent on European travel, have each year stepped into a foreign jurisdiction at the New York docks. The merchandise balance of trade which the Treasury books show is largely reduced by the annual tribute which we pay for freight and passage moneys.

The great ships—the fastest upon the sea—which are now in peace profiting by our trade, in a secondary sense, are war ships of their respective governments, in time of war would, under existing contracts with those governments, speedily take on the guns for which their decks are already prepared and enter with terrible efficiency upon the work of destroying our commerce. The undisputed fact is that the great steamship lines of Europe were built up and are in part sustained by direct or indirect government aid, the latter taking the form of liberal pay for carrying the mails or of an annual bonus given in consideration of agreements to construct the ships so as to adapt them for carrying an armament and to turn them over to the government on demand upon specific terms.

It was plain to every intelligent American that if the United States would have such lines a similar policy must be entered upon. The Fifty-first Congress enacted such a law, and under its beneficent influence sixteen American steamships, of an aggregate tonnage of 57,400 tons and costing $7,400,000 have been built or contracted to be built in American shipyards.

In addition to this, it is now practically certain that we shall soon have under the American flag one of the finest steamship lines sailing out of New York for any European port. This contract will result in the construction in American yards of four new passenger steamships of 10,000 tons each, costing about $8,000,000, and will add to our naval reserve six steamships, the fastest upon the sea.

A special interest has been taken by me in the establishment of lines from our South Atlantic and Gulf ports, and, though my expectations have not yet been realized, attention has been called to the advantages possessed by these ports, and when their people are more fully alive to their interests I do not doubt that they will be able to secure the capital needed to enable them to profit by their great natural advantages.

The Democratic party has found no place in its platform for any reference to this subject, and has shown its hostility to the general policy by refusing to expend an appropriation made during the last Administration for ocean-mail contracts with American lines.

The patriotic people, the workingmen in our shops, the capitalists seeking new enterprises, must decide whether the great ships owned by Americans which have sought American registry shall again humbly ask a place in the English naval reserve, the great ships now on the designers' tables going to foreign shops for construction, and the United States lose the now brightening opportunity of recovering a place commensurate with its wealth, the skill of its constructors, and the courage of its sailors in the carrying trade of all the seas.

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BENJAMIN HARRISON, INAUGURAL ADDRESS, MARCH 4, 1889.

We should encourage the establishment of American steamship lines. The exchanges of commerce demand stated, reliable, and rapid means of communication, and until these are provided the development of our trade with the States lying south of us is impossible.

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BENJAMIN HARRISON, ANNUAL MESSAGE TO CONGRESS, DECEMBER 3, 1889.

There is nothing more justly humiliating to the national pride, and nothing more hurtful to the national prosperity than the inferiority of our merchant marine compared with that of other nations whose general resources, wealth, and seacoast lines do not suggest any reason for their supremacy on the sea. It was not always so, and our people are agreed, I think, that it shall not continue to be so. It is not possible in this communication to discuss the causes of the decay of our shipping interests or the differing methods by which it is proposed to restore them. The statement of a few well-authenticated facts and some general suggestions as to legislation is all that is practicable. That the great steamship lines sailing under the flags of England, France, Germany, Spain, and Italy, and engaged in foreign commerce, were promoted, and have since been and now are liberally aided, by grants of public money, in one form or another, is generally known. That the American lines of steamships have been abandoned by us to an unequal contest with the aided lines of other nations until they have been withdrawn, or, in the few cases where they are still maintained, are subjcet to serious disadvantages, is matter of common knowledge.

The present situation is such that travelers and merchandise find Liverpool even a necessary intermediate port between New York and some of the South American capitals. The fact that some of the delegates from South American states to the Conference of American Nations, now in session at Washington, reached our shores by reversing that line of travel is very conclusive of the need of such a conference and very suggestive as to the first and necessary step in the direction of fuller and more beneficial intercourse with nations that are now our neighbors upon the lines of latitude, but not upon the lines of established commercial intercourse.

I recommend that such appropriations be made for ocean mail service in American steamships between our ports and those of Central America, China, Japan, and the important islands in both of the great oceans as will be liberally remunerative for the service rendered and as will encourage the establishment and in some fair way equalize the chances of American steamship lines in the competitions which they must meet. That the American states lying south of us will gladly cooperate in establishing and maintaining such lines of steamships to their principal ports I do not doubt.

We should also make provision for a naval reserve to consist of such merchant ships of American construction and of a specific tonnage and speed as the owners will consent to place at the use of the Government in case of need as armed cruisers. England has adopted this policy, and as a result can now, upon necessity, at once place upon her naval list some of the fastest steamships in the world. A proper supervision of the construction of such vessels would make their conversion into effective ships of war very easy.

I am an advocate of economy in our national expenditures; but it is a misuse of terms to make this word describe a policy that withholds an expenditure for the purpose of extending our foreign commerce. The enlargement and improvement of our merchant marine, the development of a sufficient body of trained American seamen, the promotion of rapid and regular mail communication between the ports of other countries and our own, and the adaptation of large and swift American merchant steamships to naval uses in time of war, are public purposes of the highest concern. The enlarged participation of our people in the carrying trade, the new and increased markets that will be found for the products of our farms and factories, and the fuller and better employment of our mechanics which will result from a liberal promotion of our foreign commerce insure the widest possible diffusion of benefit to all the States and to all the peopie. Everything is most propitious for the present inauguration of a liberal and progressive policy upon this subject, and we should enter upon it with promptness and decision.

The legislation which I have suggested, it is sincerely believed, will promote the peace and honor of all the country and the prosperity and

security of the people and invoke the diligent and serious attention of Congress to the consideration of these and such other measures as may be presented having the same great end in view.

MESSAGE OF PRESIDENT BENJAMIN HARRISON TO CONGRESS, DECEMBER 1, 1890.

I desire to repeat with added urgency the recommendations contained in my last annual message in relation to the development of American steamship lines. The reciprocity clause of the tariff bill will be largely limited and its benefits retarded and diminished if provision is not contemporaneously made to encourage the establishment of first-class steam communication between our ports and the ports of those nations as may meet our overtures for enlargement of commercial exchanges. The steamship, carrying the mails statedly and frequently, offering to passengers a comfortable, safe, and speedy transit, is the first condition of foreign trade. It carries the order or the buyer, but not all that is ordered or bought. It gives to the sailing vessels such cargoes as are not urgent or perishable, and, indirectly at least, promotes that important adjunct of commerce. There is now, both in this country and in the nations of Central and South America, a state of expectation and confidence as to increased trade that will give a double value to your prompt action upon this question.

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The South Atlantic and Gulf ports occupy a very favored position toward the new and important commerce which the reciprocity clause of the tariff act and the postal shipping bill are designed to promote. Steamship lines from these ports to some northern port of South America will almost certainly effect a connection between the railroad systems of the continents long before any continuous line of railroads can be put into operation. The very large appropriation made at the last session for the harbor of Galveston was justified, as it seemed to me, for these considerations. The great Northwest will feel the advantage of trunk lines to the South as well as to the East, and of the markets found for their surplus food products and for many of their manufactured products.

MESSAGE OF PRESIDENT BENJAMIN HARRISON TO CONGRESS DECEMBER 6, 1892.

Ever since our merchant marine was driven from the sea by the rebel cruisers during the war of the rebellion the United States has been paying an enormous annual tribute to foreign countries in the shape of freight and passage moneys. Our grain and meats have been taken at our own docks and our large imports there laid down by foreign shipmasters. An increasing torrent of American travel to Europe has contributed a vast sum annually to the dividends of foreign shipowners. The balance of trade shown by the books of the custom-houses has been very largely reduced and in many years altogether extinguished by this constant drain. In the year 1892 only 12.3 per cent of our imports were brought in American vessels. These great foreign steamships maintained by our traffic are many of them under contracts with their respective governments by which in time of war they will become a part of their armed naval establishments. Profiting by our commerce in peace, they will become the most formidable destroyers of our commerce in time of war. I have felt and have before expressed the feeling that this condition of things was both intolerable and disgraceful. A wholesome change of policy and one having in it much promise, as it seems to me, was begun by the law of March 3, 1891. Under this law contracts have been made by the Postmaster-General for eleven mail routes. The expenditure involved by these contracts for the next fiscal year approximates $954,123.33. As one of the results already reached, sixteen American steamships of an aggregate tonnage of 57,400 tons, costing $7,400,000, have been built or contracted to be built in American shipyards.

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No subject, I think, more nearly touches the pride, the power, and the prosperity of our country than this of the development of our merchant marine upon the sea. If we could enter into conference with other competitors and all would agree to withhold government aid, we could perhaps take our chances with the rest, but our great competitors have established and maintained their lines by government subsidies until they now have practically excluded us from participation. In my opinion no choice is left to us but to pursue moderately, at least, the same lines.

PRESIDENT BENJAMIN HARRISON HOISTING THE FLAG ON THE STEAMSHIP NEW YORK FEBRUARY 22, 1893.

It gives me pleasure to consummate here to-day, by the act of lifting this flag, the efforts in support of a principle to which I give my hearty support.

I have felt as a citizen and as President a mortification which every American must feel who examines into the standing of the United States in the merchant marine of the world.

I believe we have reached an epoch in our development when we may successfully begin the work of carrying our share of the world's commerce upon the seas.

We lift the flag to-day on one ship, a magnificent specimen of the naval art, one of the best on any sea.

That event is interesting in itself, but its interest to me is in the fact that this ship is the type or precursor of many others.

PRESIDENT WILLIAM M'KINLEY'S INAUGURAL ADDRESS MARCH 4, 1897.

Congress should give prompt attention to the restoration of our American merchant marine, once the pride of the seas in all the great ocean highways of commerce. To my mind few more important subjects so imperatively demand its intelligent consideration. The United States has progressed with marvelous rapidity in every field of enterprise and endeavor until we have become foremost in nearly all of the great lines of inland trade, commerce, and industry. Yet, while this is true, our American merchant marine has been steadily declining, until it is now lower, both in the percentage of tonnage and the number of vessels employed, than it was prior to the civil war. Commendable progress has been made of late years in the upbuilding of the American Navy, but we must supplement these efforts by providing as a proper consort for it a merchant marine amply sufficient for our own carrying trade to foreign countries. The question is one that appeals both to our business interests and the patriotic aspirations of a great people.

PRESIDENT WILLIAM M'KINLEY'S FIRST ANNUAL MESSAGE TO CONGRESS, DECEMBER 6, 1897.

Most desirable from every standpoint of national interest and patriotism is the effort to extend our foreign commerce. To this end our merchant marine should be improved and enlarged. We should do our full share of the carrying trade of the world. We do not do it now. We should be the laggard no longer. The inferiority of our merchant marine is justly humiliating to the national pride. The Government, by every proper constitutional means, should aid in making our ships familiar visitors at every commercial port of the world, thus opening up new and valuable markets to the surplus products of the farm and factory.

PRESIDENT WILLIAM M'KINLEY'S MESSAGE TO CONGRESS, DECEMBER 5, 1899.

The value of an American merchant marine to the expansion of our commercial trade and the strengthening of our power upon the sea invites the immediate action of the Congress. Our national development will be one-sided and unsatisfactory so long as the remarkable growth of our inland industries remains unaccompanied by progress on the seas. There is no lack of constitutional authority for legislation which shall give to the country maritime strength commensurate with its industrial achievement and with its rank among the nations of the earth.

The past year has recorded exceptional activity in our shipyards, and the promises of continual prosperity in shipbuilding are abundant. Advanced legislation for the protection of our seamen has been enacted. Our country's trade, under regulations wisely framed at the beginning of the Government and since, shows results for the past fiscal year unequaled in our records or those of any other power. We shall fail to realize our opportunities, however, if we complacently regard only matters at home and blind ourselves to the necessities of securing our share in the valuable carrying trade of the world.

Last year American vessels transported a smaller share of our exports and imports than during any former year in all our history, and the measure of our dependence upon foreign shipping was painfully manifested to our people. Without any choice of our own, but from necessity, the Departments of the Government charged with military and naval operations in the East and West Indies had to obtain from foreign flags merchant vessels essential for those operations.

The other great nations have not hesitated to adopt the required means to develop their shipping as a factor in national defense and as one of the surest and speediest means for obtaining for their producers a share in foreign markets. Like vigilance and opportunity on our part can not fail to improve our situation, which is regarded with humiliation at home and with surprise abroad. Even the seeming sacrifices which at the beginning may be inevitable will be offset later by more than equivalent gains.

The expense is as nothing compared to the large object achieved. The reestablishment of our merchant marine involves in a large measure our continued industrial progress and the extension of our commercial triumphs. I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea carrying capacity for the products of agriculture and manufacturing; which, with the increase of our Navy, mean more work and wages to our countrymen, as well as a safeguard to American interests in every part of the world.

PRESIDENT WILLIAM M'KINLEY'S MESSAGE TO CONGRESS, DECEMBER 3, 1900.

American vessels during the past three years have carried about 9 per cent of our exports and imports. Foreign ships should carry the least, not the greatest, part of American trade. The remarkable growth of our steel industries, the progress of shipbuilding for the domestic trade, and our steadily maintained expenditures for the Navy have created an opportunity to place the United States in the first rank of commercial maritime powers.

Besides realizing a proper national aspiration this will mean the establishment and healthy growth along all our coasts of a distinctive national industry, extending the field for the profitable employment of labor and capital. It will increase the transportation facilities and reduce freight charges on the vast volume of products brought from the interior to the seaboard for export, and will strengthen an arm of the national defense upon which the founders of the Government and their successors have relied. In again urging immediate action by the Congress on measures to promote American shipping and foreign trade, I direct attention to the recommendations on the subject in previous messages, but particularly to the opinion expressed in the message of 1899:

I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacturing, which, with the increase of our Navy, mean more work and wages to our countrymen, as well as a safeguard to American interests in every part of the world.

PRESIDENT WILLIAM M'KINLEY'S LAST SPEECH AT THE PAN-AMERICAN EXPOSITION, SEPTEMBER 5, 1901.

Then, too, we have inadequate steamship service. New lines of steamers have already been put in commission between the Pacific coast ports of the United States and those of the western coasts of Mexico and Central and South America. These should be followed up with direct steamship lines between the eastern coast of the United States and South American ports. One of the needs of the times is of direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in advantage to having the thing to sell is to have the convenience to carry it to the buyer. We must encourage our merchant marine. We must have more ships. They must be under the American flag, built and manned and owned by Americans. These will not only be profitable in a commercial sense, but will be messengers of peace and amity wherever they go.

REPRESENTATIVE WILLIAM M'KINLEY, IN HIS SPEECH ON THE TARIFF OF 1890, IN THE HOUSE OF REPRESENTATIVES, FIFTY-FIRST CONGRESS, MAY 7, 1890.

While Great Britain lost, between 1870 and 1880, 13 per cent of her trade, the United States gained 22 per cent. And if the United States

would give the same encouragement to her merchant marine and her steamship lines as is given by other nations to their ships this commerce on the seas under the American flag would increase and multiply. When the United States will spend from her Treasury from $5,000,000 to $6,000,000 a year for that purpose, as do France and Great Britain to maintain their steamship lines, our ships will plow every sea in successful competition with the ships of the world. [Loud applause on the Republican side.] Will you gentlemen join us in encouraging our merchant marine? [Renewed applause on the Republican side.]

PRESIDENT THEODORE ROOSEVELT'S MESSAGE TO CONGRESS, DECEMBER 3, 1901.

The condition of the American merchant marine is such as to call for immediate remedial action by the Congress. It is discreditable to us as a nation that our merchant marine should be utterly insignificant in comparison to that of other nations which we overtop in other forms of business. We should not longer submit to conditions under which only a trifling portion of our great commerce is carried in our own ships. To remedy this state of things would not merely serve to build up our shipping interests, but it would also result in benefit to all who are interested in the permanent establishment of a wider market for American products and would provide an auxiliary force for the Navy. Ships work for their own countries just as railroads work for their terminal points. Shipping lines, if established to the principal countries with which we have dealings, would be of political as well as commercial benefit. From every standpoint it is unwise for the United States to continue to rely upon the ships of competing nations for the distribution of our goods. It should be made advantageous to carry American goods in American-built ships.

At present American shipping is under certain great disadvantages when put in competition with the shipping of foreign countries. Many of the fast foreign steamships, at a speed of 14 knots or above, are subsidized; and all our ships, sailing vessels and steamers alike, cargo carriers of slow speed and mail liners of high speed, have to meet the fact that the original cost of building American ships is greater than is the case abroad; that the wages paid American officers and seamen are very much higher than those paid to officers and seamen of foreign competing countries, and that the standard of living on our ships is far superior to the standard of living on the ships of our commercial rivals.

Our Government should take such action as will remedy these inequalities. The American merchant marine should be restored to the ocean.

PRESIDENT ROOSEVELT, IN HIS ANNUAL MESSAGE TO CONGRESS, DECEMBER 7, 1903.

Deeply concerned at the decline of our ocean fleet, and the loss of skilled officers and seamen—pioneers of trade in peace, and defenders of the flag in war—the President of the United States, in his annual message to Congress, December 7, 1903, said:

"A majority of our people desire that steps be taken in the interest of American shipping, so that we may once more resume our former position in the ocean carrying trade. But hitherto the difference of opinion as to the proper method of reaching this end have been so wide that it has proved impossible to secure the adoption of any particular scheme. Having in view these facts, I recommend that the Congress direct the Secretary of the Navy, the Postmaster-General, and the Secretary of Commerce and Labor, associated with such a representation from the Senate and the House of Representatives as the Congress in its wisdom may designate, to serve as a commission for the purpose of investigating and reporting to the Congress at its next session what legislation is desirable or necessary for the development of the American merchant marine and American commerce, and incidentally of a national ocean mail service of adequate auxiliary naval cruisers and naval reserves. While such a measure is desirable in any event, it is especially desirable at this time, in view of the fact that our present governmental contract for ocean mail with the American Line will expire in 1905.

"Our ocean mail act was passed in 1891. In 1895 our 20-knot trans-Atlantic mail line was equal to any foreign line. Since then the Germans have put on 23-knot steamers, and the British have contracted for 24-knot steamers. Our service should equal the best. If it does not, the commercial public will abandon it. If we are to stay in the business it ought to be with the full understanding of the advantages in the country on the one hand, and on the other with exact knowledge of the cost and proper methods of carrying it on. Moreover, lines of cargo ships are of even more importance than fast mail lines, save so far as the latter can be depended upon to furnish swift auxiliary cruisers in time of war. The establishment of new lines of cargo ships to South America, to Asia, and elsewhere would be much in the interest of our commercial expansion."

PRESIDENT ROOSEVELT, IN HIS ANNUAL MESSAGE TO CONGRESS, DECEMBER 6, 1904.

I especially commend to your immediate attention the encouragement of our merchant marine by appropriate legislation.

PRESIDENT ROOSEVELT, IN HIS ANNUAL MESSAGE TO CONGRESS, DECEMBER 5, 1905.

To the spread of our trade in peace and the defense of our flag in war a great and prosperous merchant marine is indispensable. We should have ships of our own and seamen of our own to convey our goods to neutral markets, and in case of need to reenforce our battle line. It can not but be a source of regret and uneasiness to us that the lines of communication with our sister republics of South America should be chiefly under foreign control. It is not a good thing that American merchants and manufacturers should have to send their goods and letters to South America via Europe if they wish security and dispatch. Even on the Pacific, where our ships have held their own better than on the Atlantic, our merchant flag is now threatened through the liberal aid bestowed by other governments on their own steam lines. I ask your earnest consideration of the report with which the Merchant Marine Commission has followed its long and careful inquiry.

PRESIDENT ROOSEVELT IN SPECIAL MESSAGE TO CONGRESS JANUARY 23, 1907.

*To the Senate and House of Representatives:*

I call your attention to the great desirability of enacting legislation to help American shipping and American trade by encouraging the building and running of lines of large and swift steamers to South America and the Orient.

The urgent need of our country's making an effort to do something like its share of its own carrying trade on the ocean has been called to our attention in striking fashion by the experiences of Secretary Root on his recent South American tour. The result of these experiences he has set forth in his address before the Trans-Mississippi Commercial Congress, at Kansas City, Mo., on November 20 last, an address so important that it deserves the careful study of all public men.

The facts set forth by Mr. Root are striking, and they can not but arrest the attention of our people. The great continent to the south of us, which should be knit to us by the closest commercial ties, is hardly in direct commercial communication with us at all, its commercial relations being almost exclusively with Europe. Between all the principal South American ports and Europe lines of swift and commodious steamers, subsidized by their home governments, ply regularly. There is no such line of steamers between these ports and the United States.

In consequence, our shipping in South American ports is almost a negligible quantity; for instance, in the year ending June 30, 1905, there entered the port of Rio de Janeiro over 3,000 steamers and sailing vessels from Europe, but from the United States no steamers and only seven sailing vessels, two of which were in distress. One prime reason for this state of things is the fact that those who now do business on the sea do business in a world not of natural competition, but of subsidized competition. State aid to steamship lines is as much a part of the commercial system of to-day as State employment of consuls to promote business. Our commercial competitors in Europe pay in the aggregate some twenty-five millions a year to their steamship lines—Great Britain paying nearly seven millions. Japan pays between three and four millions. By the proposed legislation the United States will still pay relatively less than any one of our competitors pays. Three years ago the Trans-Mississippi Congress formally set forth as axiomatic the statement that every ship is a missionary of trade, that steamship lines work for their own countries just as railroad lines work for their terminal points, and that it is as absurd for the United States to depend upon foreign ships to distribute its products as it would be for a department store to depend upon wagons of a competing house to deliver its goods. This statement is the literal truth.

Moreover, it must be remembered that American ships do not have to contend merely against the subsidization of their foreign competitors. The higher wages and the greater cost of maintenance of American officers and crews make it almost impossible for our people who do business on the ocean to compete on equal terms with foreign ships unless they are protected somewhat as their fellow-countrymen who do business on land are protected. We can not as a country afford to have the wages and the manner of life of our seamen cut down; and the only alternative, if we are to have seamen at all, is to offset the expense by giving some advantage to the ship itself.

The proposed law which has been introduced in Congress is in no sense experimental. It is based on the best and most successful precedents, as, for instance, on the recent Cunard contract with the British Government. As far as South America is concerned, its aim is to provide from the Atlantic and Pacific coasts better American lines to the great ports of South America than the present European lines. The South American republics now see only our war ships. Under this bill our trade friendship will be made evident to them. The bill proposes to build large-sized steamers of 16-knot speed. There are nearly 200 such steamships already in the world's foreign trade, and over three-fourths of them now draw subsidies—postal or admiralty, or both. The bill will encourage our shipyards, which are almost as necessary to the national defense as battle ships, and the efficiency of which depends in large measure upon their steady employment in large construction. The proposed bill is of importance to our Navy, because it gives a considerable fleet of auxiliary steamships, such as is now almost wholly lacking, and also provides for an effective naval reserve.

The bill provides for fourteen steamships, subsidized to the extent of over a million and a half, from the Atlantic coast, all to run to South American ports. It provides on the Pacific coast for twenty-two steamers subsidized to the extent of two millions and a quarter, some of these to run to South America, most of them to Manila, Australia, and Asia. Be it remembered that while the ships will be owned on the coasts, the cargoes will largely be supplied by the interior, and that the bill will benefit the Mississippi Valley as much as it benefits the seaboard.

I have laid stress upon the benefit to be expected from our trade with South America. The lines to the Orient are also of vital importance. The commercial possibilities of the Pacific are unlimited, and for national reasons it is imperative that we should have direct and adequate communication by American lines with Hawaii and the Philippines. The existence of our present steamship lines on the Pacific is seriously threatened by the foreign subsidized lines. Our communications with the markets of Asia and with our own possessions in the Philippines, no less than our communications with Australia, should depend not upon foreign, but upon our own steamships. The Southwest and the Northwest should alike be served by these lines, and if this is done they will also give to the Mississippi Valley throughout its entire length the advantage of all transcontinental railways running to the Pacific coast. To fail to establish adequate lines on the Pacific is equivalent to proclaiming to the world that we have neither the ability nor the disposition to contend for our rightful share of the commerce of the Orient; nor yet to protect our interests in the Philippines. It would surely be discreditable for us to surrender to our commercial rivals the great commerce of the Orient, the great commerce we should have with South America, and even our own communications with Hawaii and the Philippines.

I earnestly hope for the enactment of some law like the bill in question.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 23, 1907.*

[From the State of Washington Republican platforms.]

1898: We are in favor of upbuilding the American merchant marine and the protection of American rights in every quarter of the world with an adequate navy.

1900: We stand for loyalty to the flag, * * * for the further enlargement of our trade and commerce; for such discrimination and national aid as shall speedily result in the upbuilding of our merchant marine.

1904: Trans-Pacific commerce is of vital importance to our State. We heartily indorse the action of the President and of Congress which resulted in the appointment of a commission to investigate and report

the condition of our merchant marine to the ultimate end that American commerce may be carried in American ships.

1906: Of our vast foreign commerce of over $3,000,000 annually not more than 10 per cent is carried in ships flying the American flag. That it may be an auxiliary to our Navy in time of war and carry our commerce in time of peace we are in favor of and earnestly urge immediate legislation by Congress to upbuild our merchant marine.

*Rules, table of rates, and other documents relative to the Sailing Ship Owners' International Union.*

[Telegraphic address, "Langstaff," London. Telephone No. 4283 avenue.]

SAILING SHIP OWNERS' INTERNATIONAL UNION,
LEADENHALL BUILDINGS,
*London, E. C., June 1, 1904.*

DEAR SIR: Referring to your entry in this union, I have now to inform you that more than 75 per cent of British, French, and German tonnage have joined, and the union has therefore been constituted.

The figures are as follows:

| Country. | Total tonnage, 1,000 tons and upward, excluding liners. | Tonnage entered International Union. |
|---|---|---|
| Great Britain | 1,127,809 | 848,522 |
| France | 299,073 | 240,605 |
| Germany | 365,710 | 277,822 |
| Total | 1,792,592 | 1,366,949 |

I inclose herewith copy of the rules as finally approved; also circular intimating the minimum rates of freight so far fixed by the committee.

Herewith also is note of your subscription for the current year.

Kindly send check for same to enable me to forward certificate of membership.

Yours, faithfully,

O. H. POLLAK,
*Honorary Secretary.*

SAILING SHIP OWNERS' INTERNATIONAL UNION,
LEADENHALL BUILDINGS,
*London, E. C., June 1, 1904.*

The committee met in London the 26th instant, and fixed the following as the minimum rates of freight below which the members of the union shall not engage their vessels.

These rates shall apply to all engagements entered into on and after June 6, 1904.

Although only one rate has been fixed as a minimum from each port, the committee expect that, at any rate for moderate-sized ships, higher figures will be obtained.

West coast North America: Calling for orders to U. K., H. A. D., Hamburg.

If San Francisco loading: Wheat, 22/6; flour, 23/9; barley, 23/9. Lay days not before July 15.

If Los Angeles, San Diego, or San Pedro loading: Wheat, flour, barley, 22/6. Lay days not before July 15.

If Portland (Oreg.) loading: Wheat, flour, barley, 27/6. Lay days not before September 1.

If Seattle and/or Tacoma loading: Wheat, flour, barley, 26/3. Lay days not before September 1.

Continent, Bordeaux, and Hamburg range other than H. A. D. H., 2/6 additional to above rates.

If ordered from loading port direct to port of discharge, not exceeding one-third less than above rates.

If cargo other than wheat, flour, barley, shipped, rate to be 2/6 in excess of the rate for wheat.

West coast South America: Chile to U. K., Cont., B/H., calling for orders.

Nitrate 20/– less 1/3 direct. Lay days not before August 15.

Australia: To U. K., Cont., B/H., calling for orders. No reduction direct. Wheat flour basis: If loaded at one port South Australia, 20/–; if loaded at Sydney, 20/–; if loaded at Melbourne or Geelong, 20/3.

New Caledonia: To U. K., Cont., B/H., calling for orders. No reduction direct. Nickel ore, 20/–; chrome ore, 25/–.

O. H. POLLAK, *Honorary Secretary.*

THE SAILING SHIP OWNERS' UNION—THE RULES.

Mr. O. H. Pollak, the honorary secretary of the Sailing Ship Owners' International Union, has sent to all the shipowners who have joined the union a letter, in which he states that more than 75 per cent of British, French, and German tonnage have joined, and the union has therefore been constituted. The figures are as follows:

| Country. | Total tonnage, 1,000 tons and upward, excluding liners. | Tonnage entered, International Union. |
|---|---|---|
| Great Britain | 1,127,809 | 848,522 |
| France | 209,073 | 240,605 |
| Germany | 365,710 | 277,822 |
| Total | 1,792,592 | 1,366,949 |

RULES.

The rules are as follows:

(1) The association shall be called "The Sailing Ship Owners' International Union," and its headquarters shall be situated in London.

(2) The only object of the union for the present shall be to fix minimum rates of freight for the principal voyages in which sailing ships engage, excepting only outward voyages from the United Kingdom or Continent of Europe, for which no rates of freight shall be arranged, each vessel being left free to make the best terms she can.

(3) The business of the union shall be managed by a committee, consisting of seven representatives from Great Britain, four from France, and four from Germany, who shall meet where and as often as they think desirable in the general interest, with leave, in case of necessity, to each member of the committee to send a substitute of his own nationality who is a member of the union. This committee shall remain in office until 31st December in each year. Prior to that time the representative or representatives on the committee of each group of members of the union—British, French, German, or any other nationality—shall call a general meeting of the members of that group, at which the representative or representatives shall be elected to represent that group on the committee for twelve months from the ensuing 1st January. Due intimation of the election to be sent to the secretary of the international committee. The persons named above shall be the first committee of the union, and shall remain in office till 31st December, 1904.

(4) This committee shall from time to time fix the minimum rates of freight from the various loading ports as they judge best in their absolute discretion, and they shall have power to fix different minimum freights for ships of different sizes. Intimation of the rates of freight fixed by this committee shall, as required from time to time, be given to the members of the union per circular letter. This letter shall name a date for any specified rate coming into force, and this date shall apply to the charter party or loading agreement and not to the actual loading date. Not less than five days shall elapse between the dispatch of any registered letter from the London office of the union and any rate of freight which it prescribes becoming operative.

(5) Such owners as agree to join this union shall bind themselves not to accept for the ships which they control less than the minimum rate appointed by the above-mentioned international committee for any voyage for which the committee shall have fixed a rate of freight, and for all such voyages the various owners are prohibited from chartering except on the recognized terms of charter for the particular trade without any extra commissions, rebates, or back letters. Owners, however, shall be allowed to reimburse the charterers the net cost of any extra insurance the latter may have to pay on the cargo owing to the age or special condition of the ship.

(6) Should the minimum rates of freight not be obtainable for any vessel she shall be laid up until such a rate can be got, or, in the option of the owners, she has liberty to leave the port in ballast.

(7) The committee shall have power to call upon each member of the union to disclose on oath the rate of freight and conditions of any charter.

(8) In the event of any member of the union committing any breach of his undertaking or of the rules of the union, he shall pay liquidated damages to the committee of 5s. per ton on the dead-weight capacity of the ship in connection with which the breach has been committed, but should said breach be committed unwittingly and through no fault of the member, the committee have discretion to modify the damages.

(9) Only owners of ships of 1,000 tons net register and upward shall be eligible to be enrolled in this union.

(10) The various owners joining this union shall remain members thereof from year to year, but may terminate their membership at 31st December in any year on giving two months' written notice (say on or before 31st October of that year) to the committee.

(11) To provide for the expenses of the union each owner enrolled shall contribute, in advance, £1 sterling per annum for each of his vessels of 1,000 tons net register and upwards.

COMMITTEE.

Representing Great Britain: Mr. J. A. Roxburgh, of Glasgow, president; Mr. R. W. Leyland, of Liverpool; Mr. Robt. J. Thomas, of Liverpool; Mr. P. Hugh Marshall, of Liverpool; Mr. George Milne, of Aberdeen; Mr. Andrew Weir, of Glasgow; Mr. Thomas Potter, of London.

Representing France: M. Eugene Pergeline, of Nantes, vice-president; M. Leon Gueugnier, of Paris; M. Eugene Salles, of Marseille; M. Joseph Polo, of Nantes.

Representing Germany: Mr. F. Loesener Sloman, of Hamburg, vice-president; Mr. F. W. Dahlstrom, of Hamburg; Mr. Emil Watjen, of Bremen; Mr. A. D. Vinnen, of Bremen.

Mr. O. H. Pollak, Leadenhall buildings, London, E. C., is the honorable secretary.

A scale of minimum freights has also been sent to the shipowners, and, of course, it is the object of the union to try and raise these rates. The dates upon which the scale takes effect vary with each port, the earliest date being July 15.

[From an occasional contributor.]

The International Union of Sailing Ship Owners is the most remarkable body of its kind in the world. Indeed, it may be regarded as the most powerful shipping combination in existence, and it has no parallel in the international character of its constitution, which at first appeared to be a weakness, but is now seen to be a source of strength, for without foreign cooperation the union would have been impossible, and the French and German owners are even more enthusiastic for the union, if possible, than the British. The union does not include sailing ship "liners" of 1,000 tons and upward, because these do not come into competition with the "tramps," who are chiefly hit by the ruling low rates. Excluding, therefore, these liners, there remain 1,792,592 tons of British and foreign sailing ships that could possibly join the union, and the total quantity that has joined the union is no less than 1,366,949 tons, so that the balance outside is only 425,643 tons, too small to offer effective competition to the union; besides which, some of those still outside, if not all, will no doubt join shuld the union realize the hopes of its promoters.

There will be great curiosity in shipping circles to see how such a novel and powerful combination works. It is formed to fix homeward freights alone, whether for the United Kingdom or the Continent, and not outward, as to which members are left a free hand. Mr. R. W. Leyland, the well-known Liverpool shipowner, will perhaps be more interested than anybody else in the fate of the union, for it is practically his creation.

Mr. GOULDEN. I yield thirty minutes to the gentleman from Illinois [Mr. WILSON].

Mr. WILSON. Mr. Chairman, I desire to state that it is my opinion that if a bill had been reported from our committee which I thought was a proper bill, one that I believed had had proper consideration before the committee, and one on which I had been duly advised and informed, I would not have been opposed to a line of steamships being reasonably subsidized to run to South America. I intend to state the reasons why I am

opposed to the present bill, and in particular I propose to state my objections to the subsidizing of the lines running from the Pacific coast.

During the last four years and during the time I have been a Member of Congress and a member of the Committee on Merchant Marine and Fisheries we have had under consideration a bill known as the "ship-subsidy bill," to which bill I have always been opposed. The present bill was introduced in the Senate by Senator GALLINGER and in the House by Mr. GROSVENOR, of Ohio. After some consideration it passed the Senate, and is now before us for approval in a much mutilated form. It has been on the operating or dissecting table for so long I doubt if the parent would recognize the child.

On the 14th day of January of this year our committee was called together to consider this amended bill. We met, and at our meeting Mr. LITTAUER—by the way, a brand-new member of this committee—introduced a substitute for Senate bill 529 which provides only for a mail subsidy and a naval reserve. The only time that the minority of this committee had any chance to consider this bill was on the day and afternoon of its introduction. We had never seen it and knew nothing about its provisions. No evidence was taken as to its merits or demerits or any feature of it, which I am constrained to state is one of the most unusual proceedings in a legislative committee that I ever heard of, and I am frank to state that I believe it is the first committee of this Congress or any other Congress that has reported a bill carrying with it a $4,000,000 annual appropriation under an irrevocable contract for ten years. And I do not believe any other committee in this House would have had the audacity or nerve to take such action on such important legislation.

Mr. GROSVENOR. Mr. Chairman——

Mr. WILSON. I shall be glad to yield to the gentleman.

Mr. GROSVENOR. The regular number of copies of the report was printed. Then there were eight or ten thousand more printed, and day before yesterday I asked unanimous consent and obtained it for the reprinting of the report. There has been no moment of time since that report was made when any gentleman who knew how could not have obtained this report, and any number of copies of it that he desired.

Mr. WILSON. Mr. Chairman, I am not talking about the report of the committee. I am talking about the report of the evidence taken before our committee substantiating this measure. The people do not want the conclusions of some one man or some eight men, drawn from testimony that has been taken.

Mr. GROSVENOR. Will the gentleman allow me?

Mr. WILSON. I will be pleased to allow the gentleman at any time.

Mr. GROSVENOR. The testimony before the Maritime Commission that traveled over the country was printed by order of the Senate and House, and a certain number of copies given to each Member of the House. There has been no considerable amount of testimony taken since the return of the Commission and since the bill came before our committee on this occasion, but the regular number of copies of the hearings was printed and were available to any Member who wanted them, and we did not think it was necessary that every man, woman, and child in the United States should have a copy of that.

Mr. WILSON. Mr. Chairman, I am perfectly well aware of the fact that there was testimony taken and printed by the Commission, but as I said a moment ago, the testimony that you will find in the report of the Commission which traveled over this country and spent over $20,000 of the people's money to gather this testimony, that testimony does not relate to the features of this mail-subsidy bill which we are now asked to vote upon, and that is the complaint I make about the way this matter has been conducted. I have a number of copies of those books containing that testimony, and I shall be glad to give them to any Member of this House. That testimony does not relate to this bill. I am not contradicting that, and do not intend to. You can get the navigation reports from the Commissioner of Navigation and you can read about it in them, and you will not find any testimony that shows that it was taken on this bill now under consideration. That is what I am complaining about, and I am going to show you the inconsistency of it; I intend to show you that this legislation has never been considered; I am going to show you that it is not a proper measure for us to vote upon and consider at this time.

Mr. Chairman, the gentleman from Washington [Mr. HUMPHREY], who has just preceded me, tells us that this is not new legislation; that it is only a continuation of a law that was enacted in 1891. That, Mr. Chairman, was a piece of legislation that was brought out of the Committee on the Post-Office and Post-Roads; a piece of legislation that was fully and duly considered by that committee. He says this is a continuation of that law, and so did the gentleman from New York. I tell you, gentlemen, it is not a continuation of that law; certain features of it are a continuation, but under that law certain provisions of it are that the beneficiaries shall receive a dollar per mile for a mail subsidy on an outward-going trip only. Under the provisions of the bill that we are now considering the rate per mile, as provided for, is from $5.55 per mile to two dollars and some cents per mile for mail subsidy. That is a material difference, and under this bill of extension the price per mile is increased, and that is why I am so bitterly opposed to it.

There has been little said about the bill. Most of the speaking has been in reference to the history of this legislation and the history of our merchant marine, how it has decayed, and why it is that we do not carry our share of goods in our own vessels. Gentlemen, you will notice from this map a proposition that is carried under this bill. The first two steamship lines that are supposed to be subsidized under this bill are lines 1 and 2, running from New York City down to the coast of South America to Buenos Ayres and Rio de Janeiro. You will also notice what appears to be from here one line on the map, but a close inspection will show you that it is really two lines. One is to receive a subsidy of $600,000 per year and the other a subsidy of $800,000 per year, or $1,400,000 per year. These two lines, for the greatest distance of their travel for 5,000 miles, absolutely parallel each other from New York City to South America. One is nothing more than a continuation of the first line of a thousand miles. I will ask you if you were considering a business proposition, if your client or your firm or your business were interested in it, would you have two lines over the same territory for 5,000 miles? Is it not true, if the subsidy is right, that one line will do the business as well as the two? That is one of the features of the bill I am bitterly opposed to.

Mr. ELLIS. Will the gentleman yield?

Mr. WILSON. Yes.

Mr. ELLIS. Before the gentleman leaves that proposition I would like to have this explained—why these lines are duplicated. What is the argument of those who support it?

Mr. WILSON. I am glad the gentleman has called my attention to it. I have been trying to find out ever since the bill was reported what was the argument in favor of it. I asked the man who introduced the bill at the time—we only had a few minutes to consider it—I asked him why these lines were being duplicated, each running over the same route? I was not able to get a reply, and I have not been able to receive any information on the subject to date. I do not know myself unless it is because they desire to give more subsidy to the shipowners and the shipbuilders. I fail to see the necessity of any such duplication of lines; I know nothing about it at all. There are no hearings upon our measure; we know nothing about them; but we do know from their own map, which they have hung before us on the walls of the Hall of the American Congress, that the lines are paralleled and go to the same ports.

In all, the majority of this committee has reported for the consideration of this House a business proposition to pay over and into the hands of certain interests nearly $40,000,000, without a hearing as to the law or the facts. We have not one scintilla of evidence or testimony in any shape or form to justify our action or that will sustain this measure. A favored few members of this committee may have, but where did they secure their evidence and their information, and if it was good for them, why not give it to the whole committee and the House and the country? Let your evidence be printed. Tell us where you got it; write it up and put it on the desk of every Member. All other hearings before committees are written up and ready for the use of the Members of this body. I believe—and I believe that the Members of this House believe—that such important legislation should at least have had a respectable hearing, so that if we are inclined to support it we could justify any action that we see fit to take in this matter.

If this amended bill, carrying with it nearly $40,000,000 appropriation of the people's money, is a fair and reasonable one, then I ask, Why is it you were afraid to consider it as all other measures are considered in the committee? If the information the majority of the committee have on this proposition justifies their action, why hide it in this unseemly manner and keep it from the rest of us? If they can justify their actions to their constituents, it stands to reason that we might justify ours.

From whom did they secure this valuable information which led them to support and report this bill? Whose testimony have they had in support of it? Who were their star witnesses? Who examined them from the various view points that one may make in considering this measure? Who are the parties so vitally interested in this legislation? Who are pushing it? The shipbuilders or the shipowners? Or do they claim the farmers and the merchants and the clerks and the professional men and

the laboring men and the miners are back of it? If they have had no witnesses at special hearings, where have they secured their information? Where did they secure their information that this $40,000,000 which we are asked to appropriate was a sufficient amount of subsidy to carry our mail to these foreign ports, and if this is enough, how do we know that it isn't entirely too much? This substitute which we are considering is supposed to be an amendment to a section of our statutes which was passed in 1891, and which section provides for an ocean mail service between the United States and certain foreign ports and for the purpose of promoting commerce. Was this law of 1891 reported from the Committee on the Merchant Marine and Fisheries or from the Committee on Interstate and Foreign Commerce or from the Appropriations Committee? No; it was reported by the Post-Office and Post-Roads Committee, which has to do with the mail service of this country, and a committee which is familiar with the needs of our mail service and which committee has plenty of information on this subject, as it has on all other subjects that come before it, and it always has hearings, and they are printed for general use and information.

Why is it that the Committee on Post-Offices and Post-Roads did not consider this measure? Was it because the naval-reserve feature of this subsidy bill is tacked on, or is it because this bill in its original form, which provided for a tonnage tax, passed the Senate, and if this substitute passes the House, do you not believe that the conferees of the Senate and the House on this substitute bill will agree to disagree on the substitute and agree on the original as it passed the Senate, and during the last hours of this Congress, when everything is in confusion and turmoil, the conferees' report will be brought in under a rule and the old Senate bill will be passed, and the Republican Members of this Congress can go back to their people and say the Republican party is responsible for this legislation? At last a ship-subsidy bill has been passed which carries with it millions of dollars a year of the people's money to the shipbuilders' trust, the steel trust, the shipowners' trusts, and if it does pass and become a law I will venture to say that more Members who voted for this often tried and always failing obnoxious legislation will fall by the wayside because of the action of his party than any other piece of legislation that has been before this Congress in many a day.

Mr. Chairman, this subsidy bill is not *the product of our* committee. *It is not a creature of our committee.* I do not believe the provisions of this bill originated in the fertile mind of any member of our committee. The real author of it is unknown to us. His name is *Stranger.* His *home unknown*, except we all know he did not hail from our district.

Why did they substitute this bill for the Senate bill? The Senate bill was *their ideal.* They claim it is the most perfect measure ever introduced, and would build up the merchant marine until the *Stars and Stripes were floating in the breeze* of all seas and the ports of every nation.

Why did you not stick to your first love and report it out when you had the chance and let this House pass on it? Because you were afraid of it. You knew it would fail, and this is your only show *to dip into the public fund for a private enterprise.*

Mr. Chairman, *this substitute subsidy bill comes to us in an unfair manner. It had an ex parte trial in the judges' chamber, behind closed doors, in the darkness of night. No one* was there *except* its *friends.* They had a *lovely* time; everything was considered and *agreed* to. The *sailing* was *clear* and *smooth.* Not a *breeze ruffled the waters.* Not a *wave disturbed their progress.* Not a *harsh voice* or *discordant sentiment* provoked their *peaceful dreams* of the passage of this bill.

Now, let us go into the main features of this bill and take each one of them up and see what they call for, and the result of this legislation. The first section of this bill provides for a steamship with either a monthly or fortnightly service from the *Atlantic coast of the United States, from New York City to Rio de Janeiro, South America*, with not less than 16 knots speed and a compensation not to exceed *$600,000* per year. The second provides for a line from the *Atlantic coast* of the United States, *from New York City* to *Buenos Ayres, South America*, with not less than 16 knots speed for a compensation not exceeding *$800,000* per year. These lines parallel each other and touch at the same ports.

They say that this subsidy is not for the benefit of existing lines now engaged in seagoing trade, but for prospective companies, and that these new lines will be obliged to build practically a new fleet to take advantage of this subsidy to the South American ports. If that is true, why was there not incorporated a provision in this bill that this subsidy should not apply to any ships now sailing under the American flag. They are emphatic in their statements that this bill is for the purpose of building up the merchant marine, and a part of the consideration for this subsidy is that we will have twenty-five or thirty new vessels specially built by direction of the Secretary of the Navy, same as the law of 1891, and not a vessel was ever so built, that we may have and use in time of war, and yet with all of their assertions they leave the bill open so that any American ship that is now built and carrying our flag or a foreign flag, with sufficient speed, irrespective of tonnage or construction, may take advantage of this proposed subsidy. They have absolutely no other qualifications than that of speed, and *that is a very uncertain one*, as I will show later on. They claim because no American steamship is now running to the South American ports that we have none that could, and that the entire fleet for this purpose would have to be designed and built. To show you the absurdity of this proposition, permit me to state that one man by the name of C. W. Morse, of New York City and Boston, has now a fleet of eighty-eight or more vessels, a number of which are capable and able and have the necessary qualifications and requirements to immediately enter into this service and reap the benefits of this subsidy, and I will prove it and challenge anyone to contradict my proof.

Mr. WANGER. It seems to me that the proof would be very interesting.

Mr. WILSON. I am just going to present it to the committee. Mr. C. W. Morse, who is known in New York and Boston, as the shipowners of the Atlantic coast, has now a line of vessels of something over 88 or nearly 100. In that line of vessels he has 19 or 20 with sufficient speed, with sufficient tonnage, and construction to take advantage of this subsidy—vessels that are now plying in the trade between the Atlantic coast and the Gulf of Mexico, Panama, and South America, and all he would have to do would be to continue some of them down the line.

Mr. LAW. At what speed?

Mr. WILSON. They have a speed of 14, 16, and 20 knots, as I remember. I know some of them have a speed of 18 knots.

Mr. WANGER. Would my friend kindly give the names of the ships that have that speed?

Mr. WILSON. I am just coming to that. You will find the list of these vessels in a publication of the Bureau of Navigation. The vessels that I am now about to mention were vessels that until a few days ago were owned and controlled by a Mr. Ward, who was in that line of business on the Atlantic coast. Since this bill has been reported from my committee and believed by a number of people likely to pass the House, or that some features of it, at any rate, will become a law, this same Mr. Morse has purchased this Ward Line of steamers of some 18 or 19 vessels. One of the vessels that Morse has purchased from Ward is known as the "*Moro Castle*," with a tonnage of over 6,000 and a speed of 18 knots. The *Moro Castle* is one of the *newest and best and finest vessels*, I understand, that is built and plying the seas to-day. Is there anyone who believes that this vessel could not take advantage of this subsidy to the South American republics? The *speed is sufficient*, the *tonnage* is sufficient, and its *construction is sufficient. What more elements are there that we must take into consideration?* The next vessel is the *Mexico*, She has a tonnage of 5,667 and a speed of 17 knots. She is *new* and *modern* and *fast* and *large* enough. Do you believe that that vessel could not go into that trade? Do you believe they have to build another vessel to take the place of that one? The next one is the *Havana*, with the same tonnage and the same speed. The next one is the *Esperanza*, with a tonnage of 4,700 and a speed of over 16 knots. Then there is the *Monterey*, with a tonnage of over 4,700 and a speed of 16 knots. Then there are several others, one of them known as the "*Seguranca*," with a tonnage of over 4,000 and a speed of 14½ knots, and the *Vigilancia*, with a tonnage of 4,000 and a speed of 14 knots. There are a number of them at 14 knots and one or two more at 15 knots, but I have not enumerated them because they are not likely to enter into the trade.

Mr. WEEKS. Are not those vessels under contract with the Government now to carry mails to Cuba and Mexico?

Mr. WILSON. I do not think they are. Maybe some of them are, but I do not know. If so, it's at $1 per mile, and not $5.55.

Mr. WEEKS. They have been.

Mr. WILSON. I do not know that they are.

Mr. WEEKS. If they were, would not that prevent their being used for anything else?

Mr. WILSON. Not under this legislation.

Mr. FOWLER. Certainly it would.

Mr. WILSON. It is right on the route. Those steamers could easily do it.

Mr. WEEKS. Mexico is not on the route to South America.

Mr. WILSON. It is not very far removed, the gentleman will observe from the map.

Mr. HINSHAW. Under this bill it is not required that vessels to be operated in this trade shall be now under contract with the United States, but that they are now duly registered by citizens of the United States, and if it be a corporation that a majority of the stock shall be owned by citizens of the United States, so that there is no requirement that vessels shall hereafter be built, but they may use those now constructed.

Mr. WILSON. That is very true. There is no question about that. From the list which I have given I have enumerated nine. To-day there are being constructed in the shipyards on the Atlantic coast five vessels that I know of by this man Mr. Morse, and those five vessels, from the best information I am able to secure, are *new, large, fast,* and *perfectly capable* to take advantage of this subsidy and to ply in the trade.

*The largest ship reported as regularly plying between* New York and Brazil and the Argentine ports is a British steamer by the name of *Canning,* with a capacity of *3,600* net tons, and the rest of the ships, and there are many of them engaged in that trade, are on an average much less than 3,000 tons, and some of them a little more than a third as large.

The Morse steamship interests now have *six large* steamers with more than a sufficient amount of tonnage, with the necessary speed and all other qualifications, that could immediately embark in this enterprise, as follows: *Calvin Austin,* built in 1903, with 2,856 net tons; *Horatio Hill,* built in 1898, with over 2,000 net tons; *North Star,* built in 1901, with over 2,000 net tons; the *San Jacinto,* built in 1903, with over 4,000 net tons; the *Gov. Cobb,* built in 1906, with over 2,500 net tons, and they are now building *five fine, large,* and modern new steamers which are almost ready for launching, three at the *Cramp shipyards* and two at the *Bath shipyards;* which would make, all told, eleven, or more than enough to supply the fleet to engage in this commerce; and none of these ships are *especially qualified* so *that in case of war they would be of special benefit* to the *American Navy;* and while these ships are now engaged in the coastwise trade on the Atlantic coast, they could easily be taken out of that service and put in the South American service *and reap* this *rich subsidy* which you propose in this measure. It would bring them such a *handsome profit that* the coastwise trade would be *no temptation* to them whatever; and another *great injustice* would be done the American people by taking out of this coastwise trade these vessels that are now engaged in it, thereby limiting the supply of ships and increasing the demand for those engaged in the trade and crippling the coastwise business and increasing the rate of transportation, which this and previous Congresses have been trying so faithfully to lower and regulate for the benefit of the people. This subsidy or money which you propose to pay to the parties who secure the contract to carry the mail to the South American ports, as provided for in this legislation, *is unreasonable, exorbitant,* and far in excess of the amount necessary to encourage such a line. *I am advised by a man who knows* that it is enough to pay *all* of the *expenses of a fleet,* and any trade or tonnage that it might and will carry will be *all profit;* and if that is true, *and this committee should know whether or not it is true, this proposed subsidy is entirely too large.*

While I am on this subject and at this point I desire to submit some *facts* and *figures* and *information* which I could not get from the committee, and no one else could get it unless they were in favor of this subsidy bill. I secured my information from other sources. *It is the best I could get.* I am sorry it is not in report form and on the desks of all Members, so you all could have it, but I have it and I wish to refer to it now while I am on this eastern coast and at this particular part of this legislation.

Mr. MINOR. Will the gentleman permit?

Mr. WILSON. I will be glad to yield to the gentleman.

Mr. MINOR. I desire to say to the gentleman I am really sorry the gentleman from Illinois casts such a reflection upon the committee.

Mr. WILSON. I am sorry I am obliged to cast such a reflection upon the committee.

Mr. MINOR. I want to say to the gentleman that there never was a right accorded to any member of the committee that was denied the gentleman from Illinois, and if he has not obtained the information, if the committee had it, it was because the gentleman did not ask for it.

Mr. WILSON. If I had the same information the gentleman from Wisconsin had I would have gotten it in the same way he did, and the way he got it was a way I was not in favor of getting it. He knows it as well as I do. He knows this bill was *considered at dinners, night after night,* and I was not invited, and *other members* of the committee were not invited, and that is when you considered this measure and when you brought it out.

Mr. MINOR. Mr. Chairman, night after night——

Mr. McCALL. Mr. Chairman, I rise to a point of order. I submit it is not in order to refer to what took place in committee or between members of a committee.

Mr. SULZER. *He complains about what did not take place.*

Mr. MANN. *The trouble was* it *was not* a *committee meeting.*

The CHAIRMAN. The Chair has not been following very closely the speech of the gentleman from Illinois when interrupted; but the Chair will say to the gentleman from Illinois that to refer to proceedings in a committee is not in order.

Mr. SULZER. He referred to *proceedings* at a *dinner.*

Mr. GROSVENOR. I regret very much that the gentleman's argument should be interrupted by any objection either by the Chair or on the floor.

The CHAIRMAN. The gentleman will proceed in order.

Mr. WILSON. I am glad the gentleman from Ohio feels so kindly toward my argument. I will assume that it does not agree with his ideas as to this bill, and he very likely will reply to it, and I hope he does, and I expect to be here when he replies to it.

Mr. GROSVENOR. Mr. Chairman, I pledge myself never to reply to it.

Mr. WILSON. I *will ask* the *gentleman* to *reply to it.* I will ask the gentleman to *answer some questions* that I will *put* to *him now,* and advise this committee on them. Mr. Chairman, as I said a few minutes ago, I have taken the pains to secure some information. The longest line on the Atlantic coast, from New York City to Buenos Ayres, is supposed to be 6,000 miles. It pays a subsidy of $800,000 under this proposed bill. I have taken the pains to ascertain whether or not this subsidy of $800,000 per year was enough money to pay the ships that might take advantage of this opportunity to carry our mail to South America. For example, I took the vessel the *Morro Castle,* of over 6,000 tons and 18 knots speed. I find, from my best information, *and it is true* that this *Morro Castle* uses 110 tons of coal per day; that the average pay of the crew of this vessel is $140 per day, and the cost of feeding this same crew is $78.10 a day, and that the cost of bunker coal, including the trimmings, is $3.40 per ton, which are the actual expenses of running a vessel—less repairs, which I am unable to estimate. At the rate of speed it is supposed to make it will take about thirty days of continuous sailing to make this trip from New York City to Buenos Ayres, South America, and return. Of course that does not include the stop it may make at two or three different ports on the way, or the length of time, but I do not know how many stops it will make. I do not know how much time it will spend at each stop, and the only thing that I could do was to compute the actual number of days of sailing it would take this vessel in making a trip, and I find it is thirty days and that it would consume 3,300 tons of coal, at $3.40 a ton, which would be $11,220. That is the price of the coal at New York, according to this information, and I have information from other statistics that I have gathered that it was less than $3 a ton in 1906. But the difference, I understand, provides for putting the coal on the vessels and all the expenses incident thereto.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. WILSON. As soon as I get through with this I will be glad to do so. That means that the price of coal is $11,220. The wages of the crew of this same vessel for thirty days is $4,206.30, and the food that the crew will consume in that length of time is $2,243, making, *in all, $17,669.30* cost per ship. The subsidy that is provided for in this bill—and the gentleman from New York [Mr. LITTAUER] made the statement on the floor of this House and it was made in our committee—is $800,000, which provides for *$30,770 per trip.*

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILSON. Mr. Chairman, I would like permission to complete this computation which I have for the benefit of the House and the country.

Mr. GOULDEN. How long will it take the gentleman to complete?

Mr. WILSON. Thirty minutes.

The CHAIRMAN. The gentleman is recognized for thirty minutes longer.

Mr. WILSON. As is shown, the exact expense is $17,699.30 in making one trip, and the subsidy provided under this bill is $30,770 per trip, leaving, if you please, a net profit on that trip of $13,070.70. And if they make twenty-six trips, and they should to take advantage of the fortnightly service, the profit in one year would be $339,838.20, and under this contract for ten years it would mean a net profit of $3,398,382 from the subsidy provided for under this bill. This *profit* from the subsidy would more than pay for all the ships on this line. It would make the shipowners very, very happy and grateful and prosperous, to say nothing about the freight and passenger hire,

which would grow to immense proportions and amounts. *These are figures and facts I ask the gentleman from Ohio to contradict.*

Mr. Chairman, I may not have computed all of the expenses incidental to the running of a vessel, but I contend that I have computed the greatest expense and the most of it, and the greatest of it is *coal* and *labor* and *food*. The other expenses that might come under this are wear and tear, insurance, and the natural decay of a vessel that is run year in and year out. But, if you please, Mr. Chairman, these vessels which make these trips are supposed to carry some freight; they are supposed to carry a few passengers; and if they carry freight and passengers, they will be paid for so doing, and that sum is to be added to the subsidy profit as a profit.

Mr. WANGER. How many men does it require to man this ship?

Mr. WILSON. I have the statement. It requires 128 men on the *Morro Castle*.

Mr. WANGER. And the gentleman allows two hundred and fifty-odd dollars for thirty days' sailing?

Mr. WILSON. Oh, no. I allow for thirty days' sailing $4,206.30. I tell you how I have done it. The cost per day of the crew, as this letter shows, is $140.21, and thirty days would be thirty times that, which is $4,206. The cost of food is $78.10 a day, and for thirty days would be $2,243. You will see the cost of food at $78 a day for thirty days would be $2,243. You will find that my computation is right, and according to that there is a profit, as I said, of over $3,398,382 in a ten-year contract, which provides for $8,000,000 from the Government; *and I contend that it is too much*, and if it is too much in this line, *I contend that it is likely to* be *too much* in the other lines.

Mr. PRINCE. Will the gentleman yield to a question? Will you be kind enough to state to the House what the first cost of that vessel is?

Mr. WILSON. About $650,000, and it would take three vessels, with a total cost of about $2,000,000. The vessels would be paid for out of the *subsidy profit* in six years.

Mr. PRINCE. About 20 per cent on that?

Mr. WILSON. About $650,000, as I remember, was the first cost of this vessel. It might have been more; it might have been $800,000. But let it be $800,000 or a million; the expense of running the vessel would be no more.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. WILSON. I will be glad to do so.

Mr. HUMPHREY of Washington. The gentleman knows, in making his statement to the House, that the vessel of which he speaks is now under contract with the Government to run to Cuba and receiving a compensation equal to what it would receive under this contract.

Mr. WILSON. I know it is not, and I would not care if it did. I use that vessel as an example to show to this House and to the people of this country that this sum provided for under this bill is unreasonable, unwarranted, and altogether out of proportion to the amount that is needed.

Mr. HUMPHREY of Washington. I admit that the gentleman's argument is legitimate in that particular. But a few moments ago the gentleman was arguing that this vessel would take much of the subsidy.

Mr. WILSON. I said that it could take advantage of it, possibly. I do not know that it can, and I do not know that the gentleman from Washington [Mr. HUMPHREY] knows that it can not, and I don't care. Its the principle I am talking about.

Mr. HUMPHREY of Washington. I know it is under contract.

Mr. WILSON. I have no information that it is under contract. There were no hearings before our committee that it is under contract. The members of this committee do not know whether it is under contract or not. And if the Members of this House care to learn, they must go, as I have gone, to the different Departments of this Government or write letters and secure the information for themselves.

*Mr. Chairman, the people of this country* are not in sympathy with any legislation which will pay a private enterprise's expenses and give them full rein to make such exorbitant profits. It is not the *spirit of the times*. The subsidizing of special interests is *unpopular, unjust*, and *contrary* to the wishes of the *American people* and the *spirit of the Constitution;* and we now see in many cases the folly of such laws as were enacted by our forefathers. The spirit of the times is more to take a hand in the supervision of public enterprises like this and to see that no exorbitant profits are being made on capital invested as a result of overcharging the patrons of their enterprises and to see that a fair deal and fair show is given everyone, and that money or owners of wealth shall not be supreme and defeat all equities in commercial or business life. In other words, this Government is supposed to have a fatherly care for all of its people. It is supposed to see that all men and business enterprises are treated fairly and equally, and we are here for the purpose of seeing that such a spirit is duly exercised. *No man would willingly, consciously, and honestly legislate this sum of money to any enterprise if he knew or if he believed that the sum proposed was out of proportion with the sum required* to make this business reasonably profitable. *And he should know* before he casts his vote for this or any like measure, and if he does not know, *and you do not*, he should vote against it. If any subsidy is ever legislated by this Congress—and I hope there will be none—I for one trust that it will be legislated in such a manner that the Government may maintain supervision over it. Let such subsidy depend upon the requirements, the business needs, after a thorough investigation by the Government each year.

Let us learn something about their business. Let us ascertain what they do and how much they need each separate year to pay only a reasonable profit on money invested. I am sincerely opposed to a maximum subsidy, a guess, a hit-or-miss sum or policy, or a lump subsidy for ten years, and there are many reasons for it; but the main reason is that if this contract is entered into it is irrevocable. As soon as a line is established to the South American ports the commerce between the two countries may soon be enough to pay the expenses and make it a profitable business without any subsidy; and if such would be the case this Congress would be *rightly accused* of *ignorantly or maliciously legislating millions* upon *millions* of *dollars* of the *people's money* to *private enterprise*. The *policy* is *un-American*. The *demands* are *unreasonable*. The people of this country are not in sympathy with this movement. If we are to vote a mail subsidy to the American merchant marine of this kind and the spirit of it is *solely* for the building up of an enterprise and *creating better* and *closer relationship* between *this* and some *foreign country*, which is to be for the *benefit* of all of the *people* and the *American merchant marine*, let it be given for the *sole* and *only purpose* of *encouraging* and *building* up our *merchant marine* and *our commerce*, and let the business men who believe in the undertaking or enterprise devote some of *their patriotism, pride*, and *business ingenuity* for and in consideration of the help we may give them. Let us go into an *open, honest, frank business deal*—one in which the *pioneer* of this enterprise wants only a *reasonable* interest on the *actual* money invested and the *honor* that he would have in the hearts of his countrymen. It might take three or four hundred thousand dollars the first year or two from our Treasury, but I will venture to say that it would grow much less each year and that in ten years a successful business enterprise would be established *without expense* to the *Government*, as has been the case in many lines of transportation on land and sea. Give this aid to an *ambitious, patriotic, energetic, up-to-date American business man*, such as *this country alone has known*, and then you will have your merchant marine.

On the Pacific coast the majority advise us in their report that there are perhaps one-half as many American ships on the Pacific coast as would be needed to take advantage of the contracts as provided for by this subsidy, and that the owners of these ships must have this subsidy or help, or they will either be laid up or sold to some foreign nation. I have heard that remark so many times that if they do not stop repeating it I will believe it, as some others do. Their old threat to sell to a foreign nation unless we give them money is unpatriotic and unworthy of an American merchant. It is a hold-up game, nothing more. I have heard it in our hearing before our committee on the Senate bill. I have read it in the hearings before the Commission. I have heard it in private conversation. I have heard it on the floor of the House. I heard it two years ago. I heard it four years ago, and still their threat has never been carried out; but in lieu thereof they have continued to carry the traffic of the Pacific coast and the other ports, and they are doing it to-day. *There is absolutely no truth in their statements to that effect*, as is shown by the testimony of Mr. Schwerin, of the Pacific Mail Steamship Company, during the hearings before the ship-subsidy Commission at San Francisco, Cal., in August, 1904, when he said, in talking about the cost of operation of vessels and the business his company was doing: "The *Korea* and *Siberia* cost the Pacific Mail Company about $3,400,000 to construct and put upon the seas. The *Mongolia* and the *Manchuria* cost the same company for the same purpose about $4,500,000. The *Korea* and the *Siberia* were built in 1902. They carry over 11,000 gross tons each, with a speed of 18 knots per hour. They are now traveling from San Francisco to China and Japan by way of Hawaii. They are two of the several vessels belonging to the Pacific Mail Company which

are used as an outlet and a feeder to the great transcontinental railroads belonging to the system controlled by E. H. Harriman." Mr. Schwerin stated that they had paid off on the indebtedness of the *Korea* and *Siberia* up to the end of the fiscal year ending June 30, 1904, it being two years or thereabouts of service, the sum of $2,700,000, and at that time there still remained owing on these two ships about $1,300,000, from which statement it can plainly be seen that there is a profit now being made in the foreign trade of this country by America's merchant marine. *They are traveling side by side with* the Japanese and other foreign steamship lines. They are doing their loading and unloading at the same ports. They are receiving the same compensation for carrying this trade that these other vessels are receiving, and their agreement is so complete that they have the same agencies, that they use the same time-table, that they advertise together, that their vessels do not conflict with each other in departure. I claim that they have a business arrangement, a gentlemanly agreement, and there is practically no competition between them to-day. The arrangement is so complete and so harmonious and so agreeable that a splendid profit is maintained by all interested and concerned.

There are three distinct lines on the Pacific coast that are in such dire need and distress and so badly in want and on the verge of destruction that they are about to pick up their anchors and *float away*, never to be seen and heard of again, because the American people will not pay subsidy for their maintenance. They are not making enough profits to fill the coffers and swell the bank accounts of several multimillionaires of this country. They are so poor and needy that they want us to buy their little patriotism with a few million of dollars of the people's money.

The first line as provided for under this proposed bill, in accordance with section 4, for the line from the Pacific coast to the Isthmus, Peru, and Chile, is a line which is now owned and controlled by that splendid general of finance; by that splendid American citizen; by that splendid builder of American enterprise; by that splendid general of Wall street; by that splendid American financier, who has grown up from obscurity to the top round of the financial ladder of fame, to the highest pinnacle of American industrial wealth; by that man who has at all times under his control in the banks of New York $100,000,000 to be used for the purpose of building or buying great railroad or steamship interests; by that splendid American citizen who has in a day or a night so manipulated the market of a certain product or enterprise that tens of millions of dollars have been lost by the unsuspecting public and millions and millions gained by these high financiers. By a single expression he has created such competition in certain enterprises that the business was done at a loss and the weaker ones eventually fell into his power and under his supervision. Then by one magnificent stroke of his this same enterprise picked up the broken threads of destruction and commercial ruin and became thriving and prosperous, and the people, the patrons thereof, paid the bill.

*The records of financial ruin* are full of many such cute, shrewd commercial dealings. *The hearings before the Interstate Commerce Commission* show that this same man purchased the Coos Bay property for a sum far in excess of its value, simply for the purpose of stifling competition, and *how this same man acquired the Oregon Railway and Navigation Company in 1901* and immediately circulated literature in China and Japan warning merchants and others not to ship over the Graham lines, "the Oregon and the Oriental," as it had no transportation facilities on this side of the ocean, and after an immense expense of money, energy, and time the Graham lines went out of business and left the trade with Japan, China, and the Orient in his control so far as the output of his immense lines of railway between the Pacific coast and the Atlantic coast, with all of its tributaries, is concerned; and do you believe that after this stifling of competition had been accomplished by him that the transportation for our exports and imports became materially reduced? Do you believe that he put these competitors of his out of business and purchased their properties for the good of the American people and for the purpose of keeping freight rates and transportation at a more reasonable price? And do you believe that he will still lower the price of transportation and freight rates as soon as he receives this splendid sum of many millions of dollars as a subsidy, and that he will spend the greater part of it in bettering the condition and wages of the common seaman? Do any of you people think that if this subsidy is voted to the special interests that it will in any material manner affect the transportation and the freight rates to and from foreign countries, or will it better the lines that are now established and doing a good and profitable business?

Section 5 of the proposed bill provides for a subsidized line from the Pacific coast to Hawaii, Japan, China, and the Philippines; and I wonder who is there now indulging in Pacific trade that cares to enter into competition for the commerce of the world with this same splendid American when he has now established a well-defined line of ships connecting directly with the Southern Pacific Railroad Company on the Pacific coast at San Francisco with a line of steamships running by the way of Hawaii, Japan, China, and the Philippines? A well-established and a well-equipped line with an advertised trade and travel. He now has in this same line the following ships, *Manchuria*, *Mongolia*, *Korea*, *China*, and *Siberia*, carrying with them 55,000 tonnage, with a sufficient rate of speed. *They are doing good business;* they have been doing good business, and they are making money on the actual capital invested. *They are growing greater and greater* every year, and it will only be a matter of a few years, and I may say long before this proposed subsidy is exhausted, that it will be one of the most paying branches of their lines of transportation from the Atlantic coast to the Orient. *It is now nothing more than a continuation of his railroads across the seas.* These two proposed lines will run from San Francisco, one to South America, and one to the Orient. They will be known *as the outlet for the southern railroad companies.* One of them is well established, the other is partially established. Both of them are owned and controlled by the same man, and both of them will receive these same millions of subsidy as proposed in this bill; *and this same subsidy will not provide a cheaper freight rate nor a better service.*

Section 6 of this proposed bill provides another subsidized line from the Pacific coast to China, Japan, and the Philippines. Of course this provision in the law is as indefinite as the others; *but we must look at it from a practical standpoint*, we do not know from which point this line will start. We must speak of it frankly, and in my mind, and I believe in the mind of every member of the committee, this is for a line from Seattle. There is and can be no doubt about it, *or in other words, it is a continuation of* the *Great Northern Railroad Company to the Orient over* the *deep waters* of the *Pacific Ocean.*

There is to-day a well-established line over that route. It is the finest line of steamers floating the American flag. They are newly built and modernly equipped in every possible way. There are four of them in number, and as follows: *Minnesota*, 20,700 tons, 14½ knots speed; *Dakota*, 20,700 tons, 14½ knots; *Shawmut*, 9,600 tons, 14 knots; *Tremont*, 9,600 tons, 14 knots. They carry in the aggregate 60,000 tons and have 14 knots of speed. *They are there in reality.* They have an *established line. They* have an *established trade. They have* an *established business. They have advertised.* The people that do business on this line will continue. *No competitor could venture* on the seas in the same course with the subsidy which is provided under this bill. There is no place for them to go. There is no trade that they could get. There are no people that have the nerve and the enterprise and the wealth and the patriotism to bid for this subsidy in competition with the Great Northern Railroad Company, and if this steamship line is a continuation of the Great Northern Railroad Company across the seas the Great Northern Railroad Company will be the beneficiary under this bill. Mr. Chairman and representatives of the American people, I ask you, down deep in your hearts, as representatives of your constituency, do you believe that the Great Northern Railroad Company needs these extra millions of dollars for the purpose of staying in business and satisfying the stockholders with a larger dividend? Do you believe any other line would bid for this unless it was a part of the Great Northern Company? Do you believe that your constituents will sustain you in voting for this proposition to help along the Great Northern Railroad Company? How many of you have constituents in your district who are stockholders in this company who would get a part of these millions, and who of you have not constituents who would pay a part of these millions to this railroad company? Whose constituents are not sufficiently taxed to-day in the interest of these enterprises?

The seventh and the last provision for a subsidy in this bill is from the Pacific coast by way of Hawaii and Australia. It is more specific than the previous sections, as it specifically provides for a subsidy of $200,000 per year to be paid for a line which is now in the service to the same ports and a line which is now receiving $293,000 every year for carrying the mails of this country—*a line which is also well established and doing business and getting a subsidy from other countries for carrying* their mail to this country, of many thousands of dollars, but which comes to this Congress begging for more money to help pay more dividends; begging for money and promising if it does not receive it it will break its contract with the Government. Were we hired to come here and vote a large sum of our money to a concern which claims that if it does not secure its price

that it will break its contract or agreement deliberately and willingly reentered into with the Government? *Is that patriotism that* we are to *buy from them* for a *price* the *kind of patriotism* that *will establish markets* and *commerce* in *the foreign world?*

Mr. Chairman, I contend that this bill is full of deceit and double meaning. There is absolutely no doubt in my mind, and I hope that there is none in the minds of the Members of this House. I claim that each provision of this bill is specifically a provision for certain shipowners, shipping interests, or shipping lines that are now established and plying in their trade. The subsidy which provides for a line from Seattle to the Orient is an extension of the Great Northern Railway Company across the seas, and section 6 should state that this $700,000 a year is to be paid to it. No other man or company could or would compete with it in this trade, and if they did exist, it would use every effort at its command to stifle the competition and put such man or concern out of business. That has been its record on land and we have every reason to believe that it would be the same on the seas.

Sections 4 and 5 are sections which specifically provide for a subsidized line or lines, now owned and controlled by the Southern Pacific Railway Company, and we all know there is not a doubt in the mind of any man that the Southern Pacific Railway Company would stifle and crush any concern, if it was in its power, that would come into this territory for the purpose of taking away from it any part of the trade. These two sections provide for lines running from San Francisco out into the seas. They are to be the outlets of the products of the great lands and industries in the North, the West, and the Middle West, through which this great system of railroads runs, and these railroads so owned and controlled will deliver their freight to this line of steamers and to no one else. These railroads have the absolute control of the traffic of that part of this country. The hearings before the Interstate Commerce Commission and other inquiring boards are full of testimony telling us of the manner in which competitors are put out of business and competition and industries are destroyed; and for that reason and for many others I say there is absolutely no doubt, in my mind, that these subsidies are special provisions for the Southern Pacific Railway Company and should so state in the language of this bill, if you intend to be honest.

Section 7 is more specific, and plainly states that the $200,000 a year provided for in this bill is in addition to the compensation now provided for under the contract with the Government to the Claus Spreckels Line, which is now receiving $294,000 per year and which Mr. Spreckels claims is not enough, although he knowingly and willfully reentered into a contract for that price with the Government. He also receives a subsidy of many thousand dollars per year from foreign countries for same ships and on same run.

The subsidy under sections 1 and 2 belongs to none other than C. W. Morse, of Boston and New York, who has under his ownership and control sixty-seven of the finest vessels on the Atlantic coast, plying in the coastwise trade, and since this bill was reported from the committee he has been negotiating for several other Atlantic steamship lines, and has recently purchased what is known as the "Ward Line," for $20,000,000 or more, giving him a total of nearly a hundred vessels.

*Mr. Chairman, what does this mean? Does it not mean that he is bidding for this subsidy,* and that *he expects to get it,* and that he is making every preparation to secure it? And does it not further mean that he is endeavoring to *monopolize* the *coastwise trade* and *vessels* of the *Atlantic coast?* And with this subsidy and the immense shipping interest which he has he will be able to put out of business practically every line and *absolutely control* the *transportation* and *traffic* on the *Atlantic coast. If the subsidy helps one line, it will injure the others to such an extent that they will be unable to bear up under it.* The subsidy which is mentioned under this bill as the mail subsidy is a sham and a fraud. It is not a mail subsidy. A mail subsidy is for the purpose of bringing this country and foreign countries in closer commercial touch with each other. It is supposed to be for the purpose of increasing our trade relations. It is for the purpose of securing and taking more orders for business. That manner of doing business has long since passed, and to-day it is estimated that over 90 per cent of all the business done between foreign countries is done by cablegram. This busy business world can not afford to wait for weeks and weeks for the coming on of orders which may never come. Consequently there has been established in every large city of this and foreign countries boards of trade and brokerage houses which buy and sell to be delivered at some future date the products of their respective countries. The price at the day of purchase may be more or less at time of delivery. It is purely a case of speculation, and we can plainly see the inconsistency of doing business by mail over the seas. The most important mail matter that the vessels would carry would be composed of advertising matters, dun and love letters, and the most important business of these same subsidized mail vessels would be in the freight that they would carry, and the subsidy *which they would receive would enable them to absolutely put out of* business *all competing lines in their course. The subsidized ships under this law may go into the coastwise trade, and if they do, they will destroy competition and build* up the *greatest monopoly in the world in transportation.* This subsidy bill provides for payments to lines that are already in operation. *There is no defense for such appropriations,* and if Congress insists on making them, the members of this body will very likely hear from their constituents on the subject. Mr. Chairman, the Great Northern Railway Company, the Southern Pacific Railway Company, and the Spreckels Steamship Company, who own these well-established lines, do not look *well as applicants for public charity.*

While this bill professes to provide better mail facilities between this and the foreign countries and relies on that provision for the justification of its passage, the bill, if passed as it now stands, will not accomplish such results, so far as the oriental service, at least, is concerned, unless our Post-Office Department continues to pay for mail service and mail subsidies as now exist in that service.

On page 25 of the report of the superintendent of methods of the Post-Office Department the superintendent says:

By means of steamers sailing three or four times a month from San Francisco and three or four times a month from Seattle or Tacoma mails for Japan and China have been dispatched not less than seven times a month.

These mails have included articles for the Philippines, but mails for the Philippines have also been dispatched by Army transports, which sailed from San Francisco for Manila about every twenty days. Correspondence for Japan and China has also been forwarded to Vancouver, British Columbia, for dispatch per steamers leaving that port about every three weeks, when the delivery of the correspondence would be thereby expedited.

Mails for the Australasian colonies have been dispatched from San Francisco once every three weeks by means of the contract steamers of the Oceanic Steamship Company, the transit time from San Francisco to Sydney being twenty-one days and mails being delivered en route at Pago Pago.

Advantage is also taken of the opportunities offered for the dispatch of correspondence for those colonies by means of the Canadian Line of steamers, sailing from Vancouver, British Columbia, once every four weeks.

The Oceanic steamers and those from Vancouver, above referred to, call at Honolulu, and most of the steamers en route from San Francisco to Japan and China usually call at Honolulu. Including the service under domestic mail contracts between San Francisco and Honolulu, there were from seven to ten opportunities a month for communication by mail with Hawaii, and generally there are not less than eight.

Mails for Japan, China, and the Australasian colonies are forwarded from San Francisco to Honolulu, to be transferred there to steamers sailing from Vancouver and calling at Honolulu en route to those countries, and mails for the United States arriving at Honolulu by steamers bound for Vancouver are transferred to steamers sailing from Honolulu to San Francisco. By such transfers the delivery of the mails so transferred is expedited by three or four days.

Mr. Chairman, in conclusion I say that our mail facilities to foreign countries are ample; that few, if any, new vessels would necessarily be built; that these exorbitant amounts of subsidy are to be paid mostly to steamship and railroad companies now in existence and doing a good and profitable business, and that the $40,000,000 carried under this bill will be a drain upon our Treasury and a wicked waste of the people's money. [Prolonged applause.]

Mr. GROSVENOR. Mr. Chairman, the Commission appointed by Congress to take testimony and report to Congress in relation to the merchant marine of the country printed its own record, on the order of the chairman, Senator GALLINGER, and there were furnished to any Member of Congress who desired them the three volumes of the printed testimony. I never had but one copy myself. I could have obtained more. I knew how to get more if I had wanted them. The hearings before the committee on the pending measure, which hearings occupied three days in the month of April, were printed, 8,000 copies of them, under the authority given to the committee by order of the House. A copy of those hearings was put into the post-office, in the mail box of every Member of this House, and a sufficient number were retained, so that each Member could have had ten or more copies if he had called for them. There are thousands of those copies in existence now.

Mr. WILSON. Mr. Chairman——

Mr. GROSVENOR. Let me finish my statement. There have been several documents printed by order of the committee since that time. The majority report and the minority report have been printed, first by the House, and then the majority report reprinted by order of the committee. There have also been printed the President's message, the speech of the Secretary of

State, and each document, without a single exception—I challenge contradiction, and I denounce any other statement than that as utterly false—has been put into the box of every Member of this House.

Mr. WILSON rose.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Illinois?

Mr. GROSVENOR. Not at present. Moreover, there has never been a time when there was a lack of these documents available for any Member of the House who would call for them. But we have been extremely careful to put into the box in the post-office a copy of every document that was printed by order of the committee.

Mr. McCALL. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Massachusetts?

Mr. GROSVENOR. Yes.

Mr. McCALL. Will the gentleman undertake to have the committee informed before the conclusion of the consideration of this bill what would be the reasonable cost of one of these ships and what would be the cost of operating?

Mr. GROSVENOR. One of what ships?

Mr. McCALL. One of the ships that will meet the requirements of the provisions of the bill. I think that is a very important matter.

Mr. GROSVENOR. I will have an official statement here tomorrow at an early period of time.

Mr. WILSON. Were the hearings that the gentleman from Ohio just referred to in relation to the bill which is now under consideration, the amended bill?

Mr. GROSVENOR. There were no hearings had after the amended bill was brought into the House.

Mr. WILSON. Did the original bill, upon which the hearings which you refer to were had, carry with it the same provisions as the bill now under consideration?

Mr. GROSVENOR. Not entirely the same.

Mr. WILSON. Are the amounts of subsidy to be paid under the bill now under consideration the same amounts as were to be paid under the bill which was considered by the committee?

Mr. GROSVENOR. Certainly not.

Mr. WILSON. That is exactly my position.

Mr. GROSVENOR. Well, it is exactly the position of every intelligent member of the committee.

Mr. Chairman, I now yield five minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Chairman, in the brief time allotted me I simply desire to put myself on record as favoring this bill, with a few reasons therefor.

First, as an ardent and consistent Republican, I stand firmly for what I consider a fundamental principle of that party, viz, "Protection to American industries." American shipping engaged in foreign commerce is the only industry in this country that is not now nor has it for many years been protected, and as a consequence foreign subsidized competition has almost driven our shipping off the seas.

Foreign governments, in their anxiety to develop their trade, have granted liberal subsidies. It is estimated that over $8,000,000 is now paid annually by our foreign competitors to their steamship lines. With such a fearful handicap, how is it possible for our shipping to survive? It is not natural, but subsidized competition with which we have to contend. Even little Spain, whose navy we wiped off the sea, is endeavoring to build up a merchant marine and is granting liberal subsidies to its steamship lines.

From 1800 to 1861 our country was second in ocean supremacy, being excelled only by England, the "mistress of the seas." Under the wise counsel of all of our Presidents, from Washington, Jefferson, Madison, down to Polk, the policy of the Government favored and fostered our foreign commerce, with a tonnage tax on foreign bottoms. The Democracy, however, under unwise leadership, finally took off those duties and tonnage tax, and our foreign shipping declined rapidly. At that time American ships were carrying 65 per cent of our foreign commerce. Last year it was less than 10 per cent.

Is it not time that we were awakening from our Rip Van Winkle sleep and, under advice given us by our Republican Presidents—Grant, Harrison, McKinley, and Roosevelt—take some vigorous steps toward reestablishing our merchant marine and wrest from our foreign competitors the supremacy of the seas?

Foreign companies now monopolize nine-tenths of our ocean trade and receive each year over $200,000,000 for carrying our foreign mails, freight, and passengers.

As a representative of the greatest manufacturing center, not only of America but of the whole world, I am deeply interested in this matter. Our manufacturers have been so busy in supplying the home demand of this great country that they have virtually neglected the foreign market, so that we to-day are only exporting 5 per cent of our manufactures. But we are increasing our facilities so rapidly, giving work at remunerative wages to all who desire to labor, that the supply is now almost equal to the demand, and if we desire to keep up this prosperous condition we must soon look abroad for a market for our surplus, like our foreign competitors are now doing.

England and France now send to other countries 75 per cent of all their manufactures; Germany, 25 per cent, while, as I said before, this country only exports 5 per cent of its manufactures. These foreign nations, through the agents of their subsidized steamship companies, are constantly seeking freight and developing new markets for their wares, advising and posting their manufacturers as to the particular wants and peculiar designs desired in South American, South African, and oriental countries; also giving advice as to the necessary mode of packing for convenience of sale and handling, as well as conforming to the peculiar ideas and usages of these foreign countries. The only such advice our manufacturers receive is the little which is forwarded by our diplomatic and consular officers abroad.

With the completion of the Panama Canal and a 9-foot channel down the Ohio and Mississippi rivers, Pittsburg will have almost seaport advantages and can ship her great products (mostly of a heavy and bulky nature) by cheap water rates to all parts of the globe, thus enabling her to successfully compete with Germany, who is to-day almost her only rival in the manufacture of iron, steel, and glass.

Many of my hearers may be unaware of the fact that Pittsburg, known as the "Iron City," began her unparalleled career in manufacturing by building ships. Early in the last century, in 1804, I believe, one of the ships built there (the *John Adams*) floated on flood waters down the Ohio and Mississippi to the Gulf and carried the American flag around the world, being one of the first to carry the new flag into oriental waters.

For what reason are we providing for the expenditure of two or three hundred million dollars for the construction of the isthmian canal if it is not to benefit and improve our ocean traffic? Shall we sit supinely by and permit our merchant marine to be supplanted by foreign ships and see the pitiful 10 per cent of our foreign commerce now carried in American bottoms transferred entirely to other flags? Is this glorious emblem of universal freedom that fifty and seventy-five years ago floated from the peak of American ships in every clime and on every sea only to be found upon the comparatively few battle ships and cruisers we have in foreign waters? I can not, I will not believe it.

Another feature of this bill that commends itself very strongly to me is the provision for building up a naval reserve of skilled and hardy young Americans. As stated in the very able report accompanying this bill, the United States is the only important naval power that has no naval reserve of trained professional seamen. While some of the States, my own among the number, have a small volunteer naval militia, they are not composed of men habituated to the sea. This measure if enacted into law will furnish a fine body of men, estimated at 10,000, thoroughly inured to the sea, ready at the call of the President in case of war to man our battle ships and cruisers or to handle the numerous auxiliary fleet, such as transports, colliers, supply ships, etc., and assist our men behind the guns to wipe off the seas any foreign foe that might attack us.

What was the secret of the success of little Japan in first bottling up the fleet of her proud and haughty foe and then demolishing them so quickly and completely, as Dewey and Schley did the Spanish fleets at Manila Bay and Santiago? To my mind one of the great factors was the hardy, seasoned fishermen of that island kingdom that constituted Japan's naval reserve, which with a little training became a counterpart of our typical "men behind the guns," to whom Admiral Dewey gave such credit for his victory.

Now, as to the cost of all this. The committee report that it will not cost the American people one dollar, the money collected for sea postage defraying all the bounties, expenses, etc.

In conclusion, I will state frankly that while this bill to my mind does not go far enough, yet it is a step in the right direction, and when followed up by future legislation, as I am firmly convinced it will be after a fair trial, even our Democratic opponents, who are so strongly opposed to protection in any form, will be compelled to admit its inestimable advantage to the whole country. [Applause.]

The CHAIRMAN. The committee will now rise under the order of the House to dispatch business mentioned in that order.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that

committee had had under consideration the merchant marine ship bill and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that bills of the following titles have been found correctly enrolled; when the Speaker signed the same:

H. R. 17814. An act granting an increase of pension to Simon E. Chamberlin;

H. R. 21413. An act granting an increase of pension to Mary S. Platt;

H. R. 21788. An act granting an increase of pension to Satina A. Waymer;

H. R. 21818. An act granting an increase of pension to William Hardesty;

H. R. 21827. An act granting an increase of pension to Francis Murray;

H. R. 21899. An act granting an increase of pension to Catharine Koch;

H. R. 21911. An act granting an increase of pension to George Newton;

H. R. 21914. An act granting an increase of pension to Ferdinand Pahl;

H. R. 21974. An act granting an increase of pension to John W. Lowell;

H. R. 21983. An act granting an increase of pension to James E. Pusey;

H. R. 22055. An act granting an increase of pension to Maria Lorch;

H. R. 22063. An act granting an increase of pension to Horace F. Packard;

H. R. 22093. An act granting an increase of pension to Lars Isaacson;

H. R. 22165. An act granting an increase of pension to John Hand;

H. R. 22169. An act granting an increase of pension to Cynthia M. Bryson;

H. R. 22170. An act granting an increase of pension to Benjamin James;

H. R. 22175. An act granting an increase of pension to Charles Prendeville;

H. R. 22199. An act granting an increase of pension to William Templin;

H. R. 22216. An act granting an increase of pension to Griffin A. Coffin;

H. R. 22251. An act granting an increase of pension to Samuel Manly;

H. R. 22260. An act granting an increase of pension to James E. Bissell;

H. R. 22283. An act granting an increase of pension to Stoddard Caswell;

H. R. 22294. An act granting an increase of pension to Perry Lamphere;

H. R. 22302. An act granting an increase of pension to Burrell H. Gillam;

H. R. 22326. An act granting an increase of pension to Mary Levina Williams;

H. R. 22327. An act granting an increase of pension to Isabel Manney;

H. R. 22328. An act granting an increase of pension to Susan Baker;

H. R. 22329. An act granting an increase of pension to Margaret L. James;

H. R. 22330. An act granting an increase of pension to Mary C. Jones;

H. R. 22426. An act granting an increase of pension to Louisa E. Robertson;

H. R. 22441. An act granting an increase of pension to Jacob Mose;

H. R. 22468. An act granting an increase of pension to William Kelso;

H. R. 22503. An act granting an increase of pension to William A. Clarke;

H. R. 22529. An act granting an increase of pension to William Truett;

H. R. 22540. An act granting an increase of pension to Richard Turnbull;

H. R. 22547. An act granting an increase of pension to John Hickcox, jr.;

H. R. 22548. An act granting an increase of pension to Franklin H. Davis;

H. R. 22562. An act granting an increase of pension to George J. Abbey;

H. R. 22592. An act granting an increase of pension to Andrew J. Frayer;

H. R. 22613. An act granting an increase of pension to Isaac G. McKibban;

H. R. 22617. An act granting an increase of pension to Margaret O'Reilly;

H. R. 22629. An act granting an increase of pension to Josiah N. Pratt;

H. R. 22630. An act granting an increase of pension to George Wiley;

H. R. 22650. An act granting an increase of pension to Thomas T. Baldwin;

H. R. 22701. An act granting an increase of pension to James R. Fairbrother;

H. R. 22703. An act granting an increase of pension to Benjamin F. Richards;

H. R. 22707. An act granting an increase of pension to Sebastian Gerhardt;

H. R. 22727. An act granting an increase of pension to John Miller;

H. R. 22763. An act granting an increase of pension to Charles H. Slocum;

H. R. 22785. An act granting an increase of pension to Morton A. Pratt;

H. R. 22788. An act granting an increase of pension to Isaac B. Gilmore;

H. R. 22798. An act granting an increase of pension to George W. Robinson;

H. R. 22801. An act granting an increase of pension to Robert McMillen;

H. R. 22823. An act granting an increase of pension to John Tipton;

H. R. 22859. An act granting an increase of pension to Samuel Boyd;

H. R. 22863. An act granting an increase of pension to Oscar A. Fuller;

H. R. 22894. An act granting an increase of pension to Louisa Berry;

H. R. 22947. An act granting an increase of pension to Benjamin F. Sibert;

H. R. 22949. An act granting an increase of pension to George W. Wells;

H. R. 22950. An act granting an increase of pension to Hezekiah Poffenberger;

H. R. 22964. An act granting an increase of pension to Eudocia Arnett;

H. R. 22986. An act granting an increase of pension to George W. Beeny;

H. R. 22987. An act granting an increase of pension to John D. Lane;

H. R. 22988. An act granting an increase of pension to Benjamin F. Horton;

H. R. 23031. An act granting an increase of pension to John H. Terry;

H. R. 23034. An act granting an increase of pension to Thomas A. Snoddy;

H. R. 23148. An act granting an increase of pension to Robert Liddell;

H. R. 23150. An act granting an increase of pension to Samuel H. W. Riter;

H. R. 23175. An act granting an increase of pension to Henry A. Fuller;

H. R. 23198. An act granting an increase of pension to Lucie A. Allyn;

H. R. 23280. An act granting an increase of pension to Bartholomew Burke;

H. R. 23282. An act granting an increase of pension to John W. Tumey;

H. R. 23311. An act granting an increase of pension to Jeremiah Burke;

H. R. 23312. An act granting an increase of pension to William Lewis;

H. R. 23313. An act granting an increase of pension to Benjamin D. Reed;

H. R. 23323. An act granting an increase of pension to Robert Foote;

H. R. 23360. An act granting an increase of pension to Robert Hastie;

H. R. 23407. An act granting an increase of pension to Hurd L. Miller;

H. R. 23411. An act granting an increase of pension to George H. Martin;

H. R. 23414. An act granting an increase of pension to Joseph Riddle;

H. R. 23426. An act granting an increase of pension to John S. Bergen;

H. R. 23442. An act granting an increase of pension to James J. Lawley;
H. R. 23443. An act granting an increase of pension to Louisa R. Matthews;
H. R. 23467. An act granting an increase of pension to Michael Flanagan;
H. R. 23609. An act granting an increase of pension to Samuel P. Wallis;
H. R. 23626. An act granting an increase of pension to Richard C. Taylor;
H. R. 23627. An act granting an increase of pension to William B. Walton;
H. R. 23628. An act granting an increase of pension to Clara E. Daniels;
H. R. 23660. An act granting an increase of pension to Harriet U. Burgess;
H. R. 23673. An act granting an increase of pension to John T. Grayson;
H. R. 23675. An act granting an increase of pension to Watson F. Bisbee;
H. R. 23677. An act granting an increase of pension to John D. Dryden;
H. R. 23682. An act granting an increase of pension to Joseph R. Bartlett;
H. R. 23685. An act granting an increase of pension to Robert Brake;
H. R. 23698. An act granting an increase of pension to William H. Wyman;
H. R. 23709. An act granting an increase of pension to James M. Dick;
H. R. 23729. An act granting an increase of pension to John Vandegrift;
H. R. 23732. An act granting an increase of pension to Rosanna Kaogan;
H. R. 23733. An act granting an increase of pension to Gifford M. Bridge;
H. R. 23744. An act granting an increase of pension to John O. Cravens;
H. R. 23748. An act granting an increase of pension to Emily J. Vanbeber;
H. R. 23751. An act granting an increase of pension to Charles D. Moody;
H. R. 23763. An act granting an increase of pension to James Riley;
H. R. 23791. An act granting an increase of pension to Calvin B. Fowlkes;
H. R. 23797. An act granting an increase of pension to James D. Tomson;
H. R. 23802. An act granting an increase of pension to Thomas J. Brown;
H. R. 23806. An act granting an increase of pension to William F. Barker;
H. R. 23834. An act granting an increase of pension to Samuel Langmaid;
H. R. 23849. An act granting an increase of pension to Charles A. Mathews;
H. R. 23850. An act granting an increase of pension to William Freeman;
H. R. 23852. An act granting an increase of pension to James G. Crozer;
H. R. 23857. An act granting an increase of pension to Isaac C. Smith;
H. R. 23864. An act granting an increase of pension to James A. Miller;
H. R. 23890. An act granting an increase of pension to Jacob B. Haslam;
H. R. 23912. An act granting an increase of pension to James E. Fitzgerald;
H. R. 23961. An act granting an increase of pension to Oscar N. Cowell;
H. R. 23966. An act granting an increase of pension to Hugh Stevenson;
H. R. 23967. An act granting an increase of pension to Henry Hill;
H. R. 23968. An act granting an increase of pension to Alexander McWhorter;
H. R. 23971. An act granting an increase of pension to Mary E. C. Butler;
H. R. 23982. An act granting an increase of pension to Thomas H. Seed;
H. R. 23997. An act granting an increase of pension to Michael M. Field;
H. R. 23999. An act granting an increase of pension to John F. Gough;
H. R. 24000. An act granting an increase of pension to Mary Holle;
H. R. 24002. An act granting an increase of pension to Michael F. Gilrain;
H. R. 24015. An act granting an increase of pension to Aaron C. Sanford;
H. R. 24028. An act granting an increase of pension to George H. Boney;
H. R. 24030. An act granting an increase of pension to Andrew J. Foor;
H. R. 24031. An act granting an increase of pension to John Downey;
H. R. 24034. An act granting an increase of pension to Mary I. Banta;
H. R. 24037. An act granting an increase of pension to Theodore Teeple;
H. R. 24061. An act granting an increase of pension to John C. Nelson;
H. R. 24068. An act granting an increase of pension to John Maginnis;
H. R. 24079. An act granting an increase of pension to David Jones;
H. R. 24100. An act granting an increase of pension to Henry W. Wilson;
H. R. 24101. An act granting an increase of pension to George W. Ashton;
H. R. 24161. An act granting an increase of pension to Hugh O'Neal;
H. R. 24171. An act granting an increase of pension to Finus M. Wyatt;
H. R. 24183. An act granting an increase of pension to Joseph B. Joyce;
H. R. 24189. An act granting an increase of pension to Frederick Hoffner;
H. R. 24194. An act granting an increase of pension to William Davis;
H. R. 24197. An act granting an increase of pension to Mary Ann Foard;
H. R. 24210. An act granting an increase of pension to George H. Maddox;
H. R. 24215. An act granting an increase of pension to George Hoell;
H. R. 24220. An act granting an increase of pension to William P. Robbe;
H. R. 24225. An act granting an increase of pension to William Ivans;
H. R. 24226. An act granting an increase of pension to Francis J. Eachus;
H. R. 24269. An act granting an increase of pension to William L. Stewart;
H. R. 24288. An act granting an increase of pension to John Gooding;
H. R. 24294. An act granting an increase of pension to Daniel R. Lamoreau;
H. R. 24299. An act granting an increase of pension to William B. Doyle;
H. R. 24308. An act granting an increase of pension to Lyman Thompson;
H. R. 24334. An act granting an increase of pension to Emma Case;
H. R. 24338. An act granting an increase of pension to James M. Gardner;
H. R. 24343. An act granting an increase of pension to James M. Haney;
H. R. 24344. An act granting an increase of pension to John H. James;
H. R. 24397. An act granting an increase of pension to David Prunkard;
H. R. 24405. An act granting an increase of pension to Mary H. Bishop;
H. R. 24406. An act granting an increase of pension to Edmund Johnson;
H. R. 24413. An act granting an increase of pension to William Thomas;
H. R. 24493. An act granting an increase of pension to Theodoric Gage;
H. R. 24502. An act granting an increase of pension to A. Judson Conant;
H. R. 24504. An act granting an increase of pension to John H. Leiter;
H. R. 24518. An act granting an increase of pension to Reuben Nye;
H. R. 24530. An act granting an increase of pension to David Miller;

H. R. 24531. An act granting an increase of pension to David E. Jefferson;
H. R. 24532. An act granting an increase of pension to Absalom R. Shacklett;
H. R. 24553. An act granting an increase of pension to Sarah J. Reed;
H. R. 24560. An act granting an increase of pension to Margaret Lesley;
H. R. 24577. An act granting an increase of pension to John L. Flanery;
H. R. 24586. An act granting an increase of pension to Jotham A. Vincent;
H. R. 24599. An act granting an increase of pension to Thomas L. Richardson;
H. R. 24638. An act granting an increase of pension to Bernard Shallow;
H. R. 24681. An act granting an increase of pension to Lewis M. Jarvis;
H. R. 24691. An act granting an increase of pension to Edward Burtch;
H. R. 24698. An act granting an increase of pension to Lydia Hunt;
H. R. 24700. An act granting an increase of pension to Joseph Brooks;
H. R. 24707. An act granting an increase of pension to Peter Campbell;
H. R. 24710. An act granting an increase of pension to Jacob Riner;
H. R. 24726. An act granting an increase of pension to Seldon R. Sanders;
H. R. 24733. An act granting an increase of pension to John H. Morrison;
H. R. 24740. An act granting an increase of pension to William E. Chase;
H. R. 24769. An act granting an increase of pension to John George;
H. R. 24776. An act granting an increase of pension to David T. Taylor;
H. R. 24792. An act granting an increase of pension to William H. Penfield;
H. R. 24801. An act granting an increase of pension to George G. Martin;
H. R. 24807. An act granting an increase of pension to Horace E. Heath;
H. R. 24829. An act granting an increase of pension to John R. Robbins;
H. R. 24924. An act granting an increase of pension to William V. Monroe;
H. R. 24940. An act granting an increase of pension to Timothy H. Gibson;
H. R. 24947. An act granting an increase of pension to Edward Mailey;
H. R. 24957. An act granting an increase of pension to Francis H. Ferry;
H. R. 24958. An act granting an increase of pension to Henry Kanline;
H. R. 24965. An act granting an increase of pension to Jacob Gilbrech;
H. R. 10574. An act granting a pension to Edward W. Hoban;
H. R. 19589. An act granting a pension to Aaron Davis;
H. R. 24968. An act granting an increase of pension to John Burke;
H. R. 24969. An act granting an increase of pension to Charles N. Stafford;
H. R. 24971. An act granting an increase of pension to Elijah Devore;
H. R. 24984. An act granting an increase of pension to Lauranah J. Hedgepeth;
H. R. 25016. An act granting an increase of pension to Frederick G. Ackerman;
H. R. 25020. An act granting an increase of pension to Cinderella B. McClure;
H. R. 25023. An act granting an increase of pension to Virginia C. Galloway;
H. R. 25025. An act granting an increase of pension to John Ham;
H. R. 25069. An act granting an increase of pension to William A. Decker;
H. R. 25097. An act granting an increase of pension to Edmund P. Weatherby;
H. R. 25101. An act granting an increase of pension to Nancy A. Meredith;
H. R. 25106. An act granting an increase of pension to Francis A. Biffar;
H. R. 25108. An act granting an increase of pension to William H. Brown;
H. R. 25112. An act granting an increase of pension to William Turner;
H. R. 25113. An act granting an increase of pension to John H. Hayes;
H. R. 25120. An act granting an increase of pension to Charles B. Spring;
H. R. 25143. An act granting an increase of pension to Elizabeth Wolfe;
H. R. 25145. An act granting an increase of pension to Charles Henry Weatherwax;
H. R. 25149. An act granting an increase of pension to Joshua L. Hayes;
H. R. 25172. An act granting an increase of pension to Burgess N. Isaacs;
H. R. 25174. An act granting an increase of pension to Henry W. Casey;
H. R. 25176. An act granting an increase of pension to Gottfried Haferstein;
H. R. 25211. An act granting an increase of pension to Alphonso Brown;
H. R. 25214. An act granting an increase of pension to Robert H. Douglas;
H. R. 25224. An act granting an increase of pension to David C. Smith;
H. R. 25229. An act granting an increase of pension to James T. Blair;
H. R. 25247. An act granting an increase of pension to Warren Onan;
H. R. 25248. An act granting an increase of pension to Knute Thompson;
H. R. 25254. An act granting an increase of pension to George W. Warfel;
H. R. 25255. An act granting an increase of pension to Samuel Loy;
H. R. 25256. An act granting an increase of pension to Cyrus W. Scott;
H. R. 25257. An act granting an increase of pension to James H. Phillips;
H. R. 25260. An act granting an increase of pension to Thomas J. Richie;
H. R. 25261. An act granting an increase of pension to William M. Helvy;
H. R. 25263. An act granting an increase of pension to Thomas McDermott;
H. R. 25288. An act granting an increase of pension to Minna Y. Field;
H. R. 25303. An act granting an increase of pension to Adeline Brown;
H. R. 25305. An act granting an increase of pension to Edgar A. Stevens;
H. R. 25309. An act granting an increase of pension to Joseph Casavaw;
H. R. 25325. An act granting an increase of pension to Polly Ann Bowman;
H. R. 25328. An act granting an increase of pension to James W. Barr;
H. R. 25391. An act granting an increase of pension to Richard Gogin;
H. R. 25445. An act granting an increase of pension to William E. Webster;
H. R. 25451. An act granting an increase of pension to William H. Maxwell;
H. R. 25455. An act granting an increase of pension to Emma Hempler;
H. R. 23974. An act granting an increase of pension to John P. Bennett;
H. R. 25511. An act granting an increase of pension to Hiram Filkins;
H. R. 23612. An act granting an increase of pension to Thomas H. Adams;
H. R. 8894. An act granting an increase of pension to James C. Strong;
H. R. 22392. An act granting an increase of pension to Eugene W. Rolfe;
H. R. 12021. An act granting a pension to James M. Wood;
H. R. 14322. An act granting a pension to Abbie L. Hanford;
H. R. 15779. An act granting a pension to Margaret A. Jordan;
H. R. 19239. An act granting a pension to Salome Jane Marland;
H. R. 21910. An act granting a pension to Emil S. Weisse;
H. R. 22041. An act granting a pension to John P. Walker;
H. R. 22086. An act granting a pension to Amelia Schmidtke;

H. R. 22395. An act granting a pension to Edward Miller;
H. R. 22696. An act granting a pension to Charles F. Ellingwood;
H. R. 22709. An act granting a pension to Martha E. Muhienfeld;
H. R. 23440. An act granting a pension to Carrie May Allen;
H. R. 23855. An act granting a pension to Sarah E. Selders;
H. R. 24223. An act granting a pension to Martha A. L. Stephens;
H. R. 24300. An act granting a pension to Sadie E. Hawthorn;
H. R. 24355. An act granting a pension to Mary O. Learned;
H. R. 24404. An act granting a pension to Lauraette La Fleur;
H. R. 24414. An act granting a pension to Van C. Wilson;
H. R. 24419. An act granting a pension to Belle M. Ocker;
H. R. 24483. An act granting a pension to Clarence W. Thomas;
H. R. 24635. An act granting a pension to Elizabeth Stuessi;
H. R. 24855. An act granting a pension to George W. Robins;
H. R. 24946. An act granting a pension to Phebe Wright;
H. R. 25354. An act granting a pension to Alice House;
H. R. 25355. An act granting a pension to William McCraney;
H. R. 19932. An act for the relief of John Lavine;
H. R. 23391. An act to change the time of holding the United States district and circuit courts in the eastern district of North Carolina, and to provide for the appointment of a clerk of the courts at Washington, N. C.;
H. R. 22599. An act to grant certain lands to the city of Boulder, Colo.;
H. R. 1561. An act authorizing the Secretary of the Navy to grant a discharge to Peter O'Neil;
H. R. 23821. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes:
H. R. 24134. An act providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation in Colorado;
H. R. 15027. An act to remove the charge of desertion against Cornelius O'Callaghan;
H. R. 4586. An act for the relief of Mrs. R. E. Miller;
H. R. 11279. An act to remove the charge of absence without leave from the military record of Oscar O. Bowen;
H. R. 24838. An act granting an increase of pension to Henry H. A. Walker;
H. R. 24845. An act granting an increase of pension to Andrew J. Price;
H. R. 24846. An act granting an increase of pension to Robert M. Wolf;
H. R. 24851. An act granting an increase of pension to Oren S. Rouse;
H. R. 24861. An act granting an increase of pension to Otho E. D. Culbertson;
H. R. 24868. An act granting an increase of pension to John M. Stevens;
H. R. 24899. An act granting an increase of pension to Mary W. Lusk;
H. R. 24902. An act granting an increase of pension to John W. Rawlings;
H. R. 24905. An act granting an increase of pension to Susan E. Davis;
H. R. 24907. An act granting an increase of pension to Lloyd Roberts;
H. R. 24910. An act granting an increase of pension to William H. Churchill;
H. R. 24911. An act granting an increase of pension to James C. Cosgro; and
H. R. 24921. An act granting an increase of pension to Patrick F. Shevlin, alias Patrick Burns.

The SPEAKER announced his signature to bills of the Senate of the following titles:

S. 8510. An act to amend an act providing for the public printing and binding and the distribution of public documents;
S. 8451. An act ratifying and confirming chapter 58 of the twenty-third legislative assembly of the Territory of Arizona, providing for repair of the Territorial bridge at Florence, Pinal County, Ariz.;
S. 8533. An act to authorize the Court of Claims to hear, determine, and adjudicate the claims of the Sac and Fox Indians of the Mississippi in Iowa against the Sac and Fox Indians of the Mississippi in Oklahoma and the United States, and for other purposes;
S. 3638. An act providing for the retirement of noncommissioned officers, petty officers, and enlisted men of the Army, Navy, and Marine Corps of the United States; and
S. 925. An act authorizing the construction of four steam vessels for the Revenue-Cutter Service of the United States.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred as indicated below:

S. 8568. An act granting an increase of pension to Rosanna A. May—to the Committee on Invalid Pensions.

RIVER AND HARBOR BILL.

Mr. BURTON of Ohio. Mr. Speaker, I desire to call up the conference report on the bill H. R. 24991, the river and harbor bill, and I ask unanimous consent that the reading of the report be dispensed with and the statement of the House conferees be read.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 9, 13, 14, 15, 16, 17, 18, 27, 30, 33, 37, 38, 40, 41, 43, 47, 50, 59, 71, 72, 73, 74, 87, 89, 90, 93, 94, 98, 99, 100, 104, 108, 111, 113, 114, 115, 116, 119.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 7, 8, 10, 19, 20, 21, 22, 26, 28, 29, 35, 36, 42, 45, 51, 57, 60, 63, 64, 65, 66, 67, 68, 75, 76, 77, 78, 79, 80, 81, 82, 84, 86, 88, 92, 95, 96, 97, 101, 102, 105, 106, 107, 112, 117, 118, 120, 121, 123, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Improving Sasanoa River, Maine: Completing improvement in accordance with the report of the Board of Engineers, dated February seventh, nineteen hundred and seven, forty-four thousand dollars."

And the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In the language proposed, in lieu of the word "Constructing" insert the word "Improving;" and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In the language proposed strike out the words "surveys, preparation of plans, and preliminary work in connection with securing easements and releases" and insert in lieu thereof the following: "investigation and further examination;" and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Improving Providence River and Harbor, Rhode Island, by dredging to a depth of twenty-five feet for a uniform width easterly from the main ship channel between Long Bed and Kettle Point, in accordance with the plan submitted in House Document Numbered One hundred and eight, Fifty-sixth Congress, first session, ninety thousand seven hundred and fifty dollars."

And the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Strike out the language as proposed and in lieu thereof insert the following:

"Improving Bay Ridge and Red Hook channels, New York: The Secretary of War may prosecute the improvement in said channels with a view to obtaining a depth of thirty-five feet and subsequently increasing said depth to the full forty feet with a width of twelve hundred feet in accordance with the project adopted in the river and harbor act of eighteen hundred and ninety-nine."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Improving and constructing inland waterway from Pamlico Sound to Beaufort Inlet, North Carolina, ten feet in depth, in

accordance with the report submitted in House Document Numbered Eighty-four, Fifty-ninth Congress, second session, two hundred thousand dollars: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary for the completion of said project not exceeding in the aggregate three hundred and fifty thousand dollars, exclusive of the amounts herein and heretofore appropriated."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"The Secretary of War may cause a reexamination to be made of the Cape Fear River above Wilmington, North Carolina, with a view to reporting what modifications, if any, should be made in the existing project, the expense of which shall be paid from the amount appropriated in section two."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the word "shall" insert the word "may;" and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the words "ninety thousand," as proposed, insert "seventy-five thousand;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Improving Club and Plantation creeks canal, Georgia, in accordance with House Document Numbered One hundred and fifty-nine, Fifty-eighth Congress, second session, twenty thousand dollars."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In the language proposed to be inserted, strike out the words "by obtaining a depth of twenty-four feet of water at mean low tide between the channel as it now is and the pierhead lines as established by the Government in front of said city and extending from the Florida East Coast Railway bridge to Hogans Creek;" and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Improving harbors on the coast of Mississippi: The Secretary of War may, in his discretion, construct a dredge for use in said harbors and the channels adjacent thereto, at a cost not exceeding two hundred thousand dollars, of which amount, in case said dredge is constructed, twenty-five thousand dollars shall be taken from the appropriation herein for Gulfport Harbor and fifty thousand dollars from the appropriation for Pascagoula River."

And the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "including the extension of channel to Fifty-sixth street;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Improving channel to Port Bolivar, Texas, by obtaining a channel one hundred and fifty feet wide and twenty-five feet deep, with an increased width in front of the wharf, as set out in House Document Numbered Seven hundred and nineteen, Fifty-ninth Congress, first session, fifty thousand dollars."

And the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "of which amount seven thousand five hundred dollars, or so much thereof as may be necessary, may, if directly and necessarily required in the interest of navigation, be used to prevent a cut-off in said river between Choctaw Railway bridge and the town of Devall Bluff, Arkansas;" and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following at the end of the preceding paragraph and not as a separate paragraph: "And the Secretary of War may appoint a Board of Engineers, whose duty it shall be to examine the present condition of the United States canal and the Tennessee River from the head of Elk River Shoals to the Florence Railway bridge, in the State of Alabama, with a view to permitting the improvement of the above-described stretch of said river by private or corporate agency in conjunction with the development of water power by means of not more than three locks and dams; and the said Board may examine any plans presented by such agency and shall report whether the same, if constructed, can, without injury to navigation, or with advantage thereto, be used to develop water power, and what portion, if any, of the expense of the work should be borne by the United States; and such Board shall report its findings not later than the first Monday in December, nineteen hundred and seven, and until such Board shall make its report and action shall be taken thereon by Congress no permits shall be issued under the provisions of the act approved March sixth, nineteen hundred and six, entitled 'An act to authorize the construction of dams and power stations on the Tennessee River, at Muscle Shoals, Alabama;'" and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Restore the language proposed to be stricken out, and in lieu of the language proposed to be inserted insert the following:

"Improving Lock and Dam Numbered Nineteen in the Ohio River, in the States of Ohio and West Virginia, two hundred thousand dollars."

And the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "Improving the great Miami embankment of Ohio River east of Lawrenceburg, Indiana; repairing damage caused by the recent flood of the Ohio River and tributaries, twenty thousand dollars, if such repair shall be directly and necessarily required in the interest of navigation;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted, insert the following:

"*And it is further provided*, That the work of improvement shall proceed without delay by reason of conflicting or other claims of title or interests and without prejudice to any pending litigation in reference thereto.

"And all lands and waters north of the present St. Marys Falls ship canal throughout its length, and lying between said ship canal and the international boundary line, needed in connection with the execution of this project, or any project heretofore adopted by Congress, for improving St. Marys River at the falls, aside from any lands owned by the United States, all of which are hereby made available for said project, shall be acquired in the following manner and under the following conditions:

"The Secretary of War may, in his discretion, enter into negotiations with any persons or corporations claiming title to any portion of the land or waters required for the construction of the said canal, and may acquire title to such portions of such river or lands as may be required for its construction and operation, but any agreement made by him shall be without prejudice to any claim of title by the United States and without the grant of any rights or privileges in said river or lands therein which shall create a right to compensation in case any further portion of said river or said lands therein between the canal herein provided for and the international boundary line shall be hereafter required for purposes of navigation.

"If such lands and waters can not be obtained in the manner and under the conditions above set forth the same shall be acquired as follows:

"The Secretary of War may cause proceedings in condemnation to be prosecuted under existing law, or a copy of the said plan numbered 3 on a large scale shall be prepared and exhibited in the office of the United States engineer at Sault Ste. Marie, and the Attorney-General shall proceed to ascertain the owners or claimants of the premises embraced therein, and shall cause to be published for the space of thirty days in one or more daily newspapers in the city of Sault Ste. Marie that

the same has been taken for the uses mentioned in this act, and notifying all claimants to any portion of said premises to file, within its period of publication, in the Department of Justice a description of the tract or parcel claimed and a statement of its value as estimated by the claimant. On application of the Attorney-General the presiding judge of the circuit court of appeals of the United States for the sixth circuit shall appoint three persons not in the employ of the Government or related to or in any manner connected with the claimants to act as appraisers, whose duty it shall be, upon receiving from the Attorney-General a description of any tract or parcel, the ownership of which is claimed separately, to fairly and justly value the same and report such valuation to the Attorney-General, who thereupon shall, upon being satisfied as to the title of the same, cause to be offered to the owner or owners the amount fixed by the appraisers as the value thereof; and if the offer be accepted, then, upon the execution of a deed to the United States in form satisfactory to the Attorney-General, the Secretary of War shall pay the amount to such owner or owners from the appropriation made therefor in this act.

"In making the valuation the appraisers shall only consider the present value of the land or property acquired, without reference to its value for the uses for which it is taken under the provisions of this act.

"The appraisers shall each receive for their services five dollars for each day's actual service in making the said appraisements.

"Any person or corporation having any estate or interest in the premises who shall for any reason not have been tendered payment therefor as above provided, or who shall decline to accept the amount tendered therefor, may, at any time within one year from the publication of notice by the Attorney-General as above provided, file a petition in the Court of Claims of the United States setting forth his right or title and the amount claimed by him as damages for the property taken, and the court shall hear and adjudicate such claims in the same manner as other claims against the United States are now by law directed to be heard and adjudicated therein: *Provided*, That the court shall make such special rules in respect to such cases as shall secure their hearing and adjudication with the least possible delay.

"Judgments in favor of such claimants shall be paid as other judgments of said court are now directed to be paid; and any claimant to whom a tender shall have been made, as hereinbefore authorized, and who shall decline to accept the same, shall, unless he recover an amount greater than so tendered, be taxed with the entire cost of the proceeding. All claims on account of ownership of any interest in said premises shall, unless petition for the recovery thereof be filed within one year from the date of the first publication of notice by the Attorney-General as above directed, be forever barred: *Provided*, That owners or claimants laboring under any of the disabilities defined in the statute of limitation of the State of Michigan may file a petition at any time within one year from the removal of the disability. Upon the publication of the notice, as above directed, the Secretary of War may take possession of the premises embraced in said plan numbered 3, and proceed with the construction herein authorized; and upon payment being made therefor, or without payment, upon the expiration of the time as above limited, without filing the petition, absolute title to the premises shall vest in the United States, and no permits shall be granted by the Secretary of War or other official of the United States granting the right to occupy any portion of the land or waters of St. Marys River in the locality for said ship canal herein provided for, or between the same and the international boundary line except upon the express condition, accepted by the grantee therein, to the effect that the erection of structures or the utilization of water power shall create no rights against the United States in case the whole or any part of the said river or the lands therein is required for the purposes of navigation, and further, that such structures or rights so granted shall be surrendered to the United States without cost when so required for purposes of navigation aforesaid, and any and all rights under any permits or licenses heretofore granted shall be deemed to be revoked unless such permits or licenses are reissued upon the terms that further improvements and expenditures shall entitle the licensee to no greater consideration than such licenses are now entitled to, if any; but nothing herein contained shall be held to imply that any right now exists to compensation on account of expenditures made or alleged claims under licenses heretofore granted.

"The Secretary of War may acquire lands for the location of remedial or compensating works to the extent required to enable the Michigan-Lake Superior Power Company to comply with the provisions of the river and harbor act of 1902, but such lands, if so acquired, shall be obtained without expense to the United States."

And the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: Omit the language proposed to be inserted and restore the language proposed to be stricken out with an amendment as follows: After the word "bridge" strike out the word "five" and insert the word "seven;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the word "four" insert the word "three;" and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: After the words "Fox River, Illinois," following said amendment, insert a colon instead of a period and insert these words as the beginning of the following paragraph instead of as a heading; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: At the end of the language proposed insert the following paragraph:

"Sixth. And the said Board shall also report upon any water power which may be created in the portion herein directed to be surveyed, as well as in the proposed waterway from Saint Louis to Chicago heretofore surveyed, and the value thereof, and what means should be taken in order that the Government of the United States may conserve the same or receive adequate compensation therefor, and upon lands which may be drained by the construction of either of said proposed waterways, and shall also report what steps, if any, shall be taken to cause the cost of the improvement to be defrayed, in whole or part, by means of such water power or lands."

And the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted insert the following: "and the Secretary of War may prosecute this work in accordance with the report submitted in House Document Numbered Three hundred and forty-one, Fifty-ninth Congress, second session, for the purpose of ultimately securing and maintaining a depth of channel of six feet;" and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: Insert the language as proposed, and after the word "navigation" where it occurs for the second time after this amendment, and before the words "*Provided further*," insert the following: "*Provided further*, That so much of the amount as is to be expended north of the forty-sixth parallel may be applied for improving the harbor at Bismarck, North Dakota, on the east side of the river below the Northern Pacific Railroad bridge;" and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: After the words "*Provided further*" insert the word "also," and at the end of the language proposed strike out the period and insert a comma and the words "and shall also report whether the same is directly and necessarily required in the interest of navigation;" and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "and the entrance thereto;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the word "and" insert the word "also;" and the Senate agree to the same.

Amendement numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: At the end of the language proposed strike out the period and insert a comma and the following words: "and Saint Marks River;" and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Boise de Sioux River, Lake Traverse, and Big Stone Lake, and the portages between the said lakes and said river, with a view to diverting the flood waters of the Red River of the North into the Minnesota River."

And the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In the language proposed to be inserted strike out the word "thirty" and insert in lieu thereof "twenty-five;" and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In the language proposed to be inserted strike out the words "and overcoming the effect of sliding or encroaching shores;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"SEC. 6. That the Secretary of War may approve a change of plans or of location of any bridge over the North or Hudson River at New York City which has heretofore been approved by the Secretary of War under any act of Congress, upon application to him by the parties authorized to erect such structure, their successors or assigns, provided that such changed location shall not be over any anchorage ground and shall be within the original authorization for such structure, and shall not be deemed by the Secretary of War to be detrimental to navigation or to the public interest after public hearings held thereon, and the structure whose changed plans or location is so approved shall be a lawful structure."

And the Senate agree to the same.

WM. P. FRYE,
S. B. ELKINS,
JAMES H. BERRY,
*Managers on the part of the Senate.*

THEODORE E. BURTON,
B. B. DOVENER,
J. H. BANKHEAD,
*Managers on the part of the House.*

The Clerk read the statement as follows:

STATEMENT.

The House conferees on H. R. 24991, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, would respectfully report that they have reached an agreement with the Senate conferees, and recommend that the conference report on the bill filed herewith be adopted.

The total appropriations and authorizations in the bill as passed by the House was $84,198,138. The amount added by the Senate amendments was $8,685,334. As agreed upon in conference these additions have been reduced to $2,815,294, making the total amount carried by the bill in appropriations and authorizations $87,013,432.

Aside from items of appropriation, the two main differences between the House and the Senate were in the provision for the acquisition of necessary land for the construction of a canal in St. Marys River, Michigan. Upon this an agreement has been reached which is set forth in the conference report. The Senate provision sought to authorize the acquisition of all land and waters between the existing canal in St. Marys River and the international boundary line. The question of the acquisition of this land is much embarrassed by conflicting claims of title. The provision as agreed upon provides only for the acquisition of the land immediately needed for the new canal and lock appropriated for in this bill, but seeks to prevent the creation of rights which will hereafter embarrass the Government in case, as is probable, other canals and locks may be required to meet the growing demands of traffic.

The Senate added as section 6 a provision authorizing the Secretary of War to approve a change of plans or of location in or over any navigable water of any pier, wharf, bridge, or other structure which has heretofore been or may hereafter be approved by the Secretary of War upon application by the parties interested, provided that such change shall be within the original authorization for such structure, etc., is stricken out, and this section is made to apply only to a bridge across the Hudson or North River at New York City.

THEODORE E. BURTON,
B. B. DOVENER,
J. H. BANKHEAD,
*Managers on the part of the House.*

Mr. BURTON of Ohio. Mr. Speaker, unless there are some inquiries to be made or discussion to be had, I ask for the previous question on the adoption of the report.

The SPEAKER. The gentleman from Ohio demands the previous question on the adoption of the report.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

On motion of Mr. BURTON of Ohio, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

Mr. BURTON of Ohio. Mr. Speaker, I move to take from the Speaker's table a concurrent resolution, which provides for the correction of a typographical error.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table concurrent resolution No. 30. Is there objection?

There was no objection.

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Clerk of the House of Representatives be instructed in the enrollment of the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, to strike out the word "connecting," on page 105, line 1, and to insert in lieu thereof the word "Swan," to correct what is evidently a clerical error in the preparation or printing of the bill.

The concurrent resolution was agreed to.

MARCUS WOOD.

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying bill, was ordered printed and referred to the Committee on Invalid Pensions:

*To the House of Representatives:*

In compliance with the resolution of the House of Representatives (the Senate concurring) of the 25th instant, I return herewith House bill No. 21121, entitled "An act granting an increase of pension to Marcus Wood."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 27, 1907.*

J. W. BAUER AND OTHERS.

The SPEAKER also laid before the House the following message from the President of the United States, with the accompanying bill, which was read:

*To the House of Representatives:*

I return herewith without approval House bill No. 2326, entitled "An act for the relief of J. W. Bauer and others," for the reasons set forth in the following letters from the Secretary of the Treasury and the Commissioner of Internal Revenue:

"I have the honor to return herewith H. R. 2326, 'An act for the relief of J. W. Bauer and others,' for the amount assessed against and paid by said parties to the United States Government as penalty for failure to make return for special tax as retail duties of oleomargarine.

"The report of the Commissioner of Internal Revenue in the matter, of the 23d instant, is herewith transmitted, and for the reasons given in the report it is recommended that the bill be not approved."

"Relative to a bill (H. R. 2326) for the relief of J. W. Bauer and others, submitted to you by direction of the President under date of the 21st instant, with request for information as to whether or not there is any objection to its approval, I have the honor to submit the following statement covering the facts upon which the proposed relief is based:

"A certain manufacturer of oleomargarine in Chicago sold, in 1903, to a large number of dealers in the city of Louisville, Ky., among whom were the parties named in this bill, artificially colored oleomargarine, which had been tax paid at the rate of one-fourth cent per pound, as oleomargarine free from artificial coloration.

"These several parties were visited by a revenue officer, who found that they had sold the article manufactured in Chicago, artificially colored, which made them liable for special taxes as retail dealers in oleomargarine at the rate of $48 per year, and the special tax was assessed against each from the beginning of the month in which the liability accrued to June 30, 1903, with 50 per cent penalty for failure to make return in the time and manner provided by law.

"These parties, after assessment, paid the special taxes and penalties and filed in this office claims for the refunding thereof, which, after investigation, were rejected for the reason that as the amounts had been legally assessed and collected there was no authority of law to refund the same.

"A bill (H. R. 11100) authorizing the refunding of the penalties collected as aforesaid was introduced in the Fifty-eighth Congress, and upon its reference to this office for report and recommendation, I reported favorably thereon under date of April 14, 1904, for the reason that these parties supposed they were selling oleomargarine free from artificial coloring, and their failure to make return was therefore without willful intent to defraud the Government.

"This bill was not passed, and subsequently the parties sued the collector to whom the taxes and penalties were paid for the recovery thereof, and on the 19th day of May, 1906, judgment was entered in the circuit court for the western district of Kentucky in favor of the plaintiffs.

"The cases were divided by distinguishing facts into two classes. Those in the first class contended that they had not sold colored oleomargarine in any quantity, and those in the second class alleged that the oleomargarine sold by them was not colored within the meaning of the law.

"Judgments were rendered in favor of fourtten claimants included in the first class for the full amount of taxes and penalties paid by them, with interest thereon from the date of the rejection of their claims, as follows:

"John L. Gruber, $36; Woodford Blanton, $72; Charles Boeswald, $72; Fred Gausman, $50.40; John Heinz & Co., $72; C. A. Heuser, $72; E. C. Jansen, $72; L. A. Kissel, $72; Fred Keller, $72; J. S. Reynolds, $56.70; G. H. Young, $72; Frank Zeigler, $72; J. B. King, $72; H. B. Kruse, $31.50.

"As these cases had been submitted to the court without a jury, and the findings of facts by the court appeared to support the judgments, no appeal was taken, and claims for the amounts included therein were allowed by this office on October 27, 1906, referred to the accounting officers, adjusted by the Auditor for the Treasury Department November 15, 1906, and as there was no appropriation to pay the same the claims were scheduled and by you transmitted to Congress on the 7th instant for an appropriation under section 2 of the act of July 7, 1884.

"In the other class of cases the court found from the evidence that the parties had sold colored oleomargarine rendering them liable to the payment of special taxes, but held that as section 3176, Revised Statutes, had not been incorporated in the oleomargarine acts there was no warrant for the assessment and collection of the 50 per cent penalties against said dealers for failure to disclose liability within the time and manner specified by said section, and gave judgments to the following-named plaintiffs for the amounts only which had been collected as penalties with interest thereon:

"I. Schafer, $24; C. A. Culver, $28; Samuel Goldsmith, $16; M. J. Madden, $6; S. Weisebach, $12; J. W. Bauer, $24; C. Caudel, $24; Frank Bloemer, $24; C. J. Finnegan, $24; John W. Kleier, $24; Joseph Kaelin, $24; F. H. Linkenberg, $27.60; Frank E. Muth, $24; Oscar E. Rehm, $24; W. J. Schieber, $24; T. J. Wathen, $24.

"These judgments were not acquiesced in by the Government for the reason that it was desired to finally settle the question of law therein presented, in order that, if the court of last resort should affirm the judgments of the trial court, Congress might be asked to so amend the oleomargarine act as to bring its provisions in harmony with the general revenue system relative to returns and payment of special taxes. Therefore these cases were appealed on that question of law to the circuit court of appeals, where they are now pending.

"The cases of three other claimants—Julius Straus, I. Felsenthal, and F. H. Worries—were dismissed for the reason that it appeared that the taxes and penalties sued for by them had been voluntarily paid in a former compromise accepted September 2, 1905. Similar suits by several other claimants are pending.

"For the foregoing reasons I am of the opinion that bill H. R. 2326, which was not presented to this office for report on the facts before its passage, should not be approved."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 27, 1907.*

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An act (H. R. 2326) for the relief of J. W. Bauer and others.

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the Treasury not otherwise appropriated, to pay to the following-named persons, citizens of Louisville, Ky., the respective sums following their names, to wit: J. W. Bauer, $24; Frank Bleemer, $24; C. J. Finnegan, $24; Samuel Goldsmith, $16; John Hopmeister, $24; L. A. Kissel, $24; M. J. Madden, $6; W. J. Schieber, $24; T. J. Wathen, $24; Windhorst & Grimmer, $24; I. Schafer, $24; J. A. Hess, $12; Daniel Scherer, $24; Sebastian Weisbach, $12; John Heinz & Co., $24; Oscar E. Rehn, $24; John W. Kleier, $24; Mrs. G. Caudel, $24; Frank E. Muth, $24; Mrs. E. C. Jansen, $24; G. H. Young, $24; Charles Boeswald, $24; Fred Keller, $24; Frank Zeigler, $24; Joseph Kaelin, $24; G. Schlange, $24; J. B. King, $24; Woodford Blanton, $24; C. W. Hall, $6; C. A. Henson, $24; John L. Gruber, $12; C. A. Culver, $8; Fred Gausmann, $16.80; H. B. Kruse, $10.50; J. S. Reynolds, $18.90; Christ Keller, $16, being the amount assessed against and paid by said parties to the United States Government as penalty for failure to make return for special tax as retail dealers of oleomargarine.

J. G. CANNON,
*Speaker of the House of Representatives.*
CHAS. W. FAIRBANKS,
*Vice-President of the United States and President of the Senate.*

I certify that this act originated in the House of Representatives.

A. MCDOWELL,
*Clerk.*
By WM. J. BROWNING,
*Chief Clerk.*

Mr. DALZELL. Mr. Speaker, I move the bill and message be printed and referred to the Committee on Claims.

The motion was agreed to.

WITHDRAWAL OF PAPERS.

By unanimous consent, the following requests were granted:

To Mr. SAMUEL, to withdraw from the files of the House, without leaving copies, papers in the case of Randolph Hayman, Fifty-sixth Congress, no adverse report having been made thereon.

To Mr. HUNT, to withdraw from the files of the House, without leaving copies, papers in the case of Charles H. Bunge, Fifty-ninth Congress, no adverse report having been made thereon.

To Mr. NEVIN, to withdraw from the files of the House, without leaving copies, the papers in the case of Susannah Payne et al., Fifty-eighth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. MCKINLAY of California, by unanimous consent, was given leave of absence indefinitely on account of sickness.

ABRAHAM LINCOLN.

Mr. TOWNE. Mr. Speaker, I desire to ask unanimous consent that a speech recently made in Jersey City by my colleague, Mr. SULZER, on the occasion of Lincoln's birthday, may be printed in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent that the speech of his colleague, Mr. SULZER, made upon the occasion of Lincoln's birthday, be printed in the RECORD. Is there objection?

There was no objection.

The speech is as follows:

"ABRAHAM LINCOLN—THE MAN."

Response of Hon. WILLIAM SULZER, of New York, to the above toast, at the banquet of the Lincoln Association, of Jersey City, N. J., Friday evening, February 12, 1907:

Mr. SULZER. Mr. President and gentlemen, this is Lincoln's birthday, and we are met to honor his memory.

It is a matter of much personal gratification for me to be with you to-night. The hospitality of the Lincoln Association, of Jersey City, in the grand old Commonwealth of New Jersey, is famous from one end of the country to the other; and justly so, because your association rises above creed and condition and race and prejudice and stands for the toast assigned to me—"Abraham Lincoln—the Man," and the eternal principles of liberty, justice, and humanity, that must ever be dear to every heart that believes in the greatness and the grandeur of our first martyred President.

I am glad to see so many here to-night—so many distinguished gentlemen, so many eloquent speakers, and I am glad to pay my tribute to your association—the only Lincoln Association in all the land that has never failed, year in and year out, for nearly half a century, to fittingly celebrate the anniversary of the birth of Abraham Lincoln—and to say that you are to be commended and congratulated for all you have done in the past, for all you are doing now, and for all you will continue to do in the future to make the name of "Lincoln—the Man" shine resplendent with the immortals of all time in all the centuries yet to come.

> His name, reaching down through the age of time,
> Will still through the age of eternity shine—
> Like a star, sailing on through the depths of the blue,
> On whose brightness we gaze every evening anew.

Let me say, Mr. President, that Lincoln has ever been my ideal of a man—a great man. I have been a believer in and an admirer of Abraham Lincoln ever since early boyhood days. I have studied his speeches, read and reread his writings, worshiped at his shrine, gloried in his career, and have always been a close student of his wise and just and patriotic teachings. He was, in my opinion, take him all in all, the most heroic figure in all our history, and next to the Declaration of Independence, he wrote the greatest political document in our annals—the Emancipation Proclamation.

In the words of John Stuart Mill, "Abraham Lincoln was the kind of a man Carlyle in his better days taught us to worship as a hero." And as the years come and go he will be worshiped more and more in every land and in every clime, from the Occident to the Orient—throughout the world—by the friends of human liberty.

He was one of the purest patriots, one of the wisest statesmen, and one of the greatest men that ever lived, and that ever will live in the world's history for all the years to come. He loved liberty, believed in the people, and battled for the rights of man. He was the friend of the masses and the champion of the oppressed. He loved liberty and truth and justice. He hated cant, despised hypocrisy, and denounced aristocracy. He believed in civil and religious liberty; he advocated not only the freedom of man, but the freedom of conscience, the freedom of speech, and the freedom of the press. He could not tolerate class, or caste, or special privilege. He was the greatest many-sided and myriad-minded man of his day. He had few prejudices and no bigotry. All the prejudices he had were against the evils of his time—against the pride, the assumption, the arrogance, the special privilege, and the intoleration of his fellowman. He knew the right, and he was great enough and grand enough and brave enough to dare maintain it.

Abraham Lincoln stood for the freedom of man like the Rock of Ages in a tempestuous sea. He never faltered, he never lost hope, he never wavered, he never betrayed a cause or deserted a principle.

He searched for the truth, and, knowing the truth, he had the courage and the manhood, without fear or favor, to promulgate it to all the world. He was a man who stood immovable for man, and he did as much for human liberty as any man who ever lived.

In the retrospect—as the years come and go and the decades pass away—this wonderful man, whose mind had a thousand eyes and whose heart had a thousand thoughts, grows greater and grander and more glorious.

As the centuries come and go the immortal figure of Abraham Lincoln will loom larger and larger on the horizon of human destiny—a great beacon light of eternal progress ever onward and ever upward.

The history of his life, of his joys and sorrows, his hopes and discouragements, from the little log cabin in Kentucky, where he was born, to the Presidential chair, reads like a romance and could not have occurred in any other country than our own, where the humblest boy can rise step by step on the political ladder to the White House. The story of the life and the struggles of Lincoln, of his trials, his tribulations, and his triumphs, is the bright star of hope for the poorest boy in all our land and the inspiration of all America.

Lincoln was a deep thinker, a profound reasoner, a great lawyer, and one of the greatest political philosophers that ever lived; and during his Presidential career, in the darkest hours of our country's history, he was the guiding genius for the Union.

He was a great statesman, enunciated great principles of Government, formulated great policies of State, held the Union intact; and his policies and principles and example will live as long as the Republic endures and ever be an inspiring incentive to every patriot in all our land.

Abraham Lincoln believed in exact justice to all men. He was the incarnation of democracy. He was no respecter of persons, of conditions, or of power. He cared nothing for position and less for wealth. He believed in and enunciated the great cardinal principle of Jefferson—"Equal rights to all; special privileges to none."

He was a great commoner; he gloried in the Declaration of Independence; he believed in its principles, and he honored and revered its immortal author. In speaking of Jefferson in 1861, Mr. Lincoln said:

> All honor to Jefferson; to a man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document an abstract truth, applicable to all men and all times and so to embalm it there that to-day and in all coming days it shall be a rebuke and a stumbling block to the harbingers of reappearing tyranny and oppression!

In my opinion no higher tribute was ever paid to the author of the Declaration of Independence. All honor to the memory of Jefferson! All honor to the memory of Lincoln! The two great American immortals.

When I was in the legislature of the State of New York, I asked the late Senator Donald McNaughton, the representative from Rochester, who knew Lincoln well, and who frequently met him in the trying days of the civil war, "Who, in your opinion, was the greatest politician and statesman that America has ever produced?" and the wise old Scotch senator, without a moment's hesitation, replied, "Lincoln." And then after a few moments of quiet thought he said:

> My young friend, if you want to become a real man and a great man in the American Republic, study and emulate the life of Abraham Lincoln.

From his earliest youth to the sadness of his tragical dying day Abraham Lincoln was always true to the promptings of his heart, true to his principles, and they were the principles of humanity, the principles of liberty, and the principles of a free government. He was always true to his political faith, true to the fundamental teachings of the fathers of the Republic, true to the men who were striving to do right. In one of his speeches he said:

> I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live up to what light I have. I must stand with everybody that stands right; stand with him while he is right, and part with him when he goes wrong.

What a noble sentiment!

Lincoln was a great lawyer. In his own way probably one of the greatest lawyers that ever lived in America. He was a great orator, and his simple speech at Gettysburg is one of the great classics of America; and his innumerable speeches, especially his wonderful debates with Douglas, conclusively prove that he was one of our greatest orators.

He was a man of quaint humor, of much sorrow, of infinite jest, of much common sense, and he searched and knew the human heart. He had faith that right makes might, and in the light of that faith he dared to the end to do his duty as he saw it.

He was a simple man—simple in his strength and in his greatness. In moments of repose he was sad and reflective. His sympathy was with the poor and the lowly—with the sorrowing. His great heart went out to those who struggle and fail. He was always the same, yet ever different—like the waters of the sea—but he remembered, as he said in his first speech, that he was "humble Abraham Lincoln."

He was a great statesman, and no one to-day, reading his letters and his state papers, can doubt for a moment that he was the ablest and the most farseeing politician of his time, and the greatest and grandest statesman this country has ever produced.

Lincoln stands alone in the illumined pages of American history—the greatest and the grandest and the most colossal figure in all our annals.

No one will ever know the blood drops and the suffering of Abraham Lincoln during the darkest and most trying days of the civil war, the greatest war of modern times, when a million men from the North and a million men from the South, with their guns and drums, and their tramping to and fro, met in the shock of battle, shook the earth, and the very pillars of our free institutions. Thank God, father Abraham won, and we are brothers again.

In this connection I want to tell a story, that perhaps has never been printed before, regarding Mr. Lincoln's sadness and greatness, and dry wit and inimitable humor, and in this composition there was much of all these elements. In the early days of the war for the Union a great body of leading bankers and financiers of New York called at the White House to see Mr. Lincoln, and asked him to send ships and troops to New York to protect their treasures. Mr. Lincoln listened patiently to all this committee had to say, and when they finished he said, in his quiet, sad, and simple way:

> Gentlemen, in answer to all you have said, I reply that I am doing everything in my power with the forces at my command to save the Union. There is no danger to your treasures in New York City, and instead of asking me to send war ships and troops to New York to protect them, you should go back home and lend your money to the Government and help save the Union.

The great committee of bankers and financiers returned to New York wiser and more patriotic men from these few words of the immortal martyred President.

Lincoln loved the Union, and his first inaugural message proves that his only desire was to save the Union from civil strife and dissolution. He had said many times before that a house divided against itself can not stand, and Lincoln was right.

When Doctor Long, an intimate friend of Lincoln, said to him one day, "Well, Lincoln, that foolish speech will kill you—will defeat you for all office—for all time to come," referring to the "house divided" speech, Mr. Lincoln replied:

> If I had to draw a pen across and erase my whole life from existence, and I had one poor gift or choice left, as to what I should save from the wreck, I should choose that speech, and leave it to the world unerased.

He was the friend of the toiler—of the producer—of the great army of men who earn their bread in the sweat of their face. In his message to Congress in December, 1861, he said:

> Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration. No men living are more worthy to be trusted than those who toil up from poverty—none less inclined to take or touch aught which they have not honestly earned.

Lincoln died in the prime of his life, at the summit of his career, in the zenith of his fame, in the service of his country, loved by every friend of man, and mourned by all the world.

> There is a reaper whose name is Death,
> And with his sickle keen
> He reaps the bearded grain at a breath,
> And the flowers that grow between.

But the reaper can never rob humanity of the undying fame of Abraham Lincoln. As my friend Col. Henry Watterson has most truly and eloquently said:

> A thousand years hence no story, no tragedy, no epic poem will be filled with greater wonder or be read with deeper feeling than that which tells of his life and death.

Lincoln was indeed a man—the man—upon whose like we shall not look again; and take him all in all he was the friend of man—the greatest apostle of human liberty the world has ever seen.

The mortal Lincoln is no more. He sleeps beneath the marble shaft at Springfield, and his shrine is, and ever will be, the Mecca of the liberty-loving people of the world whither shall journey to the end of time the countless millions yet unborn to kneel and kindle anew their patriotism and their zeal for liberty.

But Lincoln needs no monument of marble to perpetuate his memory; he will live forever in his work for man; his words will live in the hearts of the people of free America, and future

generations will arise to call him blessed as the patron saint of their consecrated liberties.

President Lincoln was perhaps more abused and caricatured during the time he was in the White House than any other man that ever lived in our country. And yet, when he was stricken down by the cruel bullet of an irresponsible lunatic, all the world bowed down and wept, and every Government on earth paid homage to his great heart and sympathetic soul, to his deeds and works and words and worth.

No paper in all the world abused Lincoln more than Punch of London, and yet, upon the death of Lincoln, it wrote one of the most beautiful tributes that ever was written to the memory of man, and James Russell Lowell, one of America's greatest poets, summed it all up in a stanza in his Commemorative Ode when he said of the undying fame of Lincoln:

Great captains, with their guns and drums, disturb our judgment for the hour;
But at last silence comes—these all are gone;
And standing like a tower our children's children shall behold the glory of his fame,
This kindly, earnest, brave farseeing man—
Sagacious, patient, dreading praise, not blame—
New birth of our new soil—the first American.

SUBSIDY BILL.

Mr. GROSVENOR. Mr. Speaker, on consultation with my colleague, the gentleman from New York [Mr. GOULDEN], the senior member of the Committee on Merchant Marine and Fisheries, we have agreed to ask unanimous consent that we may have one hour of general debate to-morrow at the beginning of the session, whenever we can go into Committee of the Whole, on the pending bill, one-half to be controlled by the gentleman from New York and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears no objection. Under the order, the House will now resume its session in Committee of the Whole House.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CURRIER in the chair, for the further consideration of the ship-subsidy bill.

Mr. ROBINSON of Arkansas. Mr. Chairman, the measure now under consideration, commonly called the "ship-subsidy bill," is a miserable compromise that is at once a source of disappointment to both the friends and the opponents of substantial ship-subsidy legislation. It is practically without loyal, unqualified support in this assembly. The best that has been said in its favor is that it is not a real ship-subsidy bill at all, but only a mail subsidy; that it in no wise recognizes the principle of subsidies to American ships except in so far as it relates to the ocean mails. Its friends have consumed their time in this debate in apologizing for it—in explaining that it is but an extension of the act of 1891 and involves no new principle. No one has sought to justify this proposed legislation on the ground solely that it is a subsidy to American ships engaged in carrying our products upon the high seas. Even the gentleman from Ohio seems to be ashamed of this bill. This fact illustrates how pitiable and impotent the proposed measure is in fact. The gentleman from Ohio [Mr. GROSVENOR] veiled his disgust for this bill but poorly on last Monday, when he said in substance that it is not a Republican measure; that he did not like to call it a Republican measure, and sought to justify the legislation by asserting that Mr. Polk when President advocated similar legislation. Everybody here knows what that means. When the gentleman from Ohio labors for years upon a subject and then brings from his committee a bill which he is ashamed to call a Republican bill and seeks to justify it by declaring it to be in fact a Democratic measure, we know that it must be hopelessly infamous or incurably impotent.

How keen must be the mortification of the advocates of ship subsidy at the provisions of this bill. After a long-continued hearing before the Committee on Merchant Marine and Fisheries, after many conferences and much wrangling over the subject, there has been brought forth this misshapen, deformed progeny whom no one seems willing to father. [Applause on the Democratic side.] *Not a ship subsidy at all, only an ocean mail subsidy. Not a Republican measure, but really a Democratic measure.* Ah, my Republican friends, take the responsibility for this legislation. Lay not the blame on us because in "ancient times" some Democrat favored it.

Why, Mr. Speaker, when gentlemen seek to defend this piece of folly by asserting that President Polk advocated something similar in 1846, I am moved to pity them. Has it come to pass in this year of grace that the Republican party, boastful of a spirit of progress, proud of readiness to grasp present problems and solve them in the light of future necessities, must turn back a half century and take its stand on this important subject where a Democratic President stood so long ago? Is the Republican party fifty years behind the times? You Republicans have frequently criticised us for inaction. Yet your bravest defense of the position assumed on this bill is that slowly you have advanced to a position occupied by some Democrats fifty years ago, a position long since abandoned for the more advanced ground upon which the Democracy have long stood and now stand solidly united. Is this the best that you can do toward keeping step with the march of our nation along the highways of political progress? If so, then boast no more of your alleged aggressive spirit. Admit yourselves unable to keep time to the music; acknowledge that on this subject at least you have labored for years and accomplished next to nothing. [Applause on the Democratic side.]

By the terms of this bill subsidies are authorized to seven steamship lines, as follows:

| | Monthly service. | Fortnightly service. |
|---|---|---|
| Atlantic coast to Brazil, 16-knot steamers | $300,000 | $600,000 |
| Atlantic coast to Argentina, 16-knot steamers | 400,000 | 800,000 |
| Gulf coast to Isthmus of Panama, 14-knot steamers | [a] 75,000 | [a] 150,000 |
| Pacific coast to Isthmus of Panama, Peru, and Chile, 16-knot steamers | 300,000 | 600,000 |
| Pacific coast, via Hawaii, to Japan, China, and the Philippines, 16-knot steamers | 350,000 | 700,000 |
| North Pacific coast to Japan, China, and the Philippines, 16-knot steamers | 350,000 | 700,000 |
| Pacific coast to Samoa and Australia, 16-knot steamers | [b] | [c] 200,000 |
| Total | 1,775,000 | 3,750,000 |

[a] Fortnightly and weekly.
[b] Once in three weeks.
[c] In addition to present compensation of $283,000.

SOME REASONS WHY THIS BILL SHOULD BE DEFEATED.

In this country subsidies are inconsistent with the fundamental theories on which our Government is established. The doctrine of "*equal and exact justice to all, special favors to none,*" forbids the use of the public revenues to enrich any individual or class. Gentlemen who regard legislative subsidies as fair overlook the fact that every dollar which finds its way into the vaults of our Treasury is the product of toil. They forget that our revenues constitute a common fund which can only be used for the common benefit; that to pervert any part of it from the legitimate purpose for which it has been collected by voting it to favorites of the Administration is political dishonesty, which, if pursued as far as some of its advocates desire, would establish greed and oppression as the dominant influences in our political system and destroy liberty and equality. No man or set of men ought to be permitted to thrust their hands into the public treasure, nor ought any legislative body to countenance a policy of favoritism and partiality in the use of governmental funds such as is contemplated by this bill. Public moneys represent the common sacrifice which energy and civic virtue make to the maintenance of law and order. They constitute a sacred tribute to the cause of justice, the maintenance of law, the preservation of rights and liberties, the security of persons, the perpetuation of institutions. I hold it to be the self-evident duty of every Representative in Congress to guard the public Treasury with sacred fidelity; that he who raids it with impunity or permits privilege to plunder it is a traitor to the Constitution and an enemy to free government. It is not the duty or the province of Congress to reduce the profit of one citizen or class of citizens to increase the prosperity of another citizen or class of citizens. It is not permissible to tax the overburdened energies of the masses for the pleasure or profit of any class. The burden of every subsidy must finally fall upon the back of the toiler. He who works sustains all our institutions. *Labor, with its million hands, has wrought wonders indescribable in history. What justice can there be in taking from the wearied hand of toil its well-earned recompense to reward avarice, indolence, or greed?* [Applause on the Democratic side.]

Our Government in the past has already done too much of this. It has permitted, even encouraged and authorized, unjust taxation, unjustifiable expenditures of public funds in bonuses and subsidies. We have now reached a time when avarice no longer justifies its outrages. The advocates of subsidies to ships have seemingly abandoned any claim that it is just. In any event they are now masking behind this cowardly subterfuge which they call an "ocean-mail subsidy," but for which no adequate return in improved mail service is expected. Let no gentleman be deceived. The purpose of this legislation is not so much to quicken or facilitate the carriage of ocean mails. It is to subsidize the favored owners of vessels which come within the provisions of the bill. You could not pass a real avowed ship-subsidy bill through this Congress, gentlemen of the majority. You know you could not. You are afraid to try it.

This bill is not advocated as wholesome or effective ship-subsidy legislation, but it is put forward in a spirit of compromise. Underlying it is the hope that hereafter it may become a precedent for more vicious legislation. You will test the temper of the American people by this bill. If the people appear submissive you will follow it with bolder legislation on the subject. After wrangling for months you have brought forward a measure which was never seriously considered by the committee, and you propose to pass it under the guise of a mail subsidy, hoping that in the closing hours of the session it may escape the attention of the public whose money you will vote to the favored shipowner engaged in carrying ocean mails. Are you not satisfied with having already so extravagantly handled the revenues as to face a probable deficit of $100,000,000 during the fiscal year of 1908? Why do you want to augment that deficit by the almost $4,000,000 carried by this bill? A few years ago we heard a Congress ridiculed and condemned throughout the United States as a "billion-dollar Congress." Yet this Congress will be approximately a $2,000,000,000 Congress. The total estimate for appropriations for the fiscal year 1908 is more than $1,005,000,000. The appropriations provided for by the present session of Congress for that year will probably exceed $900,000,000, and may reach the $1,000,000,000 mark.

Unless the prophet from Minnesota fails in his forecast, our revenues for the fiscal year 1908 will be $100,000,000 less than our expenditures! Are you not satisfied with creating a deficit of $100,000,000? Have the sponsors for this Administration computed the cost of maintaining the General Government? Think of it! We have voted away for one year's expense about $12.50 *per capita* to the entire population of the United States! Twelve dollars and fifty cents to every man, woman, and child beneath our flag! Is it not time to call a halt in this reckless, needless waste of public moneys? What limit, if any, will you gentlemen of the majority fix to appropriations? There are so many meritorious public purposes to which our revenues may now be applied that no misappropriation of any part of them to private greed can be approved or tolerated. The principle underlying this bill is class legislation, favoritism. It is a pity that the closing hours of this session should be devoted to such an unholy cause when the tables of our committees are piled high with measures of general public interest that can not receive consideration, but are quietly creeping into pigeonholes and dropping into everlasting sleep. Facing a deficit of $100,000,000 for the next fiscal year, we are solemnly asked to vote about $4,000,000 a year more to a few steamship lines, *just as if we were looking for some way in which to increase the deficit. And gentlemen on the other side of the Chamber justify it, not so much on the ground of substantial merit as on the claim that a Democrat once advocated it.* Favoritism run mad! Who asks a subsidy to the farmer when drought withers his crops? Who favors a subsidy to the miner, the artisan, the merchant, and all the countless thousands who toil in other ways? If none are bold enough to justify subsidies to them who love the country and obey its laws, what spirit prompts this legislation—this foolish, fruitless, indefensible favor to them who neither need nor especially deserve the public favor? [Loud applause.]

Mr. Chairman, listening to the remarks of the gentleman from Washington [Mr. HUMPHREY] and other gentlemen on this floor I think warrants me in illustrating the spirit in which they seek to evade full responsibility for this measure by telling a story. It is said that the distinguished gentleman from Ohio, when returning from the Orient a few years ago, observed a lady very seasick sitting upon the deck of the vessel beside a gentleman whose head was lying in her lap, and who seemed to be just as sick as she was. The gentleman from Ohio approached the lady and said, "Madam, can I do anything for you?" She replied, "Oh, my God, no; go away and let me alone; I am so sick." The gentleman from Ohio insisted further and said, "Then perhaps, madam, I can do something for your husband," indicating the gentleman whose head reposed in the lady's lap. She then looked down and for the first time discovered that she was holding the sick man's head. In horror she looked up and said, "Oh, my God; he is not my husband; I never saw him in my life before; I do not know who he is." That, gentlemen, is the spirit in which some Members of the majority seek to evade the responsibility for this measure. [Applause and laughter.]

Mr. GOULDEN. I yield ten minutes to the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. SULLIVAN. Mr. Chairman, I regret that the gentleman from Washington [Mr. HUMPHREY] who addressed the House this afternoon on the question of the ship subsidy has been obliged to leave, but I trust he may return in time to hear a portion of my remarks. If he had not spoken, I would not have inflicted the House with my remarks upon this question, but he said some things this afternoon which ought not to go without comment. I know from personal observation that there is much interest displayed by Members of this House in the question of the ship subsidy. I am not surprised that that interest is felt more particularly upon the seacoast, but I have observed filling the spaces in this gallery for the last four years representatives of the ship subsidy lobby, who have been most persevering in their efforts to stimulate this Congress into favorable action upon this project.

I assume that it is because the gentleman from Washington [Mr. HUMPHREY] represents a section of the country at which one of these subsidized lines will touch that he became so fervent in his criticisms of the attitude of the Democratic party upon this question. He seemed to be at a loss to account for Democratic opposition to this bill, except upon one ground, and so I will read from his remarks, where he makes reference to Mr. Harriman, who is the railroad magnate with whom the country is now so familiar. He says:

> The hand of Harriman is here in this House now, and it is over here on the Democratic side, and trying to defeat these lines because Harriman wants them defeated, and the reason of that is plain. It is because Harriman has said, and I challenge anyone to dispute it, that he will not take advantage of this subsidy, and the reason for it is easy to understand.

Now, when the gentleman from Washington was challenged to submit to the House a single particle of proof upon which this grave charge was founded, he failed to do so, but reiterated the statement that Harriman was opposed to this ship-subsidy legislation. I have not been able heretofore to discover the connection, the close political connection, which the gentleman assumes to exist between Mr. Harriman and the Democratic party. I had always supposed that if he had any connection with a political party it was the Republican party, and as I recollect a portion of his testimony in the insurance investigation in the State of New York, there was something said about his ownership of a Republican governor of the State by the name of Benjamin Odell. That is the last officially declared connection of Mr. Harriman with any political party that I was aware of until the gentleman from Washington sought to establish, by his own unsupported statement on this floor, the connection between Mr. Harriman and the Democratic party.

Now, he says Mr. Harriman wants this bill defeated. If Mr. Harriman wants it defeated, it does not follow that because the Democratic party wants it defeated also that the Democratic party is obeying the mandate of Mr. Harriman. If we could find no other reason for Mr. Harriman's disregard of the bill, it would be found perhaps in the fact that it carries a subsidy of only $3,700,000 a year, which is a mere bagatelle and something which he can not afford to spend any of his valuable time in the attempt to secure. The gentleman has failed utterly to produce a particle of evidence in support of his proposition that the Democratic party was actuated by any motives except honorable ones in its opposition to this bill. But the gentleman made other charges against the Democratic party. It would seem that the Democratic party was sufficiently distressed without having to carry the burden of these new charges upon its back; but he made other charges, and I read further from the gentleman's remarks:

> That is what the Democratic party is trying to do now—to keep us from having communication with the Philippines in order to bring disgrace upon the administration of those islands. They hope to inveigle us into a war with Japan, to make us so weak that Japan will attack us, and then they hope to ride into power over their country's disgrace.

Well, if Japan does attack us she will attack us at our most vulnerable point. The gentleman from Massachusetts, my colleague [Mr. MCCALL], has already pointed out the strategic value to Japan of the Philippine Islands. He called attention in a very able article to the fact that if Japan attacked the Philippine Islands we would be forced to fly to their defense, concentrate our Navy in Philippine waters, and give the Japanese a tremendous advantage over us in that conflict. That advantage Japan would not possess if we did not retain the Philippine Islands, but it is a long step from that set of facts to the reasoning of the gentleman which makes us appear to be seeking a war with Japan in order to defeat the Republican party and come into possession of power.

I will admit that the country might well suffer a great deal in order to secure the inestimable boon of defeating the Republican party and retiring it from office, but I indignantly disclaim any intention, as one member of the Democratic party, of bringing war upon the nation in order to accomplish even that splendid result. And I may add further that I do not believe a single individual in the 80,000,000 of people in the United States will place any credence in the statement of the gentleman from Washington, but will account for it as a chimera of the imagination, which afflicts no one except the gentleman from Washington. But if the gentleman from Washington

really wishes to know why the Democratic party, if it takes party action upon this bill, opposes it, he will find other motives than the one which he attributes to us. The first one is this: The Democratic party believes that the taxpayers of this country are already bearing greater burdens than should be imposed upon them by law, and that it is not the duty of statesmanship in this land to impose additional burdens upon our people, but to relieve those people from some of the burdens which oppress them now.

If he seeks a further reason, it will be found in the Democratic party's historical opposition to the policy of paternalism. The Democratic party regards a ship-subsidy measure as highly paternalistic. It is properly a Republican measure, because it is a piece of the same scheme of paternalism that has inflicted upon this country the infamous Dingley law that is now upon the statute books. The Democratic party does not believe it to be statesmanship or good policy, or political expediency, even, to tax all the people of the United States in order to enable one class of its people to transact the shipping business at a loss. We believe that every industry should stand or fall upon its individual merits. If we sought inspiration, we could go back to the declaration of Daniel Webster, who in 1816, speaking upon an allied question, said:

> How, sir, do shipowners and navigators accomplish this? How is it they are able to meet and in some measure to overcome universal competition? Not, sir, by protection and bounties, but by unwearied exertion, by extreme economy, by unshaken perseverance, by that manly and resolute spirit which relies upon itself to protect itself.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOULDEN. I yield the gentleman five minutes more.

Mr. SULLIVAN. Now, if the people of the United States had paid heed to that injunction of Webster and relied upon themselves to protect themselves, I take it there would be no need of the advocacy of a ship-subsidy bill to-day in order to restore the merchant marine. Since when has the American flag disappeared from the ocean? The disappearance began, Mr. Chairman, at the time of the advent of the policy of high protection. In 1860 Great Britain had a net over-sea tonnage of 4,658,687 tons. The United States had 2,546,237 tons. To-day, after forty years of free trade, I read the figures for 1901, Great Britain has increased her tonnage to 9,608,420 tons, while the United States, under forty years of high protection, has had its tonnage reduced to 889,129 tons.

There is the story and the reason of the disappearance of the American flag from the ocean. If we could have free materials for our ships we could construct them cheaper and we could put them in competition with any other country in the world, but the Department of Commerce and Labor, through one of its officials, has made the statement that materials in this country cost the shipbuilders 30 per cent more than the same American materials cost their competitors to build ships in foreign lands. That handicap is alone sufficient to account for the disparity in the tonnage between Great Britain and the United States. But if this were not so, if we could not compete, because of the high price of labor and of materials in the construction of ships, with shipbuilders in foreign lands, still the question remains, Would it be good policy to force a single industry at the expense of the taxpayers of the whole nation?

In the last analysis, if we take the statements of the gentlemen upon the other side, this whole proposition means this, that the foreigners are willing to transact this shipping business for us now at low prices and that it is not desirable for the American public to get low prices, but we should pay a bounty to American shipbuilders in order that we may have the disadvantage of high prices. Is that the acme of American citizenship in the twentieth century? I submit that there is no consideration of policy or principle which justifies the singling out of one class and making the whole United States bear the burden of the payment for the transaction of that business, which but for that bounty would have to be transacted at a loss.

Now, in a book recently published—a very excellent one, by Franklin Pierce—entitled "The Tariff and the Trusts," a most illuminating table appears, in which the relation of the tonnage of several nations to their tariff taxes is displayed, and the inference follows inevitably from this table that in those countries where the tariff taxes are highest the amount of tonnage per capita is lowest. In those countries where the tariff taxes are lowest the amount of tonnage per capita is highest.

I read from the table to support those conclusions. The average ad valorem of import duties is given in this table of twelve countries, beginning with Russia, and the average ad valorem rate of import duties is 131 per cent, and it has 1 ton of steam shipping to every 330 inhabitants. The United States with an average of 73 per cent——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SULLIVAN. I want just three minutes more in which to finish this table.

Mr. GOULDEN. Mr. Chairman, I yield three minutes more to the gentleman.

Mr. SULLIVAN. The United States, with an average of 73 per cent ad valorem on manufactures, shipped from England to the United States, has 1 ton to 166 persons; Austria-Hungary, with an average of 35 per cent ad valorem tariff rate, 1 ton to 110 persons; France, with an average of 34 per cent in its tariff rates, ad valorem, has 1 ton to 71 persons; Italy, with a 27 per cent rate, 1 ton to 72 persons; Germany, with a 25 per cent rate, 1 ton to 34 persons; Sweden, with a 23 per cent rate, 1 ton to 24 persons; Greece, with a 19 per cent rate, 1 ton to every 12 persons; Denmark, with an 18 per cent rate, 1 ton to every 9 persons; Norway, with a 12 per cent rate, 1 ton to every 4 persons; Holland, with a 3 per cent rate, 1 ton to every 15 persons; and the United Kingdom, with no high protective tariff, 1 ton to every 4.6 persons, which proves, it seems to me, that in those countries which have the lowest artificial barriers and the freest facilities for an interchange of products between the people of their respective nations there is a larger tonnage employed to transport the commerce of those nations. And it seems to me that the lesson from those tables is that if the United States would modify its tariffs it would increase its tonnage.

To-day the farmers of the Mississippi Valley are threatened with tariff taxes. On the 30th of June under the new tariff with Germany, which increased the rates upon American agricultural products tremendously, wheat will be increased 114 per cent in its rate; corn, 212 per cent; flour, 156 per cent; bacon, 80 per cent.

Why should the farmers of the Mississippi Valley adhere to a policy which shuts out the German market for their surplus products of wheat, corn, flour, lard, and bacon and at the same time fastens upon them a policy of ship subvention that puts additional taxes upon them without bringing any recompense to them? [Applause.]

Mr. GROSVENOR. Mr. Chairman, I yield thirty minutes to the gentleman from Massachusetts [Mr. WEEKS].

Mr. WEEKS. Mr. Chairman, it must be admitted that it is a matter of some speculation just what legislation should be adopted to give the greatest impetus to our merchant marine and to put us in more direct communication with markets which are now reached either through indirect channels or not at all. The fact is, however, and it must be apparent to everyone, that our merchant marine is at its lowest possible stage and that our direct communications with various sections of the world, especially those South American countries which should be among our best markets, and for whose products we should supply a market, are extremely unsatisfactory. If any business man were managing the entire business affairs of the United States, and there were millions of people producing a billion dollars of foreign trade, as is the case in South America, with whom he had no satisfactory connections, he would be utterly lacking in enterprise if he did not at once attempt to obtain some part of that trade; and even though his first attempts might be failures, he would continue to modify his methods until he had obtained a reasonable share of it. Adopting the same reasoning, I am in favor of passing this bill reported from the Committee on the Merchant Marine, although in many respects it lacks what I believe are the good qualities contained in the bill passed by the Senate last winter. Among the objections to it there are very many which apply to the principles involved in this legislation. As these objections will be discussed by others, I do not propose to consider them; but I am specially interested in and am going to speak briefly on that part of this legislation which applies directly to the establishment of a national naval reserve. This part of the subject has not been given the consideration which it deserves, neither has it met the criticisms which have been made against other parts of the bill. In fact, in my search for reasons why a national naval reserve should not be established I am confined almost entirely to the objections which have been made by Mr. Samuel Gompers, the president of the American Federation of Labor, a gentleman well known to many Members of this House.

Before, however, taking up Mr. Gompers's objections to a naval reserve I wish to refer to an article published in the January number of the Federationist entitled "Ship subsidy," which states that this legislation has been furthered by almost every conceivable method of deception, forgery, and bribery. I use Mr. Gompers's language in this case when he says, "In all our country there is not a more corrupt gang than the well-known coterie who are engaged in the scheme to promote ship-

subsidy legislation." If there is any such corrupt gang, they are not in evidence in this Capitol, and I do not believe that any improper methods have been used to bring about this legislation. I can say to Mr. Gompers and others, if they doubt it, that a very large proportion of the business interests of this country, and especially the interests which are contiguous to the coast, believe that this legislation is of vital importance, and this question has not come before any commercial body having to do with commercial relations, within my knowledge, that it has not met the approval of that association. Certainly there has been no greater effort made in promoting this legislation by those interested in it than has been made by the agents of foreign steamship companies, who have opposed it at every stage. I for one prefer to support and build up our own commercial relations, rather than to listen to the advice of those foreign steamship interests which are enjoying our entire carrying trade at a cost to us of more than $200,000,000 annually. Mr. Gompers says:

It is well known that for many years labor has been almost a unit against ship subsidy in any form. In the past few years there has been no dissenting voice among workingmen on that proposition, and the promoters of ship subsidy are well aware of this general view of labor on the subject. For the purpose of deceiving the American people, including the Members of Congress, they agreed upon a scheme whereby it would on the surface seem that a number of labor organizations undertook to create a sentiment in favor of the ship-subsidy bill now pending in Congress. A number of petitions were presented in Congress by Speaker CANNON. It was all regarded as a joke. Organized labor had declared against the proposition, and here were a number of locals petitioning for it.

It may have been considered a joke, but Mr. Gompers's number of petitions coming from local organizations has reached thousands. I presume every Member of this House representing manufacturing sections has received similar petitions, and the Speaker has received, addressed to "The Speaker of the House of Representatives," more than twenty-five hundred. I will read one which I recently received from the Milford Central Labor Union (a union affiliated with the American Federation of Labor), of Milford, Mass., one of the largest manufacturing towns in my district, which is typical of them:

*Resolved*, That the Central Labor Union of Milford, Mass., favors the earliest possible passage of a bill by the Congress of the United States that will cause the use in the United States of American materials by American workmen for the building of the ships needed for the carriage of our foreign commerce, in order that the United States may save and keep in its own channels of trade the $200,000,000 now annually paid to foreign shipowners by the American people for the carriage of our foreign commerce, in order that the Government may be fortified with ships and men for the national defense in time of possible need, and for the employment of American labor.

Attest:
[SEAL.] WILLIAM F. CLANCY, *Secretary*.

Those addressed to the Speaker were in the form of a memorial, not directed to JOSEPH G. CANNON, and therefore he could not properly treat them in any other way than to present them to the House. It is well for labor as well as others to know, when Mr. Gompers apparently attempts to give the impression that the Speaker has presented petitions which had been fraudulently obtained, that this large number of petitions seem to furnish ample evidence that labor is not entirely bound by the wishes of Mr. Gompers and those who in close association with him are attempting to divert the wishes and interests of the laboring man from the channels which will supply employment at remunerative prices for a large number of men.

Mr. Gompers then goes on, in the article to which I have referred, to describe how he has investigated these fraudulent petitions. He writes a letter to T. E. Flynn, general organizer, address 14 Middle street, Cleveland, Ohio, a letter dated, by the way, December 7, 1906, directing Mr. Flynn to go to New York and investigate these fraudulent petitions which have been forwarded by the American Trades Council of the city of New York. It is worth observing that Mr. Flynn is most expeditious in his action, for he reports to the president of the Federation of Labor that he arrived in New York City on Friday evening, the 7th, the same day that Mr. Gompers wrote from Washington instructions to Cleveland for him to go to New York, and that many conferences were held on the following day, Saturday, the 8th, to outline the work of the investigation. After giving this report of Mr. Flynn's careful study, I am convinced that if there was any fraud in this matter it was information which was fraudulently furnished one labor organization by another, that the so-called promoters of this legislation had nothing whatever to do with it other than possibly paying the postal expenses for sending out the blank petitions; and any attempt to connect the name of the Speaker of this House with such fraudulent attempt does not deserve any further consideration. Mr. Gompers, while he may be diligent in furthering what he considers the interests of the Federation of Labor, has never, to my knowledge, placed himself on record as favoring any attempt to strengthen our national military organizations, or to perfect and make efficient the militia organizations of the several States, and I do not recall any statement or argument ever made by Mr. Gompers which would bring about a reduction in national appropriations. Doubtless in this case his prejudice is created against ship-subsidy legislation by the attempt which is being made to create a national naval reserve, and this prejudice is so great that he overlooks the direct benefit which such legislation must bring to every man he is supposed to represent.

Trade conditions in this country, due largely to combinations and consolidations, are such that it has been considered desirable to organize labor for the protection of labor's interests. In my judgment, conditions have warranted and justified such action. It should be, and doubtless is, the main purpose of such organizations to as far as possible provide for the laboring man steady work at a wage as high as the conditions of the special trade employing them warrant. There should be no dissent from this position of labor. But here is an instance where labor of the highest order would receive a large amount of additional work at excellent wages, but the president of the organization, who is employed to further the interests of labor, uses every means in his power to thwart and defeat this legislation. He apparently overlooks the benefits which those he represents may receive for the purpose of discrediting an attempt to increase the national defense in a form which will at the same time materially decrease the cost of maintaining one of the branches of our military service, the Navy, a statement which I will later attempt to prove. Before doing so, however, I am going to refer to one other criticism which is frequently made against this legislation, and that is that it is being urged by the seaboard States for entirely selfish reasons, and that the very States which urge it have not shown any disposition to develop shipping interests at their own expense. I presume it is true that selfishness to a certain degree is behind a large part of the legislation which Congress is urged to consider, but in this case the charge is not well founded, and I especially call the statement which I am about to make to the notice of the Representatives of those States in the interior who feel unwilling to support this legislation for this or some similar reason.

Some of the seaboard States have been alive to this question for years, especially the States of Massachusetts, New York, and Pennsylvania. Under an act of Congress approved June 20, 1874, an act encouraging the establishment of public marine schools, the President was authorized to turn over to certain ports suitable vessels of the Navy, with complete outfit, to be used at stipulated places for marine schools. The States to which I have referred have taken advantage of this law, Massachusetts by an act which was approved June 11, 1891, under which the U. S. S. *Enterprise* was turned over to the State of Massachusetts, and has since that time been in active commission, educating young men for a seafaring life. The Commonwealth has appropriated in the last fifteen years $921,617.74 to maintain this school, an average of more than $61,000 a year, and there have been graduated from the school during the past eleven years 225 students in what is known as the "seaman section" and 257 students who were graduated in the engineer section, a total of 482 men, all of whom have found employment at sea, filling positions of responsibility. About one-half of these graduates are now following a seafaring life, but at this time, owing to the condition of our deep-sea service, there are not places enough for all the graduates.

The city of New York accepted the act of Congress to which I have referred, and the U. S. S. *St. Marys* has been used by the board of education of the city of New York for the last twelve years as a training ship for a seafaring life. The superintendent of that ship states to me, in a letter which I have recently received, that, owing to the condition of our merchant marine, many of the young men who are turned out at that school do not continue a seafaring life, as there are greater opportunities offered on shore. The entire appropriation for maintaining the *St. Marys*, which has come out of the school funds of the city of New York, is $45,000 a year; in addition to that, any repairs which have been made on the vessel are provided for in a separate appropriation, and as the *St. Marys* is an old wooden ship, it is fair to assume that the cost to the city has been about $60,000 annually.

The data is not at hand for the U. S. S. *Saratoga*, which has been loaned to the city of Philadelphia, but as the *Saratoga* is a somewhat larger vessel than either the *Enterprise* or *St. Marys*, I assume that a similar appropriation must have been made by the city of Philadelphia for this purpose.

Now, it must be quite apparent to anyone that these appropriations are made not because they directly benefit the State of Massachusetts, the city of New York, or the city of Philadelphia, but for the general good. If, for instance, an industrial school

to study the textile trade had been established, the graduates of that school would be available to promote the textile industries of the State where the school was established, and they would naturally continue during life in that line of work, and quite likely as citizens of the State where they had obtained their education. But if the graduates of these school ships are able to obtain employment at sea, they necessarily spend the greater part of their time away from the State which has educated them, so that the direct benefits to a State from the maintenance of a school of this kind are not comparable with the same amount of money expended in any other industrial educational enterprise, but I have never heard in Massachusetts, or in the other communities which maintain such schools, any suggestion that the appropriations should not be continued, or any expression that it was not desirable to educate young men so that they would be well fitted for a seafaring life.

During the Revolutionary War and the war of 1812, in fact, in every emergency which has arisen up to and including the days of the civil-war period, the putting of men-of-war in reserve, or laying them up, was not a serious matter, because in those days a large proportion of our population lived on the seaboard and were engaged in seafaring occupations, and especially in the earlier days of the Republic it was necessary for merchant vessels to go armed to protect themselves against pirates. Therefore there was no difficulty in obtaining crews for our men-of-war on the shortest possible notice, and they were not only American seamen, thoroughly equipped to handle their ships, but they were, in addition, familiar with the ordnance of that time.

Since the civil-war period these conditions have very largely changed. Our ocean carrying trade has not increased in proportion to the size of our Navy or to the business affairs of the country. Our men-of-war are now complicated machines. The merchant sailor, having no longer any knowledge of gunnery, which is the first desideratum in the man-of-warsman, can not be depended on to fill the more important positions, such as gun pointers, etc., but they would, with a reasonable amount of training, be valuable to fill the less responsible positions on our men-of-war. The best illustration we have of our defective system, or lack of system, is the condition we were in when the Spanish war broke out. It was then almost impossible for the Government to obtain suitable men for even the minor positions on board those ships which had been laid up at navy-yards, to say nothing of the vessels which were purchased and converted into different types of men-of-war. From February 15, 1898, about sixty days before war was declared, but when it was apparent that war was imminent, until August 15 of the same year, a period which included the entire duration of the war, the Navy Department was able to ship only 2,616 seamen and 1,942 ordinary seamen, although the greatest efforts were made to obtain men, and even this limited number included the enlistment of men of those classes taken from the Naval Militia organizations. This reference to the Naval Militia reminds me that it is the only organized force we have now or ever have had which could be classed as a naval reserve.

The proper functions of a naval reserve and a naval militia, however, are not the same, though they are often confused. If we did not have State governments, the Naval Militia organizations would naturally be included as one branch of our National Naval Reserve, as is done in England; but in this country they are all organized under State laws, and therefore they must be treated from a different standpoint. A naval reserve should supply the additional personnel needed in time of war:

(*a*) To man the additional vessels of war which will be called into war service and to man the auxiliaries.

(*b*) To provide for additions to the complement of vessels already commissioned and manned.

(*c*) To provide the necessary forces to replace casualties in the fleet.

While the Naval Militia in time of war should—

(*a*) Supply the forces to man the naval patrol of the coast.

(*b*) Man the special naval-patrol signal stations on the coast under the control of the Navy.

(*c*) Man the auxiliaries recommended for improvised defense of threatened coast points not defended by the fixed defenses of the Army.

(*d*) Man such harbor-defense vessels or torpedo boats and supply such automobile torpedo crews, etc., as shall be assigned to the inner line of defense.

Generally speaking, the men who have joined naval militia organizations have not been men who obtained their livelihood by going to sea, but they have almost invariably been yachtsmen and, at the same time, men with a fondness for a military training, so naturally they have joined the Naval Militia rather than the land militia forces. The instruction given them has, from the beginning, varied in different States, but, without any exception, they have been prepared for coast-defense work, and in no State had they been especially drilled for, or considered suitable for, service, except as landsmen, on men-of-war away from their own coasts; and no one had had any idea that they would be used for any other service than in connection with the third line of defense. But when the Spanish-American war broke out, the Government, having bought four large steamers from the Morgan Line, which were rechristened the *Prairie*, the *Yosemite*, the *Yankee*, and the *Dixie*, having no reserves and not being able to obtain suitable men by the ordinary methods of enlistment, was compelled to resort to the Naval Militia of the several States to obtain crews for these ships. The Navy Department selected these forces from the four States having the oldest and largest organizations, and the ships referred to were completely officered and manned by the naval militiamen, with the exception of the captain, executive, navigator, and chief engineer, and a few of the leading petty officers. The Naval Militia from Michigan manned the *Yosemite*, that from Maryland the *Dixie*, that from New York the *Yankee*, and the Massachusetts Naval Militia manned the *Prairie*. I have no intention of taking the time of the committee to go into the service which was actually performed by the men from naval militia forces who served not only on these ships, but on many others which were commissioned for coast defense and other purposes; but I am going to ask unanimous consent to insert in the RECORD, so that the House may have knowledge of the value and timeliness of this service, parts of the report made by Rear-Admiral John R. Bartlett, the officer who was, during the Spanish-American war, at the head of the auxiliary navy.

Organizations of Naval Militia existed in January, 1898, in fifteen States, aggregating 3,703 petty officers and enlisted men, and about 200 commissioned officers. Just prior to the war, organizations were officially recognized in two additional States, and provisional organizations were formed in two others. Without waiting for special legislation, the Department called upon the State Naval Militias, in the latter part of March, to furnish officers and crews for the single-turret monitors (which had seen service in the war of the rebellion and were then laid up at League Island Navy-Yard), and had arranged with the governors of the various States that either leaves of absence or discharges should be granted to such officers and men as should volunteer for this duty. The responses were prompt and satisfactory, and showed the patriotic spirit of the Naval Militia, eight monitors being rapidly put in commission, each under command of a naval officer, all the other officers and the entire crews being furnished by the Naval Militias of the various States.

The Department also called upon the States of New York, Massachusetts, Michigan, and Maryland to furnish officers and men for the merchant steamers purchased for the war, and renamed the *Yankee*, *Prairie*, *Yosemite*, and *Dixie*. This was in accordance with the suggestion that some of the older organizations of Naval Militia were competent to furnish officers and men for seagoing vesels. This call was one which taxed to the utmost the resources of the Naval Militia organizations, coming closely as it did upon that for volunteers to man the monitors, but it was responded to with most gratifying alacrity. To fill complement of these vessels, each organization called upon contributed about 250 men.

As examples of the promptness with which the call was met, the contingent from the First Naval Battalion, New York, reported uniformed, armed, equipped, and ready for duty in six hours after receiving notice; and the contingent from the Massachusetts Naval Brigade, which was notified at 1 o'clock on a Saturday afternoon, arrived at the New York Navy-Yard, fully prepared for service on the *Prairie*, at 9 o'clock the next morning. For the first time in the history of the Navy, professional men, business men, and men of leisure and of the highest education were brought into the lower ratings, and from the reports which have come incidentally to my notice, it appears that they served with great intelligence and enthusiasm, and after a short experience made good men-of-warsmen, although they had had little or no training as seagoing sailors, and exhibited some of the lack of knowledge of the care of property and themselves that is common to all volunteers.

The naval militia of the seaboard States had also been taxed to furnish officers and men for the Coast Signal Service. They had been trained to expect such duty, and the admirable manner in which they performed it has been commented upon by me in another report previously submitted.

As this is the first time that the Naval Militia has been called into service by the United States, it is of great interest to note the character of work performed by it and the manner in which it fulfilled the requirements previously outlined by the Department. Apart from their services on seagoing ships (in which they acted as a substitute for a naval reserve and acquitted themselves far better than could have been reasonably expected, in view of their lack of training for such life), and of their services in the Coast Signal Service (in which they more than fulfilled the highest expectations of their friends concerning them), the efficiency of the officers and men of the Naval Militia must be judged from their work in the Auxiliary Naval Force.

The character of the work performed was twofold—first, guard duty, and, second, patrol duty. The scope of the former was limited to the possibilities of the old type of monitors. It must be remembered that these vessels were hastily put into service after having been laid up for a period of over thirty years, and that after the most necessary repairs had been made at the navy-yards there was still a large amount of work which had to be done by their crews to fit them for the service for which they were intended. This was done cheerfully and well by officers and men, who were naturally anxious to be at the front, but who also fully appreciated the exigency which required coast-defense vessels to protect home ports. The routine duties of the first few weeks on these vessels were performed under very adverse circumstances, as repairs were going on (with the attendant noise, confusion, and dirt), painting was being done, and coal, provisions, etc., were being got on board.

After the vessels had been cleaned up and the crews shaken down, and they had reached their stations, a high degree of discipline and efficiency was attained. The crews were regularly exercised and drilled in boat work and artillery with the secondary batteries; target practice was also performed with the old 15-inch smoothbore guns. Many of these vessels cruised from port to port in the district to which they were attached, went to sea for target practice, and entered harbors by day and night, thereby showing that the officers and men of the Naval Militia were thoroughly competent to handle ships of that or a similar type, and there was no mishap of even the slightest character on any of the ten monitors during the four and a half months in which they were in service. The monitors were brought back to be put out of commission in excellent condition, and were so readily handled and manned by their officers and crews that it is fair to believe that the coast-defense vessels in the future can be turned over to the Naval Militia with entire confidence.

The patrol duty was performed by converted yachts and tugs, and the officers and men displayed special aptitude for this work, owing to their intimate knowledge of local waters. Their acquaintance with harbors and bases of supplies, with the local prevailing weather conditions, and with the landmarks which would have to be relied upon in case of the removal of the aids to navigation, make them the force, par excellence, for the work of an inshore patrol. In the duty of protecting the mine fields the high order of intelligence of the officers and men, as well as their knowledge of the local personnel in the merchant marine, aided them in properly enforcing the harbor regulations and in dealing with merchantmen. Their officers also proved to have considerable ability in the handling of small vessels, and the fact that there were no accidents or casualties in the fleet shows that they were qualified to perform their duties. The results of their practice in scouting and reconnoissance work showed that they would have been of great value to the service if the seat of war had unfortunately been transferred to these shores. In order to illustrate the aptitude of these officers for the character of service mentioned, I annex a copy of an "Information blank for signal and boat reconnoissance parties," returned by two of the officers attached to the third district, who were sent to report upon the character of communication by water between Shinnecock Bay and Peconic Bay, Long Island, New York. (Appendix N.)

It is not, however, merely in the performance of guard and patrol duty that the Naval Militia has been of service to the Department, but in many other ways, and the officers and men of the Navy have cause for sincere thankfulness that the Naval Militia existed during the war with Spain. Its officers and men have cheerfully and patiently endured the monotonous and often uninteresting duties connected with shore stations and the coast defense. They put aside whatever ideas they might naturally have had of more active service at the front, and have filled many humble and arduous posts in the navy-yards, on receiving ships, and even in the offices of the Department. In this way many officers and men of the service were freed from these employments and given a chance for experience at the front in actual warfare—an experience which every officer and man who enters the service covets, no matter from what source he entered it.

It must have been a most gratifying disappointment to those critics in the service who feared that in time of war the officers of the Naval Militia would be tenacious of their rank in the State service and overconfident as to their abilities, to see the manner in which they disregarded their titles and accepted commissions of the lower grades, often performing under them work requiring the highest ability. Of the three captains of the Naval Militia in the United States, one was given the grade of lieutenant-commander, owing to his long and honorable record in the Navy, and the other two were commissioned as lieutenants. Of the commanding officers of battalions, none were given a higher grade than that of lieutenant, and some not higher than lieutenant (junior grade). It must be remembered that all of these men left good positions and incomes and that their presence in the service was the only thing that enabled many regular officers to get to the front.

As an evidence of the assistance that the Naval Militia has been to the Navy, I would cite the instance of one of the officers who was assigned to duty in the Department at the outbreak of the war and who was enabled to have a command, owing to the exertions of an officer of the Naval Militia in getting an appropriation from which several vessels were purchased. It was a coincidence that, while this regular officer was absent at the front, his duties were performed for a time by the very officer who had secured the appropriation. There are many other instances which have probably come to the notice of the Department where work was patiently and well performed by the officers of the Naval Militia to the distinct advantage of the officers of the regular service, and the same holds just as true of the petty officers and men.

On the whole, the work of the officers and men from the Naval Militia was performed in a thorough and efficient manner, but our recent experience shows that there is a certain class of work which they should not undertake to do. Their anxiety to see active service and to get away from receiving ships led many men of education to enlist as coal passers and in other ratings which they were not physically competent to fill. This, of course, was quickly discovered and easily remedied without mishap, and only resulted in the discomfiture of the men themselves. In some cases, too (while commissions were being given without examinations), officers undertook duties for which they were not properly qualified, but they were quick to realize their mistake and were assigned to duty which they were found competent to perform after going before examining boards. When it is considered that the Naval Militia put its men promptly in the service when they were most needed, and that no time or money had to be spent in arming, uniforming, or equipping them, it is apparent that the country realized the full benefit of the appropriations which have been made during the past six years and of the services which have been rendered by the Department in drilling and instructing them.

There are at present naval militia forces organized in fifteen States, mustering something over 5,000 men, and while they are a valuable part of our naval establishment, they do not in any sense supply the place of a national naval reserve such as is proposed in this bill. It is difficult to understand why such an important question as the establishment and maintenance of an adequate national reserve should have been so long neglected. This neglect is equally true whether it applies to the press, to Congress, or to those in whose hands naval administration has been placed in recent years, and it is even true when applied to the Navy itself. To a certain extent this condition may be explained by the fact that until comparatively recently it has not been such a pressing question, for the Navy has been so small that public sentiment and service conditions have required that our ships should be fully manned with trained seamen as soon as completed. So personnel and matériel have, in a measure, kept pace; but even under such circumstances it seems rather remarkable that there has not been at least an academic discussion worthy of it. A casual examination of naval reports and the proceedings of the Naval Institute, while showing how alert and diligent the officers of the Navy have been in discussing and recommending every feature of naval appliance, as well as every conceivable question relating to personnel, from a vice-admiral to an apprentice boy, shows, at the same time, very little consideration of this important question, and while our Navy holds a relatively strong position compared with the navies of the world, we are entirely outclassed by them in auxiliaries and reserves, and I wish to call attention to the advanced position which other first-class powers have taken relative to these questions, for they indicate to me, with a degree of certainty, the course which we should follow.

When we are contemplating the establishment of some additional military or naval force, we should take advantage of the experience of other nations, and especially of the results which have been obtained in England, where conditions are, to a certain extent, similar to our own. England has for many years maintained a naval reserve, which has been largely reorganized within the last half dozen years. She has now naval reserve forces which may properly be divided into four classes: The royal naval reserve, royal naval volunteers, royal fleet reserve, and the coast guard.

The total number of officers and men in these different reserves at the last enrollment was 2,299 officers and 53,973 men. In addition to these there are 350 officers and 5,946 men who are pensioners under 55 years of age, and are therefore subject to service, making a grand total of 2,649 officers and 59,919 men.

The royal naval reserve is largely made up of men who leave the navy under the noncontinuous system, and in addition to these men a very large proportion of the men in this reserve are fishermen. It can be readily seen that the very best men to make up a naval reserve are those who have served on board men-of-war, but who have returned to civil pursuits, and especially those men who have served on board men-of-war who, after their term of service has expired, continue in a seafaring vocation. The officers of the royal naval reserve are appointed by the lords commissioners of the Admiralty from officers and others in the mercantile marine. A system of annual and biennial trainings and drills is instituted, and, generally speaking, officers and men, when in service, are paid the same rates paid officers and men in the royal navy; and in addition to that they are paid a retaining fee, which, in effect, amounts to a pension.

The royal naval volunteers were authorized three years ago. The purpose in establishing this reserve was to create a force of naval and marine volunteers to be used on land or sea, but generally on land, in connection with service in ports, coast guard service, and at signal stations. This is a service very similar to that required from our Naval Militia, and the men composing the royal naval volunteers come from very much the same classes as our Naval Militiamen—that is, from almost all commercial walks in life. These men, when called out for war service, are paid the same rates as officers and men in the royal navy. A large number of men in this force are recruited from workmen in shipyards, who are, by their employment, intimately acquainted with the matériel of war. They are given a capitation allowance at the rate of 35 shillings annually for each efficient, and in addition, if they are given a certificate in a course of training, they receive an additional allowance.

The royal fleet reserve is made up of three classes:

Class A, men in receipt of long-service pension, as seamen, stokers, or marines—that is, they must have served twelve years.

Class B, men who have served as seamen, stokers, or marines, but are not in receipt of a pension for such service.

Class C, men employed as artisans or otherwise in any of the naval or civil establishments under the Admiralty, being subjected also to a condition of service in the reserve.

All of these men are entered for twelve years.

The coast guard service includes protection of the revenue service, life-saving service, light-house service, and enforcing the quarantine. It is recruited exclusively from the navy and naval reserves. A coast guardsman is liable to be called upon for sea service at any time, but after nine years' service at sea he is always eligible for the coast guard when not on active duty aboard ship.

In addition to the classes in the naval reserve which I have enumerated, the entire British sea transportation is managed by the royal navy. As a practical proposition the army states the number of troops or quantity of stores it wants transportation for and the navy furnishes the means. My own judgment is that the same system should be adopted in our Navy, that the Army's responsibility when embarking should end at the water line, and when debarking it should commence at the same boundary. The English transportation system consists of three classes, and necessarily any transportation system must be similarly classed, namely:

1. Private vessels, which applies to special lines making regular trips over a fixed route.
2. Government transports.
3. Ships chartered for general transportation service.

The second of these classes should suffice for the ordinary needs of the Army and Navy in times of peace, and the first and third classes should be called into service only in time of emergency. It is the policy of the English Government in calling the first and third classes into service to retain on board the officers and men of the ships taken for this service, so that practically the handling of the ship is continued under the same control and by the same men that handle it in time of peace. The many and direct benefits which may be obtained through the maintenance of such a naval reserve as this is well stated by the Right Hon. Arthur James Balfour, M. P., who, in a speech delivered in the House of Commons May 11, 1905, on the imperial defense, said:

Under the new admiralty system we should have for sea in a comparatively few hours—I believe that six hours would be sufficient—six first-class battle ships and six first-class cruisers, now in reserve, kept ready to put to sea as soon as steam could be raised, manned by crews specially trained to maneuver and to fight them. And in addition to these we should have in reserve, with nucleus crews ready for rapid action, six first-class battle ships, nineteen cruisers of various classes, fifty-eight destroyers, and twenty-eight torpedo boats.

The total time of German service with the colors is seven years; as a rule, three years in active service and four in the reserve. After that men are transferred to the naval defense of the first levy, in which they remain five years, and then to the naval defense of the second levy, to which they continue to belong until they reach their thirty-ninth year. All men of the seafaring or semiseafaring population who are found temporarily or permanently unfit for naval service or who, from some other reason, are exempt from serving with the colors, are assigned to the relief reserve of the navy, in which they remain for a period of twelve years. Officers and men in the reserve are called out for two periods of training of eight weeks each annually. Those in the naval defense of the first levy are called out for two periods of training of two weeks each annually. Those in the second levy are not drilled in time of peace. The total number of officers in the German naval reserve is 1,707, and there are now about 131,000 men.

FRENCH NAVAL RESERVE.

All Frenchmen who are mariners must enter their names in a register kept in the administration bureau. They in that way become recruits for the navy. The duration of service of the recruit is from the age of 18 to the age of 50. Men are allowed retainers, and in addition to that they are accorded special privileges. For instance, the profession of seaman, the sea fishing industry, and the right to sell their catch do not require any license of those who are on the roll. Any man reaching the age of 50 who can count three hundred months of actual seagoing service in the aggregate, either in men-of-war or merchant vessels, is entitled to a pension which amounts to nearly one-half the pay which he would receive when in active service with the fleet. There are many other privileges of a minor character attached to this service, which now is made up of 878 officers and 129,000 men.

The Japanese naval reserve consists of men who have completed their period of service in the active list, and is also recruited from the merchant fleet. Nearly all of the men in the Japanese navy are volunteers, who engage for eight years' active service and four years in the reserve. If conscription is resorted to, the conscripts are kept four years on active service and eight years in reserve. There are to-day in the Japanese reserve about 300 officers and 12,000 men.

There is another element of importance in connection with this bill which has, I think, been largely overlooked in the past. When we are brought face to face with a war it becomes necessary to provide a large number of auxiliary vessels, such as supply vessels, tenders, dispatch vessels, colliers, transports, etc. At the beginning of the Spanish-American war the Navy was entirely unprovided with vessels of this character. It became necessary to procure them without delay, and a board was appointed for that purpose. I have personal knowledge that this board was made up of officers of great intelligence and experience, and I doubt if it could have been organized any more efficiently than it was. But the board had the greatest difficulty in finding suitable vessels, and when vessels of proper character were found it was necessary to pay the owner's price for them. Naturally, the owner's price was largely in excess of their ordinary commercial market value. Therefore the Government was put to a large expense, which, if it had been provided with vessels of this class before, could have been prevented.

For various purposes there were purchased altogether ninety-nine vessels, only three of which were men-of-war, the latter being the only ships of a fighting character which could be bought. Thirteen of these vessels have been sold since the war, most of them immediately after its close; two of them have been lost, and the remainder have been retained in the naval service. The thirteen vessels sold cost $2,095,281.40. They were sold for $1,051,488.50, almost exactly one-half the purchase price. The total cost of all the ninety-nine vessels purchased was $17,727,258.35. If those vessels sold represented what would have been the probable relative price obtained for the unsold ones, provided it had not been considered advisable to retain them in the service, they would have shown a net shrinkage of very nearly $9,000,000. Such a shrinkage would not be possible if the provisions of this bill are carried out, so that the Government may have reserve ships to call upon in case of need, and it would not be necessary to keep many of the vessels referred to in the naval service if we had such a reserve supply to call upon. I will present at this time a complete list of these vessels, showing the prices paid for them, the cost of repairs to make them available, and the prices obtained for those sold. It should be noted that the Navy Department was forced to buy these ships, as it was absolutely impossible to charter vessels for transport or other auxiliary purposes; and as an illustration of the additional cost, due to the scarcity in ships, it is only necessary to state that the cost of chartering vessels on the Atlantic—those vessels chartered by the War Department for transport service—was about 21 cents per ton per day, while the cost on the Pacific, where there was a greater demand at one time and a smaller supply, averaged about 30 cents per ton per day.

In all these cases, where the Government chartered vessels for transport services, the prices which I have named were net to the owners. The cost of managing them became a charge to our Government. Any changes which were made in them to adapt them for the purpose needed were paid for by the War or Navy Departments, and the vessels, at the end of service, were returned to the owners in the same condition they were in when delivered to the Government. Whenever England finds it necessary to take over vessels, conditions are very different from this. The average cost per ton per month has been about $6, though it has ranged as low as $5 and as high as $7.50. This would be equivalent to about 20 cents per ton per day. But it means very much more than that, for the owner is obliged to dock his vessel at his own expense, and the rate of hire does not commence until the ship is ready for sea. The owners are obliged to cut the decks for increased ventilation and hatchway accommodations, to take down and rearrange bulkheads, and they have no claim for compensation for any alterations or restorations at the termination of the service. Furthermore, the owners of the vessels assume all charges for wages, food, and other expenses connected with handling the vessel, which must be kept in readiness for service when desired. The master of the vessel is liable to punishment for misconduct. The owners of the transport are responsible for Government stores lost through negligence, and in many other minor details the Government is protected in its charter.

Six vessels of the Cunard company and the Canadian Pacific Railway Company are held as royal naval reserve merchant cruisers or in some other way at the disposal of the Government. They are:

| Name of vessel. | Gross tonnage. | Speed. | Owner. |
|---|---|---|---|
| | *Tons.* | *Knots.* | |
| Campania | 12,950 | 20.75 | Cunard Co. |
| Lucania | 12,952 | 20.75 | Do. |
| Umbria | 8,128 | 18.0 | Do. |
| Empress of India | 5,934 | 16.5 | Canadian Pacific Rwy. Co. |
| Empress of China | 5,947 | 16.5 | Do. |
| Empress of Japan | 5,940 | 16.5 | Do. |

These companies are paid an annual subvention of £21,120, which is exclusive of the amount paid for the transportation of mails. These vessels are built so as to be turned over to the government to be used as cruisers, the armaments

and fittings being ready for installation. Two additional steamers of the Canadian Pacific Railway Company, the *Tartar* and *Athenian*, are held at the disposal of the Admiralty without additional subsidy.

In France a large number of the best known ocean steamers belonging to the General Trans-Atlantic Company and the Messageries Maritime Company are built for cruiser purposes, and the armaments and fittings are kept ready for installation at all times. The following is a list of these vessels, and they include the fastest and best merchant steamers sailing under the French flag:

| Name of vessel. | Gross tonnage. | Speed. |
|---|---|---|
| *Compagnie Générale Transatlantique.* | *Tons.* | *Knots.* |
| La Lorraine | 11,146 | 20 |
| La Savoie | 11,168 | 20 |
| La Provence | 15,000 | 21 |
| La Touraine | 8,349 | 18 |
| La Navarre | 6,343 | 17 |
| La Bretagne | 6,756 | 17 |
| La Champagne | 6,724 | 17 |
| La Gascogne | 7,090 | 17 |
| LaNormandie | 6,029 | 16 |
| *Messageries Maritimes.* | | |
| Amazone | 6,240 | 18 |
| Tourane | 6,344 | 18 |
| Magellan | 6,253 | 18 |
| Tonkin | 6,364 | 18 |
| Chili | 6,375 | 17 |
| Cordillere | 6,379 | 17 |
| Atlantique | 6,708 | 18 |
| Australien | 6,570 | 17.5 |
| Polynesien | 6,569 | 17.5 |
| Ville de la Ciotat | 6,631 | 17.5 |
| Armand Behie | 6,635 | 17.5 |
| Dumbea | 5,917 | 16.5 |
| Nera | 5,824 | 16.5 |
| Ernest Simons | 4,562 | 17 |

In Germany the fast steamers of the Hamburg-American Line and the North German Lloyd are held as auxiliary cruisers, and their armaments and fittings are ready at all times for installation. In addition to the list, I will add to my remarks, held as above there are also available for service as cruisers or transports twenty other vessels of these lines having an average speed of 15 knots:

| Name of vessel. | Displacement. | Speed. |
|---|---|---|
| | *Tons.* | *Knots.* |
| Hamburg-American Line: | | |
| Deutschland | 32,000 | 23.5 |
| Amerika | 42,000 | 17.0 |
| Kaiserin Aug. Victoria | 42,500 | 17.0 |
| Kronprinz Wilhelm | 22,300 | 23.5 |
| Norddeutscher Lloyd: | | |
| Kaiser Wilhelm der Grosse | 21,300 | 23.0 |
| Kaiser Wilhelm II | 26,600 | 23.5 |
| Trave | 9,300 | 18.0 |
| Kronprinzessin Cecelie | 28,000 | 24.0 |

Japan has retained a large number of vessels, flying the Japanese flag, for cruiser purposes in time of war. These vessels belong to different Japanese companies and are thirty-three in number. For these armaments and equipments are ready for installation at any time. In addition to that, there are a large number of smaller vessels, having a low rate of speed, which may be taken over for transport service. The total amount paid by Japan in 1905 for vessels under this subsidy amounted to $4,147,604.

Having demonstrated that it is a great waste not to be able to obtain vessels by charter or otherwise for transport and other auxiliary purposes in time of war, I wish now to call the attention of the committee to the saving which might be made provided we had an adequate reserve personnel. The average cost for maintaining the first-class battle ships in our fleet last year was $483,000. This includes the pay of officers and men, cost of stores, and all other kinds of supplies except medical stores and cost of repairs. The average cost of repairs of our battle ships last year was $65,000, and the average estimate for medical stores was $1,000; making the total average cost of maintaining one battle ship in commission for one year $549,000. These figures might vary from this amount from year to year, but quite likely would not vary more than $25,000. Now the unit of our battle ship fleet is a division of four ships. Two divisions make a squadron, and two or more squadrons a fleet. Therefore, if our Atlantic fleet, which is the training school for the handling of battle ships, is made up of sixteen ships, we should have a complete organization, giving all the experience and benefits from fleet maneuvers and drills which could be obtained from any larger number of ships which might be detailed for this purpose. We will have at the end of this year at least twenty-four battle ships in commission. It is fair to estimate that a battle ship will be laid up for some purpose about one-fourth of the time. Therefore, in order to make a complete fleet it would be necessary not only to have sixteen ships, but four in addition to take the place of those laid up. This would leave four battle ships which could be put in reserve if there were any assurance that they could be put into active service quickly in case of need. Definite figures of the cost of a battle ship in reserve are not obtainable, but very careful estimates have been made by the Bureau of Navigation, and they are substantially as follows: That the ship shall carry one-fourth of her crew, or one complete crew of all ratings for each four battle ships in reserve. To provide for a ship in this condition the estimated expense is as follows:

| | |
|---|---|
| Estimated pay of officers and men | $70,000 |
| Estimated rations | 6,000 |
| Incidental expenses | 500 |
| Equipment stores | 2,000 |
| Ordnance stores | 500 |
| Construction stores | 500 |
| Steam-engineering stores | 1,000 |
| Stores for the supplies and accounts | 12,000 |
| Total | 92,500 |

The estimated average repairs for a battle ship in reserve is $10,000, and for medical stores, $300, making an estimated total expense in reserve of $102,800. The difference in expense between a battle ship in reserve and one in commission would be $446,200. If at the end of the year we have four battle ships in reserve instead of in commission (this can be done without weakening the fleet, provided we can man these ships on short notice), there would be a net actual saving of four times that amount, or $1,784,000. But this saving is none the less marked in other vessels of the Navy than in the case of the battle ship. In fact, it will be as certainly possible to lay up ships of other classes as battle ships, because they will not be needed for fleet maneuvers, but will be used for the ordinary purposes which go to make up our naval establishment in time of peace. Take, for instance, the other classes in the order of their prominence. The cost of maintaining an armored cruiser of the *Colorado* type, including repairs, the latter item estimated, would be about $570,000, it being more expensive to maintain an armored cruiser than a battle ship, because the cruiser carries more men. If the proportional cost for maintaining this ship in reserve is the same as in the case of the battle ship, the cost in reserve would be $114,000, showing a net saving of $456,000. There are four vessels of this class in commission, and if these were laid up in reserve it would make a net saving of $1,824,000. By the same processes the saving in putting in reserve a first-class cruiser would be $332,000; of a second-class cruiser, $285,000; of a third-class cruiser, $198,000. As I have said, the only possible objection to this procedure is the improbability—in fact, impossibility—under present conditions of providing suitable crews for vessels in reserve.

A large number of battle ships and armored cruisers have been completed and put in commission during the past two years, and many more will be turned over to the Navy Department this year, so that by January, 1908, with the exception of the battle ships *South Carolina* and *Michigan*, we may practically say that our present building policy has been completed. The latter two battle ships will not be completed until about January 1, 1910. Therefore I want to show what will be the relation of the personnel and the material in our Navy January 1, 1908. Our present authorized enlisted strength is 37,000 men, and of this number 32,035 were recruited January 1, 1907. It is proposed by the Navy Department to divide our fleets into active and reserve. The active fleet will include only those battle ships, armored cruisers, protected cruisers, scout cruisers, and gunboats built to carry the latest types of gun—that is, those designed to use smokeless powder. To these must be added the gunboats required for service on inland waters, torpedo-boat destroyers, and torpedo boats, dispatch vessels, tenders, training and station ships, supply vessels, colliers, and tugs required for the training and maintenance of the active fleet, and all of these vessels must have their complements of men. It is the intention to include in the first reserve fleet those vessels not originally designed for smokeless powder guns, together with a proportionate number of torpedo boats, fleet auxiliaries, etc.; a certain number of gunboats not necessary for immediate active service, such dispatch vessels and other similar vessels as are not required for use with the active fleet as well as coast defense vessels, such as monitors, old cruisers, etc. To this reserve fleet should be added those battle ships

which are not required for the training of the fleet as well as armored cruisers and other cruisers not necessary for immediate active service. If this division is made, as it is now the intention of the Navy Department, the active fleet will require 37,283 men; the first reserve, which will be manned by skeleton crews, only one-fourth of the usual force of officers and men being attached to these vessels, 3,309 men; for shore stations, 1,219 men.

To put the ships of the first reserve in commission and man all colliers with naval crews would require 7,827 men; to put ships of the second reserve in commission would require 1,986 men. It is estimated that the men with a fleet of this size in training—that is, on training ships, in navy-yards, and in hospitals—would number 8,250 men, making a grand total of 59,874. If from this number is taken the whole enlisted authorized strength, 37,000, there will be a shortage January 1, 1908, of 22,874 men. As our enlisted strength is now about 5,000 men below the maximum, we will, in fact, be 28,000 men short January 1, 1908.

The average cost of pay and rations for the men in our Navy is $492 a year, or 10,000 men would cost $4,920,000 annually. Now, if we can supply the place of 10,000 men, as provided by this bill, we would save the difference between the cost of a man in the regular establishment and a man in reserve. The cost of the latter can not be absolutely determined until the regulations for drill periods, etc., are worked out, but I believe $100 annually would much more than cover the cost of the reserve man, which would mean a net saving of $392 annually for the 10,000 provided by this bill, or a total of 3,920,000.

To summarize: If this bill passes and the steamship lines authorized by it are established, it will prevent the waste which was so evident at the beginning of the Spanish war in providing auxiliaries for our fleet; it will furnish vessels which can be transferred into scouts, or even cruisers, if it is necessary to do so, and it will supply a reserve for our permanent naval establishment without which it will be necessary to largely increase the number of men in the permanent establishment, or leave ourselves in the position of having built men-of-war which we have no means of manning. Instead of manning parts of our fleet which will be put in reserve, provided there are reserve men to man them, I believe that I have conclusively shown that a saving of about $4,000,000 annually can be made. This is more than the entire appropriation for subsidies called for by the bill, and would in itself, in my judgment, justify the passage of the bill if there were no other reasons for its passage. [Applause.]

The CHAIRMAN. The hour of 6 o'clock having arrived, in pursuance of the previous order of the House, the committee will stand in recess until 8 o'clock.

Accordingly (at 6 o'clock p. m.) the committee took a recess until 8 o'clock p. m.

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EVENING SESSION.

The recess having expired, the Committee of the Whole House on the state of the Union resumed its sittings, with Mr. CURRIER in the chair.

Mr. GOULDEN. Mr. Chairman, I now yield ten minutes to the gentleman from Texas [Mr. GILLESPIE].

Mr. GILLESPIE. Mr. Chairman, this bill can not be discussed in ten minutes. But it is so objectionable to me I desire to express my opposition to it. It is the entering wedge of a system of ship subsidies, although now thinly disguised under the name of mail subvention. No one can be mistaken in the hope and purpose of the forces that are behind this bill. Every man in the Republic is to be taxed for the benefit of the shipbuilder and the shipowner—the American ship trust.

Mr. Chairman, the thing that makes possible all these raids upon the Treasury of the Republic is our large idle surplus wrung from the people by unjust and unnecessary taxation. This surplus explains a $2,000,000,000 Congress—a tax of more than $100 upon every family in the country. What thoughtful man, Mr. Chairman, can see the end of these extravagant expenditures?

This bill, Mr. Chairman, is the beginning of a return to our shipbuilders of the amount of tariff taxes that they long have claimed have been unjustly taken from them. They say: "The surplus is here; let us have our share."

Mr. Chairman, the policy of subsidizing shipbuilding is not only unjust and discriminatory in that it forcibly takes from those who have earned and gives to those who have earned it not, but it is a narrow and unwise policy for the Republic to pursue in an economic sense. It is taking labor and capital from the more profitable fields of industry and devoting them to the less profitable. Our labor and capital are now both profitably employed. The demand is most urgent from all over this country for greater supplies of both labor and capital. There is no idle capital and there is no idle labor.

This policy does not propose to employ any labor not already employed nor engage any capital not already engaged. To the extent of the subsidy it is a wasteful expenditure of the people's money.

Not only that, Mr. Chairman, but it is false economy as applied to our foreign trade. We are as dependent upon foreigners as they are upon us. We boast of our prosperity, and it is apparently unsurpassed, but how plainly our prosperity depends upon that of the foreigner! What would become of the great surplus of the products of our mines, factories, and fields if the foreigners were not prosperous enough to take it at remunerative prices? This surplus would be thrown upon the home market. Low prices would result. Stagnation of business would set in. The arm of industry would be paralyzed.

Now, suppose it is true that this foreigner, upon whom we so much depend, by reason of the overcrowded conditions of population of his country and the resultant fierce struggle for existence—suppose that it is true under these conditions he builds and operates ships cheaper than our people can afford to do; is it a wise policy, I submit, by our subsidies to drive him from the seas and close up his shipyards? This policy is not only unjust to the foreigner, but equally unwise and short-sighted for us.

We frequently hear the absurd statement made in the discussion of this question on this floor and elsewhere, that if we could carry our foreign tonnage in our ships we could save each year $200,000,000, that being the sum we pay per year to foreigners for ocean tonnage.

To make such an absurdity true we would have to have idle capital and labor to thus employ. If, as is claimed, the difference between the investment value of our capital and the price of our labor is at least 25 per cent in our favor, as compared with the foreigner, then our annual tonnage, if carried at American standards, would cost us $250,000,000, a loss of $50,000,000, which we would have to make good by subsidy if this policy were carried out. Is it not wiser to pay the foreigner the $200,000,000 for carrying our freight and we employ the amount of labor and capital necessary for that in the building of railroads and factories, the opening of mines and farms, which at the end of the year would be worth $250,000,000, a clear gain in wealth of $50,000,000? And not an American will have worked any harder or received any less wage.

But, Mr. Chairman, I do not believe it is true that the foreigner can build ships any cheaper than we can, because we are making locomotives, paying the freight on them, and selling them in the foreign market cheaper than the foreigner can. The same is true of other expensive and complicated machinery. Why can we not build ships, also, as cheaply as the foreigner? While our labor is more expensive, it is more effective by reason of the superior physical and mental condition and greater skill of the American laborer.

Mr. Chairman, this ship subsidy is unjust. It is, in my opinion, morally wrong, and it is false as a principle of political economy. It is of supreme importance, Mr. Chairman, that our people learn again the lesson of economy in governmental expenditures, of taxation only to meet those expenditures, of determined opposition to all special favors and privileges. If American institutions are worth preserving, these simple but most essential lessons must be learned again. Mr. Chairman, the greatest danger to this Republic is the surplus of $250,000,000 now in our Treasury. [Applause.]

Mr. SHACKLEFORD. Mr. Chairman, I shall not undertake to discuss this question at any length. The Republican party is in full control of this House, and whatever its leaders may have determined upon as a policy will be adopted. Nothing that I can say would in any manner shape the destiny of this piece of legislation, and it is not worth while to discuss it at length. I rise simply to call attention to some of the methods that have been pursued in pushing the measure. For more than a year a literary bureau, paid for by somebody, has been sending arguments in favor of this bill to every part of the country. Not a day has passed but we have received literature of one kind or another in favor of ship subsidy. This has undoubtedly cost money. Who has paid for it, Mr. Chairman? Those who expect to be benefited by it. There is a ring, a clique, which is pushing this measure, hoping to rob the American people. Fraud of various kinds has been resorted to in order to give the measure strength before the American people. Among other things, Members of the House have been flooded with the literature purporting to come from labor organizations of the country, all in favor of this legislation. Mr. Chairman, that was a subterfuge;

it was a fake; it was a fraud, perpetrated knowingly and willfully by those who hoped to benefit by this piece of legislation, to benefit by this legislation which taxes the great body of the American people for the benefit of a few already overrich corporations, and gives the country nothing in return for it. As an evidence of the subterfuges and the frauds and the misrepresentation that have been practiced to promote the passage of this bill I hold in my hand an article written by Mr. Samuel Gompers taken from the American Federationist. I insert it here that this House and the country may know to what extent these greedy corporations, thirsting for this money to be wrung from the people, will go. The article is as follows:

SHIP SUBSIDY.

[By Samuel Gompers.]

In all our country there is not a more corrupt gang than the well-known coterie who are engaged in the scheme to "promote" ship-subsidy legislation. It is their business to conduct news bureaus so that every ingenious argument which can be invented or presented may reach the public; to create a "public sentiment" in favor of the scheme; to its iniquitous features, iniquitous not only as to subsidy itself, but also to hide the effort to establish by false pretense the un-American proposition of conscription in the naval service as a condition precedent to employment on privately owned vessels. Trying to "buy" men is their regular business; nothing is too mean or contemptible for the "promoters" to stoop to if it only seems to give their schemes the appearance of success. It is well known that for many years labor has been almost a unit against ship subsidy in any form; in the past few years there has been no dissenting voice among workingmen upon that proposition. Particularly has this been emphasized since the disguised conscription feature has been incorporated as part of the general scheme. The "promoters" of ship subsidy are well aware of this general view of labor on the subject. For the purpose of deceiving the American people, including the Members of Congress, they hit upon a scheme whereby it would, on the surface, seem that a number of labor organizations undertook to create a sentiment in favor of the ship-subsidy bill now pending in Congress. A number of petitions were presented in Congress by Speaker CANNON. It was all regarded as a "joke." Organized labor had declared against the proposition, and here was a number of the locals "petitioning" for it. It was indeed a good joke, but no one seemed to regard it of sufficient importance to try to learn the cause of the apparent inconsistency. I knew the character of the ship-subsidy "promoters" and some have given me credit for knowing something of the labor organizations. It seemed to me to be worth while to learn the true inwardness of the whole matter, and I decided that a complete and truthful investigation should be made, and if it were of sufficient public interest to print it, as I now do, in the columns of the American Federationist.

The initiation of the investigation and its results are given below, and it will amply repay the readers to follow them carefully to the end:

WASHINGTON, D. C., *December 7, 1906.*

Mr. T. E. FLYNN,
*General Organizer, 14 Middle Street, Cleveland, Ohio.*

DEAR SIR AND BROTHER: I wired you to-day to come to this office, and inasmuch as I am leaving here and will not be able to meet you, I address you this letter, which you will use for your guidance.

While at the convention of the American Federation of Labor, several unions forwarded to me some petitions, resolutions, leaflets, etc., upon the subject of "ship-subsidy bill," Senate bill 529, which purported to emanate from the Marine Trades Council of the port of New York and vicinity and were sent to the unions, misrepresenting certain features of the bill and omitting to state other features of that bill.

From my knowledge of the financial and other conditions in regard to the Marine Trades Council of the port of New York, it seemed to me to be exceedingly peculiar that that council could afford to circularize the country and bear the expense of printing, addressing, postage, etc., involved in this matter. However, as I was very busily engaged with the many affairs of the convention, I transmitted to the committee having the subject of ship-subsidy bill under consideration these documents, requesting the return of same to me.

On my return to the headquarters of the American Federation of Labor in Washington, a large number of organizations forwarded here these circulars, petitions, and resolutions, and asked whether they were bona fide, and, in view of the position of labor upon the subject of ship subsidy, as well as the practical conscription feature of the bill, they protested against the receipt of such communications from an organization purporting to represent labor even locally.

During this period I learned that Speaker CANNON presented a number of petitions purporting to come from labor organizations, and of the same character to which I refer. I attach herewith a copy of each of these documents which were forwarded to the labor organizations of the country.

As I have already stated, I strongly doubt whether it was possible for the Marine Trades Council of the port of New York to take the position it purports to have taken or could bear the expense involved by that action, even if it has authorized the issuance of these documents.

You are a member of the Brotherhood of Boilermakers and Iron Ship Builders of America. You know that that organization once favored a feature of ship subsidy, but that at its later conventions repudiated any advocacy of that bill or ship subsidy in any way, and directed that the members and local organizations should not, in the future, take any affirmative action upon that subject. Because you are familiar with the history of this subject-matter, I desired that you should come to this office and then immediately upon perusal of this letter to proceed to New York and make a thorough investigation of this entire subject-matter. You should visit the Marine Trades Council and ascertain from that body what it has done, if anything, upon the subject.

I would suggest that you avoid publicity, particularly for the present, but your investigation must be impartial, thorough, and comprehensive, and make full report thereon to me. I want you to take nothing for granted. Everything you report must be founded upon fact; it must be detailed and complete. If you should find it necessary to associate some one having an understanding of the subject or the means of ascertaining the facts, you may associate such a one with you in making this investigation.

Please give this matter your prompt, careful consideration and action, and submit your report at as early a date as possible.

Fraternally, yours,

SAMUEL GOMPERS,
*President American Federation of Labor.*

GENERAL ORGANIZER FLYNN'S REPORT.

NEW YORK, *December 13, 1906.*

Mr. SAMUEL GOMPERS,
*President American Federation of Labor,*
*423 G Street NW., Washington, D. C.*

DEAR SIR AND BROTHER: I herewith submit a report of the matter signed to me by you to investigate the Marine Trades Council of the Port of New York and Vicinity, and its alleged participation in advocating the passage of Senate bill No. 529, known as the "ship-subsidy bill."

I arrived in New York City on Friday evening, the 7th, arranged for conferences with our representative, Herman Robinson, and several members of the Marine Trades Council. Many conferences were held on Saturday, the 8th, to outline the work of investigation.

On Monday, the 10th, Organizer Robinson and myself attended the meeting of the Marine Trades Council. We were courteously received and accorded the privilege of the floor. We placed the entire matter before the Marine Trades Council and produced document or letter marked "Exhibit A," which purports to be an official communication upon the letter head of the Marine Trades Council, signed by Walter S. Weeks, as secretary. We also produced the pamphlet marked "Exhibit B," and several copies of resolutions, marked "Exhibits C," "D," "E," and "F," and one letter, entitled "Facts about American shipping," marked "Exhibit G," and the half letter entitled "The shipping bill in a nutshell," marked "Exhibit H." All of these exhibits have been sent to thousands of organizations throughout the United States in the name of the Marine Trades Council, and after their examination by the delegates of the Marine Trades Council they denied absolutely their authorization. Nothing of this nature has been authorized by them and no moneys have been appropriated for the printing or distribution. A resolution was thereupon unanimously adopted, which is also herewith attached, dated New York, December 10, 1906, marked "Exhibit I," and signed by the president, the recording secretary pro tempore, with the seal of the Marine Trades Council of the Port of New York and Vicinity attached, which is self-explanatory.

For your further information will say that among a number of the individual organizations, whose names appear upon the back of the communication marked "Exhibit A," are those of the Pattern Makers' Association and the Ship and Machinery Riggers' Union, and both of these organizations have denied over their seals and signatures having ceased affiliation with the Marine Trades Council over two years ago. These denials are herewith attached and marked "Exhibits J and K."

Prior to our departure from the meeting of the Marine Trades Council on Monday evening the following action was taken: That a committee representing the Marine Trades Council be appointed to cooperate with the representatives of the American Federation of Labor to ascertain who had the printing done, who contributed the money therefor, and who were responsible for the issuance and distribution of these various exhibits in the name of the Marine Trades Council.

The printer was located and is Mr. C. J. O'Brien, of 227 William street, New York, N. Y. A visit to his establishment revealed nothing, his reply being that he was desirous of protecting his customers as far as possible, and the committee of investigation was compelled to resort to legal means.

Believing that a crime had been committed, the committee and I proceeded to the office of the district attorney of the city of New York, and the entire matter was placed before him, which resulted as follows: He immediately summoned the printer to his office, also summoned Mr. Walter S. Weeks, whose name appeared on the letter of the Marine Trades Council as secretary, and from them we obtained information that led to the discovery of the person or persons who were responsible for the issuance of these communications and resolutions.

A Mr. A. D. Story, who, during cross-examination by the assistant district attorney, said that he was employed by Mr. Alex. R. Smith, whose office is in the Rockefeller Building, in Cleveland, Ohio, and who occasionally comes to New York City, and is engaged in the furthering of legislation for the shipping interests. Mr. Story also admitted that he was employed by said Mr. Smith to look after the printing and addressing and that the communications were mailed, for which he was compensated, and the entire subject-matter regarding Mr. Story's connection is hereto attached by a copy of a sworn affidavit in the district attorney's office, which is self-explanatory.

Another copy of a sworn affidavit obtained from Mr. Walter S. Weeks, as secretary of the Marine Trades Council, explaining the use of his name, which is self-explanatory, all of which will tend to show that the petitions for the indorsement of the ship-subsidy bill (S. 29) have been obtained by fraudulent means; and Assistant District Attorney Krotel stated: "The crime as committed and as per evidence in this case is a serious one, as the name of an organization comprising a number of other organizations has been used without authority, knowledge, or consent, and is punishable by a term of from one to ten years' imprisonment."

I believe that Mr. Alexander R. Smith, who is the person that supplied Mr. Story with the copy for the printer, furnished the money to pay the expense and is no doubt the guilty person, and upon the affidavit obtained from Mr. Weeks and Mr. Story, as Exhibits L and M, are sufficient to indict Mr. Smith.

All the above is respectfully submitted by

Yours, fraternally,

T. H. FLYNN,
*General Organizer, American Federation of Labor.*

The reader's attention is called to the following fraudulent letter, referred to in Mr. Flynn's report as "Exhibit A." It purports to emanate from a bona fide labor organization over the signature of its secretary; yet even the letter head on which it is printed is a counterfeit, the name of the secretary is forged, and the subject-matter of the letter was never authorized by the organization in question. This fraudulent letter perverts the facts in connection with the ship-subsidy bill, omits any reference to the features of the bill, which practically make compulsory naval service a condition upon which seamen can find employment on privately owned vessels.

It appeals to organized labor to help a supposed labor organization in an alleged honorable move.

The counterfeit letter head reproduced below should be compared with the genuine, also reproduced in this article. The motto in quota-

tion marks on the counterfeit is printed in red; no such motto appears on the genuine.

EXHIBIT A.

NEW YORK (BOROUGH OF MANHATTAN), *November 5, 1906.*

Mr. WILLIAM VAN BECKUM, *Green Bay, Wis.*

DEAR SIR AND BROTHER: Will you please bring inclosed documents before your lodge? They show resolutions by other labor unions favoring a bill that will give American workmen employment in building ships of American materials, in American shipyards, for our foreign-carrying trade. Blanks are also sent that you may chose and adopt one, or to help you draw up one of your own and adopt it. We also send a summary of the bill as it passed the Senate. I will also ask that you read "Facts About American Shipping" at your next meeting.

We are asking your help in order to get Congress to pass the bill that will give us work at our trades in American shipyards. If things go on as they are, alien labor, using foreign materials, builds the ships employed in our foreign trade. If this bill goes through, it means that American materials, used by American labor, will build the ships in this country. This bill is in the interest of American labor. It means work for us where there is now idleness. Will you help us out?

If you adopt a resolution, will you send it to your Congressman and a copy to Hon. JOSEPH G. CANNON, the Speaker of the House of Representatives, Washington, D. C., signed by your secretary and with the seal of your lodge attached? We would thank you to let us know what you do.

Fraternally, yours,

WALTER S. WEEKS,
*Secretary Marine Trades Council.*

This communication on the counterfeit letter head contained on the back a list of organizations purporting to belong to the Marine Trades Council.

EXHIBIT B.

A pamphlet purporting to contain resolutions adopted by labor unions in favor of the ship-subsidy bill was inclosed with the above letter, and these resolutions were used as the inducement, the bait, to influence other labor organizations to regard the entire matter as emanating from and absolutely and exclusively in the interest of labor.

With the above letter and pamphlet were various forms of resolutions which the unions were urged to adopt and forward to Speaker CANNON. These resolutions were referred to in Mr. Flynn's report as "Exhibits C, D, E, and F."

"Exhibits G and H" were printed circulars containing arguments and special appeals urging the reason why the ship-subsidy bill should pass. The following is the resolution adopted by the Marine Trades Council of New York upon learning that the above fraudulent documents were being circulated. A facsimile of the true letter head of the Marine Trades Council is reproduced below. It will be seen that the counterfeit (Exhibit A) differed considerably from it both in style of type and matter.

EXHIBIT I.

NEW YORK, *December 10, 1906.*

Whereas we, the delegates of the Marine Trades Council of the Port of New York, are in possession of facts that letters and copies of resolutions have been printed, mailed, and distributed among the different labor organizations throughout the United States in the name of the Marine Trades Council of the port of New York, requesting the indorsement of organized labor in favor of the passage of Senate bill 529, known as the ship-subsidy bill; and

Whereas the Marine Trades Council of the Port of New York has neither authorized the printing, the mailing, or distributing, nor has any money been appropriated for the printing, mailing, or distribution of such letters or resolutions; and

Whereas said letters and resolutions have been mailed and distributed without either the sanction or authority of the Marine Trades Council of the Port of New York: Therefore, be it

*Resolved*, That we, the Marine Trades Council of the Port of New York, in regular meeting assembled on the evening of the above date, repudiate the issuing of said letters and resolutions or mailing of the same in the name of this Marine Trades Council of the Port of New York.

Adopted unanimously.

Attested by—

[SEAL.]

PETRO NEVIL, *President.*
HUGH J. MCLAUGHLIN,
*Recording Secretary pro tempore.*

The following organizations, whose names were printed on the back of the fraudulent document (Exhibit A), are not even part of the marine trades council, as their protests, which follow, show:

EXHIBIT J.

NEW YORK, *December 10, 1906.*

Communications have recently been sent out by an organization calling itself the "Marine Trades Council of the Port of New York," requesting indorsements for the ship-subsidy bill now pending in Congress, and among the names of the organizations affiliated with said council appears that of our organization under the title of the "Ship and Machinery Riggers' Union."

We desire to say that this organization of riggers has not been affiliated with said council for over two years, and any communication issued by them with the name of our organization attached is unauthorized and unwarranted.

[SEAL.]

JOSEPH W. MCFADDEN, *President.*
C. J. POOLE, *Recording Secretary.*

The pattern makers also promptly repudiated the counterfeit documents which they were quoted as indorsing.

EXHIBIT K.

PATTERN MAKERS' ASSOCIATION OF NEW YORK AND VICINITY,
*New York, December 10, 1906.*

Communications have recently been sent out by an organization calling itself the "Marine Trades Council of the Port of New York," requesting indorsement for the ship-subsidy bill now pending in Congress, and among the names of the organizations affiliated with said council appears that of our organization under the title of the "Pattern Makers' Association."

We desire to say that this organization of pattern makers has not been affiliated with said council for over two years and any communications issued by them with the name of our organization attached is unauthorized and unwarranted.

ARNOLD B. MACSTAY, *Business Agent.*

The following is a copy of the affidavit of Walter S. Weeks, made in the office of the district attorney of New York City:

EXHIBIT L.

People of the State of New York against Alexander R. Smith, Arthur B. Story, and Walter S. Weeks.

STATE OF NEW YORK, *County of New York, ss:*

Walter S. Weeks, being duly sworn, says that he is the business agent and president of the International Brotherhood of Boiler Makers and Iron-Ship Builders, Helpers, etc., of America, and that he knows the defendants, Arthur B. Story and Alexander R. Smith, and that, after having been duly sworn in the presence of a committee of the Marine Trades Council of the Port of New York and Vicinity, and also of the American Federation of Labor, said committee consisting of Henry Bohn, of the Marine Trades Council, and Messrs. Herman Robinson and Thomas H. Flynn, representing the American Federation of Labor, makes the following statement in regard to his connection with a certain forged communication dated November 5, 1906, and purporting to issue from the Marine Trades Council of the Port of New York and Vicinity, and purporting to be signed by deponent as secretary of said council.

Deponent further says in the latter part of August or in the first part of September the defendant, Alexander R. Smith, came to deponent at Nos. 67 and 69 St. Marks place, in the city and county of New York, and asked me if the resolution presented by the boiler makers, or asked whether a resolution passed by the Marine Trades Council in April, had been voted on. I told him "Yes;" and he asked me if I would allow him to use my name as the international president of the Boiler Makers, etc., of America to get copies of the journals—monthly journals—of the international organization, containing the addresses of the secretaries of local organizations, to be used as coming from Walter S. Weeks, representing the Boiler Makers, etc., of America, and I did, for the consideration of $200, and that I had never allowed or given Mr. Smith the privilege to use my name as the secretary of the Marine Trades Council and absolutely deny that I had ever seen a copy of this letter head sent out with the name of the Marine Trades Council, and the only part of the communication that I saw was a copy of the resolution unsigned.

I did not see a copy of the pamphlet with the resolutions supposed to be passed by the Marine Trades Council on April 30, 1906, or the resolutions supposing to come from the boiler makers and iron-ship builders' organization throughout the country. That is not one of the official letter heads of the Marine Trades Council, and also it does not bear the seal of said Marine Trades Council (which was shown to me in the district attorney's office), and that the Marine Trades Council has not authorized or appropriated any of the moneys for the payment of such printing.

Sworn to before me this 14th day of December, 1906.

WALTER S. WEEKS.

The following is a copy of the affidavit of Arthur B. Story, made in the office of the district attorney of New York City:

EXHIBIT M.

People of the State of New York *v.* Alexander R. Smith, Arthur B. Story, and Walter S. Weeks.

STATE OF NEW YORK, *County of New York, ss:*

Arthur B. Story, being duly sworn, makes the following statement in the presence of the aforesaid committees:

Some time in the month of September, 1906, Mr. Alexander R. Smith came to me at the Maritime Exchange Building, in the city and county of New York, and asked me if I would take charge of the printing to be sent out and attend to the addressing, which names he would furnish, and that Mr. Weeks was to furnish the journals for these names. After printing being completed the documents to be inclosed in envelopes and sent to the several addresses, which I attended to.

Q. Did he give you any data upon which to fill the order—the printing order?—A. He sent me copies of the several different kinds of pamphlets and the four resolutions and what other documents there are there to take to the printer and have the printer set them up and print them.

Q. Did you not see Mr. Weeks at that time?—A. Yes; I had seen Mr. Weeks.

Q. Previous to seeing Mr. Smith?—A. No.

Q. How did Mr. Weeks come into that, as far as you are concened?—A. Mr. Smith introduced me to Mr. Weeks at the Maritime Exchange Building.

Q. And what did he say to you when he introduced you to Mr. Weeks?—A. He said that Mr. Weeks was to hand me in as fast as he could receive them the several lists from the different lodges which he had written to, I believe. That was all the conversation I remember. That I was to use those lists as to inclose these documents to the several different organizations.

Q. Who was it that gave you this form—this Marine Trades Council letter head—who gave you that?—A. I don't remember where that came from, whether that was inclosed in the document that Mr. Smith handed me or not.

Q. Did Mr. Weeks hand you any document at all outside of the rosters?—A. I don't remember if he handed me any.

Q. Don't you remember that Mr. Smith gave you any instructions in regard to this letter—this communication? There must have been some instructions.—A. He gave me instructions to have the letter head printed and the letter——

Q. Did he dictate the form of the letter, or Mr. Weeks?—A. I don't know who dictated that. I got it in typewritten form.

Q. What form did you get it?—A. I believe it was a typewritten letter.

Q. What kind of paper was it?—A. I don't remember whether it was on a letter head of one of the Marine Trades Council or on a blank letter head.

Q. But you understood you were to transcribe it upon one of the letter heads which you were to have printed?—A. Yes, sir.

Q. Mr. Smith was very particular about that?—A. Yes, sir.

Q. Did he tell you where he got this letter head?—A. No.

Q. What conversation did you have with Mr. Weeks about the use of his name?—A. I don't remember ever having any conversation with Mr. Weeks about the use of his name otherwise than that he arranged with Mr. Smith.

Q. What did he arrange with Mr. Smith?—A. That I don't know.

Q. What did Mr. Smith tell you he had arranged with him?—A. Mr. Smith didn't say just what arrangement he had made with Mr. Weeks other than it was all right to go ahead with the work.

Q. Who instructed you to sign Mr. Weeks's name to this document

as secretary?—A. I believe Mr. Smith did at that time. I think that was understood between him and Mr. Weeks.
Q. You thought it was understood between Mr. Weeks and him?—A. Yes. He said that anything he told me to do had been understood between himself and Mr. Weeks.
Q. Did he tell you that Mr. Weeks was the secretary of the Marine Trades Council?—A. I believe so; yes, sir.
Q. Did you ever ask Mr. Weeks whether he was the secretary of the Marine Trades Council?—A. I don't remember whether I ever did.
Q. Now, you say you had a model to work on to get this printing done. Did Mr. Smith give you any instructions as to what style he wanted the printing done—the printing of the letter heads like this? If you were doing a straight job, why didn't you copy the letter head that was submitted to you as a model? Why did you change it?—A. (No answer.)
Q. The one that you showed me, the black one, is the official letter head. Why did you copy it in that shape?—A. I gave the order for the printing and followed instructions. Those were the instructions I had.
Q. Those were the instructions you had that Mr. Smith gave you?—A. I didn't know that was to be——
Q. Did he instruct you to put the various organizations on the back of it, which was not on the official?—A. He instructed me to have—I believe he said copy over that letter head.
Q. Now, Mr. Story, be perfectly frank with us. That was not so long ago that your memory can be so weak. There is the evidence itself. You know perfectly well what you copied and how you copied it. Tell us the whole thing.—A. Now, I am not trying to keep anything back. I don't want to get confused and say things that are not so.
Q. Now, here is the situation. Here is a peculiar style of printing. Is that your own choice of the style of letter head or was that suggested to you by somebody else?—A. The copy for that letter head was sent to me by Mr. Smith.
Q. In precisely that shape?—A. Well, I don't know—but it was in that shape.
Q. Now, you must know whether it was in that shape or not, because the two are entirely so different. It was either in that type or that type [indicating different letters]?—A. I don't know whether that was the exact type.
Q. Don't you think there is a lot of difference between the two?—A. Yes.
Q. Did Mr. Smith invent this out of his own mind or did you invent it, or did he instruct——A. He sent me a copy how to have them printed.
Q. Is that the copy [indicating letter with black type]?—A. I could not tell you whether that is the exact copy or not. Mr. Smith sent me a copy for that letter head and I handed it to the printer and the printer followed that copy. I don't remember whether the copy was exactly like that or whether it was like that [indicating].
Q. You don't remember this—whether this was the original that was handed to you or this [indicating]?—A. I could not say offhand. I know that the copy was handed me; whether it was just in this style of type or whether in this style I don't know.
Q. Did the printer return the copy to you when the job was finished or did he still keep that in his possession?—A. I believe he still has a copy.
Q. As a general rule printers return whatever copies they send them. I believe that is the custom.—A. They submit you a proof and they keep the copy.
Q. When you had this copy completed and ready for the printer, did you show it to Mr. Weeks?—A. I don't remember whether I did or not; whether I showed that particular copy to Mr. Weeks or not. Mr. Weeks, I understood, knew that that letter was to go out.
Q. Did you ever talk to Mr. Weeks about it?—A. I talked to Mr. Weeks; asked him if it was all right, and I believe he said all right.
Q. Asked him if this letter was all right [indicating]?—A. You see there was so much of this printing that I asked Weeks about the printing, and he said all right, and whether it was that particular letter or not I don't know.
Q. Now, what about that pamphlet, Mr. Story [indicating]?—A. I had that printed.
Q. Who gave you the data for that?—A. Mr. Smith.
Q. Bring a copy?—A. Yes; sent me a copy.
Q. Written out in long hand?—A. I believe it was written on the typewriter.
Q. Did you ever speak to Mr. Weeks about that?—A. I don't remember speaking to Mr. Weeks about that.
Q. When you received this copy from Mr. Smith did you not also have Mr. Weeks's signature on the copy?—A. On the copy?
Q. Yes, sir.—A. No; I believe not.
Q. How did you get Mr. Weeks's signature?—A. Mr. Weeks gave it to us.
Q. To you personally?—A. Signed—yes; and I had a cut made.
Q. How did he sign it?—A. The same as the copy.
Q. Walter S. Weeks, secretary?—A. No; Walter S. Weeks.
Q. Now, Mr. Story, are you sure about that?—A. Quite sure.
Q. Who put on the secretary?—A. The secretary was on the copy.
Q. You had a woodcut made of the whole thing?—A. Yes.
Q. Just of the signature?—A. Yes.
Q. Who told you to have that woodcut made?—A. I was authorized to have that made by Mr. Smith.
Q. Did you ever speak to Mr. Weeks about it?—A. Yes.
Q. Did you tell him that you had a copy of a letter signed by him as secretary?—A. I believe I did; yes.
Q. Did he say it was all right?—A. Yes; because he gave me his signature. He wrote his signature out for me.
Q. He did that?—A. Yes, sir.
Q. That was not in the copy you got?—A. No.
Q. He wrote it out for you?—A. Yes, sir.
Q. All you got was "fraternally, yours, secretary," and you wrote his name in?—A. No; he first wrote his name in; he wrote his name on a piece of paper, which I had the wood cut made from, to be put on those letters.
Q. Still you showed him the copy, didn't you?—A. I don't remember showing him the copy at the time I asked him for his name—for his signature.
Q. Had you got the copy at the time he gave you his name?—A. I don't remember whether that copy was here at the time or not.
Q. Then that must be the copy you had, Mr. Story [indicating]?—A. It may have been, but I don't remember.
Q. Why did you change it—the type?—A. There was not any particular reason for it. It was submitted to the printer, and the printer set up the letter head.
Q. Now, how much money did you spend on all this business?—A. You just mean on the printing?
Q. On the whole thing.—A. About $2,000.
Q. And that money was supplied by whom?—A. It was sent to me by Mr. Smith.
Q. By check?—A. Yes.
Q. His personal check?—A. I don't remember whether that was his personal check or not.
Q. It was a check?—A. It was a check; yes.
Q. And you had the check cashed in the city of New York?—A. Yes.
Q. Who cashed it for you?—A. I believe it was Mr. Pendelton.
Q. Where?—A. He is on Pearl street. I don't know whether he is just above—I think it is 27 Pearl.
Q. What is his business?—A. Ship broker.
Q. Ship broker?—A. Yes; he is a ship broker.
Q. You mean that he put the check through his bank?—A. I believe so; yes.
Q. Don't you know how you got it cashed?—A. He sent one of his men out, I presume, to get it cashed.
Q. And he brought you back the cash?—A. Yes.
Q. With which you paid that printer?—A. Yes.
Q. You paid Mr. Weeks $200?—A. No; Mr. Weeks got a check.
Q. Did he get the second hundred in cash?—A. No.
Q. Then you didn't give him the first hundred?—A. I believe Mr. Smith gave him the first hundred.
Q. Did you deposit this money in your own bank?—A. No, sir.
Q. You held it as cash?—A. Yes.
Q. To pay printing bills?—A. Yes.
Q. And gave Mr. Weeks $50?—A. Yes.
Q. What did you do with the balance?—A. There is still a balance of some $40 left.
Q. Forty dollars left, and you say all you got out of it was fifty?—A. Yes, sir.
Q. Now, did you ever remember having any conversation with Mr. Weeks about this communication—with Mr. Weeks?—A. (No answer.)
Q. Didn't you have any curiosity at all about it?—A. (No answer.)
Q. Here you were getting $2,000 to put the thing on the market, and Mr. Weeks, he was getting something out of it, but the Marine Trades Council apparently was not getting anything out of it?—A. I supposed this resolution had been adopted by the Marine Trades Council——
Q. And didn't you at all ask Mr. Weeks about that?—A. No; because Mr. Smith told me that that had been——
Q. Mr. Smith always comes in between us and Mr. Weeks. Mr. Weeks never volunteered any statement to you?—A. Nothing but that it was all right.
Q. He said it was all right?—A. Yes.
Q. What was all right?—A. To go ahead with the job.
Q. Go ahead with the job, the whole job, you mean?—A. The whole job.
Q. And he saw the copy with which you were going ahead?—A. I don't know whether Mr. Smith submitted it to Weeks.
Q. Well, did you submit it to Mr. Weeks? He must have known what you were going ahead with.—A. Mr. Smith had talked it over, I understand, and he handed me the copy and——
Q. After the job was completed did you have any conversation with Mr. Smith, after your part of the work was done? How about that—after the job was completed; what conversation did you have with Mr. Smith?—A. I have never seen Mr. Smith. He has only been in New York once.
Q. Have you not seen him since the job was completed?—A. No, sir.
Q. You got $2,000; how much did you spend in printing?—A. Well, it was all spent in printing, with the exception——
Q. You can get a good deal done for $2,000; that sort of cheap printing.—A. (No answer.)
Q. Have you the bill of the printer?—A. No.
Q. Did he ever render you a bill?—A. Yes; he rendered me a bill, and the bill was paid and forwarded to Mr. Smith.
Q. Paid by you?—A. I paid the bill and sent the bill forward to Mr. Smith.
Q. You forwarded the bill—receipted bill?—A. Yes, sir.
Q. Don't you know how much it was?—A. There is one for $600 and some odd, and addressing—and addressing the envelopes, and all that amount—all those things were paid out of the $2,000. That includes everything—postage and printing.
Q. How many envelopes were sent out, do you suppose?—A. About 14,000. They took 2-cent stamps.
Q. Now, that is not so long ago. How much did you pay him?—A. I paid the printer at one time $600 and some odd dollars.
Q. And another time you made another payment?—A. And another time there was several jobs, and they were paid at different times. I don't remember just the exact amounts.
Q. Did you not use this type [indicating]? Did you suggest the use of this type or did the printer?—A. The copy was submitted and the printer used his own discretion.
Q. You are a sensible man; if that is the only official letter head of the council [indicating], you knew you had no right to use another. If you used a different letter head, then you were doing something that was not very close to the line. This is an organization and has some dignity, and all that sort of thing. You would not have any right to change printing of it unless you knew what you were doing. There is the evidence right there of your knowledge of what you were doing.—A. I believe that was understood between Mr. Weeks and Mr. Smith. I submitted the copy——
Q. That is the copy you submitted [indicating]?—A. I don't know; no, sir.
Q. Is that the copy you got [indicating]?—A. Let me ask you a question, when you mean this is the copy I got or this is the other. I want to know this: Do you mean whether the copy that I handed the printer was in the same type as this?
Q. Yes; exactly.—A. I can't tell you that. I sent the printer the copy that I received, and he followed it as near, I believe, as he could when he made the letter head up. Mr. Smith came to me and told me a proposition, and I carried it out with his instructions.
Q. You worked for Mr. Smith before?—A. Yes.
Q. On a similar proposition?—A. No.
Q. Just a moment ago you were trying to take up the cudgels for Smith, and it seems to me you knew what he was after, and it seems to me you knew the whole scope of this communication, which is an illegal communication. It is a more serious matter than you thought it is.—A. Mr. Smith came to me and he told me what he wanted done.

He said that he had seen Mr. Weeks and that Mr. Weeks had agreed to everything, and therefore I carried it out. I understood that it was understood between Mr. Smith and Mr. Weeks.

Q. Well, that is about the situation now, gentlemen. You made statements under oath, and anything you want to change, now is the time to do it.—A. Nothing to change on my part. I have told everything I know. I have nothing to change. I have told the truth, and that is as far as I know.

Q. Well, poor Smith, he has to bear the whole thing. If anybody has got to go to jail, it is Smith.

Sworn to before me this 14th day of December, 1906.

ARTHUR B. STORY.

With that evidence spread upon the records of this House I conclude what I have to say upon this subject. A syndicate, a clique, a combination of capitalists who would resort to that sort of means to deceive the Members of this House would resort to any other kind of unfair and dishonest means to enrich themselves at the expense of the country. All honor to Mr. Gompers for his timely and patriotic exposure of the dishonesty and despicable methods of the looters who thus seek to rob the people. There is not a man on this floor who believes that the bill now before the House will aid American shipping. It is not intended for that purpose. It is intended as an opening, to be hereafter followed in asking for ship subsidies in the future. It is a prelude to a system of syndicated graft to be levied upon the people.

Mr. SULZER. Mr. Chairman, my position regarding this subject I believe is well known, but I want to say again to the Members of this House that I have always been, am now, and always hope to be opposed to every effort to place upon the statute books of our country a ship-subsidy law. I have given considerable study to this question, and I think I know something about it. I agree substantially with the gentleman from Ohio regarding the deplorable condition of our merchant marine, but I differ with him absolutely respecting the cause of the decline of our over-sea carrying trade; and we are as far apart as the poles respecting the best and most practical remedy for the rehabilitation of our shipping industries and the carrying of our ocean trade in American ships, built by American workmen, manned by American sailors, and flying the American flag.

It is a fact that can not be successfully denied—a most deplorable fact—and every man who has investigated the subject knows it, that we have less registered tonnage for ocean carrying trade to-day than we had one hundred years ago. In 1806 the United States, with a population of less than 7,000,000 inhabitants, owned more registered tonnage for ocean carrying trade than the United States in 1906, with a population of over 85,000,000. The American tonnage in 1806 was over 900,000, and it is now less than 800,000, and, what is worse still, it showed an actual decrease of more than 6,000 tons last year. In 1806 American ships, flying the American flag and manned by American sailors, carried over 90 per cent of our deep-sea trade and a great part of that of all the countries of Europe. To-day we carry very little of our own trade and practically none of other countries, notwithstanding the fact that we should be the foremost maritime power in the world. More than nine-tenths of our once great and powerful deep-sea fleet has vanished, and not one new keel for an ocean-going ship is being laid to-day on either our Atlantic or Pacific coast, while the vessels of foreign nations throng our ports and monopolize more than nine-tenths of all our import and export commerce.

In 1806 over 92 per cent of our export and import trade was carried in American bottoms; in 1906 less than 8 per cent of our imports and exports are carried in American ships. The United States pays to the owners of foreign deep-sea vessels for conveying our freights and passengers over $200,000,000 a year, and much of this vast sum of money goes to the owners of foreign steamers which are regularly enrolled on the merchant cruiser lists of European governments, manned by naval reserve officers and sailors, and available for immediate service against us in case of war. The British Empire has 14,800,000 tons of merchant shipping; Germany has 4,960,000 tons; France, 1,680,000; Norway, 1,460,000, and Italy, 1,280,000. The larger part of all these great deep-sea fleets is engaged in the ocean carrying trade, but the Government of the United States, which produces and exports more merchandise than any other nation on earth, has a fleet registry of deep-sea commerce of less than 800,000 tons.

The Republicans, taking advantage of this deplorable condition, are now seeking to remedy the situation by ship subsidies, and hence earnestly favor and eloquently advocate this ship-subsidy bill, which is no remedy at all, but a mere temporary makeshift to rob the many for the benefit of the few, by taking money out of the pockets of the taxpayers generally and giving it to a few favored individuals. I am opposed to this subsidy policy. The taxpayers, when they understand it, will never consent to it. This substitute for the Gallinger bill is a subsidy bill pure and simple, and at the very best is only a temporary expedient, and no one who understands this subject believes for a single moment that it will ever accomplish what its advocates so vociferously claim. A subsidy is a bounty, a bonus, a gratuity, and it never has succeeded, and it never will succeed, in accomplishing the purpose desired. All history proves it conclusively. Wherever and whenever it has been tried it has failed. In my opinion, if this subsidy bill should pass as it is to-day it would not restore our American merchant marine or aid materially our shipbuilding industries. It is a waste of time to talk about ship subsidies, and I believe every honest American is absolutely opposed to them. We might just as well pass a bill to pay a subsidy to every man who grows a bushel of wheat, or a barrel of potatoes, or a bale of cotton, or who makes a wagon, or builds a locomotive, as to pay a subsidy to a man who builds a ship or sails a vessel.

The taxpayers of our country, burdened now almost beyond endurance, are opposed to ship subsidies. They are opposed to this gift bill. They say no private business interests should be aided by direct grants from the Treasury. Ship subsidies are subversive of the eternal principles of justice and equality, contrary to the theory of our free institutions, of doubtful expediency, and at war with the spirit of the Constitution. It is doubtful if the Congress has power to subsidize any trade or any calling or any business on land or sea at the expense of all the taxpayers of our country.

This ship-subsidy proposition is not a new one. It is the same old effort to get something from all the people for somebody for nothing. It has been pending in either one branch or the other of the Congress, in one form or another, for the last ten years. At one time it was the Hanna ship-subsidy bill, and Senator Hanna succeeded in passing it through the Senate, only to have it ignominiously defeated in the House of Representatives. In another Congress it was the Hanna-Payne ship-subsidy bill, and Senator Hanna did his very best to pass it again through the Senate, but failed, and in this Congress we have the old foe with a new face in this substitute for the Gallinger ship-subsidy bill.

This new ship-subsidy bill differs but little in principle from its predecessors, and its fate should be the same. It is essentially a subsidy bill, and by subsidy I mean that the Government is compelled by law to take a part of its money, paid in taxes by all the people for the support of the Government, and give the money to a special interest to aid that interest in its special line of business. This is the scheme in a nutshell, and any policy of this character is inherently wrong in principle, constitutionally indefensible, and can not be justified by any theory of our system of Government. Subsidies are monarchial and not republican; they have no place in a government of the people and by the people.

The Gallinger ship-subsidy bill was cleverly manipulated through the Senate on the 14th day of February a year ago by a vote of 38 to 27. Not a Democratic Senator, I am glad to say, voted for the bill, and to their eternal fame be it said that five Republican Senators voted against it. These Republican Senators, in my opinion, are entitled to the commendation of the people, and I take great pleasure in giving their names. They were: Messrs. BURKETT, DOLLIVER, LA FOLLETTE, SPOONER, and WARNER. The American people should remember these names.

Let me say again what I have frequently said before, that I have always been, and always expect to be, a sincere friend of our shipping industries and an enthusiastic advocate of just and proper and honest legislation that will build up and restore our merchant marine. I believe every true American desires the supremacy of American ships in our over-sea carrying trade, but I believe they prefer it along the lines of tonnage taxes, and not by subsidies. They see no necessity of taking money out of the Treasury and paying it to the present trust owners of ships for doing what they are already doing; and those most conversant with the subject even go so far as to declare that this ship-subsidy scheme, if enacted into law, will not lay a new keel in any American shipyard, or secure an additional ton of freight of our over-sea commerce. Practically every dollar of the fifty million granted will go to the ships now afloat owned by the shipping trust.

Ship subsidies do not build ships—they create ocean-trading monopolies. Ship subsidies will not give workmen employment in American shipyards—the money will simply go into the capacious pockets of the plutocratic beneficiaries of the shipping trust. Every scheme of this kind simply permits respectable corruption and benefits the few at the expense of the many. The principle of ship subsidies is inherently wrong and absolutely indefensible—it is unrepublican, undemocratic, and un-American, and no man who understands the question can justify this steal in the face of the facts. If the Congress should pass

this pilfering ship-subsidy bill, I believe the people will demand its repeal in less than five years, but I hope the wisdom of this House will never permit this iniquitous bill to pass.

Mr. Chairman, I am now, always have been, and always will be a friend of the American merchant marine. I long for the coming of the day when American ships will be on every sea, and our flag gloriously floating on the breeze in every port. I am willing to go as far as any man in this country to legislate for the restoration of the American merchant marine to all its former glory, and to secure for the American people their just share of the over-sea carrying trade of the world. As I have said, I do not agree with the reasons advanced by the advocates of this ship-subsidy bill as to the cause of the decline of our merchant marine and the loss to the United States of our over-sea carrying trade. I know, and every man who has investigated this subject knows, that our loss of deep-sea commerce is due entirely to our own iniquitous legislation and short-sighted policies. If the American Congress would legislate intelligently regarding this subject, we could restore our merchant marine and secure nine-tenths of all our commerce on the high seas, exports and imports, without a ship subsidy, or without taking a single dollar from the pockets of the taxpayers to give subsidies to favored shipowners. This whole subject is a very simple matter when reduced to an intelligent business proposition. We do not need to take a dollar out of the pockets of the taxpayers, or out of the Treasury of the United States, to revive our shipbuilding industries or restore our merchant marine. All we need to do is to legislate intelligently, repeal the iniquitous laws against our deep-sea shipping now on our statute books, put in their place laws similar to the navigation laws that were enacted by the early statesmen of the country—laws that built up our merchant marine in those historic days—laws that placed our flag on the high seas and gave us nine-tenths of our entire over-sea carrying trade. It is a simple matter, and would be done but for the influence of special interests and the tenacious power of monopoly.

Now, sir, I have introduced in several Congresses bills to aid our shipping industries and our merchant marine—not subsidy bills, not bills that rob the many for the benefit of the few, not bills that take money out of the pockets of the taxpayers generally and hand the money over specifically to special interests, but bills along intelligent businesslike lines, and in accordance with the policy of the fathers of the Republic and the framers of our Constitution who understood this subject of over-sea shipping trade and legislated accordingly, and the United States had in those days the finest merchant marine the world had ever seen. If we had continued the policy of the fathers we would to-day be the greatest maritime nation in the world and our flag would be on every sea, and our ships would be carrying the commerce not only of our own country but perhaps half of that of all the other great nations of the world.

I introduced at the beginning of this session of Congress a bill to accomplish this (H. R. 21196), but it has been sleeping the sleep that never awakes in the Committee on Merchant Marine and Fisheries. It will never come out. It will never be reported, simply because it is an honest bill and not a subsidy bill, because it does not rob the many for the benefit of the few, because it will accomplish practically all the people of the country desire—the building up of our merchant marine upon legitimate lines, in a business way, and the restoration of the American flag to the high seas.

My bill is a tonnage-tax bill in favor of American-built ships and against foreign-built ships—and the foreigner pays the tax. In other words, the essential difference between my ship tonnage-tax bill and this ship-subsidy bill is that this subsidy bill compels the American people to give a bonus, or a subsidy—and they are all the same—to the American shipowner, while my bill makes the foreign shipowner pay an additional tonnage tax. This bill of mine is a most comprehensive measure, covering every phase of this question, and in the judgment of those who know most about the matter it would effectually solve the problem without taking a single dollar from the pockets of the taxpayers of our country. I send this bill of mine to the Clerk's desk and ask to have it read in my time. I want the bill to go into the RECORD, so that those interested in this subject can read it and judge for themselves.

The Clerk read as follows:

[H. R. 21196, Fifty-ninth Congress, second session.]

IN THE HOUSE OF REPRESENTATIVES, *December 5, 1906.*

Mr. SULZER introduced the following bill; which was referred to the Committee on the Merchant Marine and Fisheries and ordered to be printed:

A bill to regulate commerce with foreign nations, to make preference for the use of American freighting vessels, to extend the postal service by American steamships, and to promote American trade by sea.

*Be it enacted, etc.,* That the law relating to vessels, to the duties laid upon tonnage, and to the ocean mail service in force when this act shall be approved, be, and the same is hereby, supplemented and amended as follows:

PART 1.—TONNAGE DUTIES.

SECTION 1. That no vessel coming direct from her own country, its colony, or possession with merchandise or passengers in excess of one-fourth of her capacity for the same, to be landed in the United States, shall be charged with an additional or extra tonnage duty, except in cases where the country whence she sailed direct charges an additional or extra tonnage duty to vessels of the United States; and in all such cases, if there be any, the extra duty per ton of the vessel's country so charged shall be added to the extra duty per ton of the United States, and the sum so found shall be the full charge per ton for additional or extra duty to be collected; or unless the country whence such vessel so laden or coming direct shall hold out to its vessels by law the payment of bounty, subsidy, or subvention of some sort in consideration of making voyages like the one in question, in which case three-fourths of the amount of the gratuity as aforesaid shall be charged and collected as countervailing duty in addition to the regular and extra duty otherwise chargeable and to be collected. And every vessel not of the United States that shall arrive in ballast or with merchandise or passengers in a proportion less than one-fourth of her capacity for the same from the country, its colony, or possession, direct as aforesaid, shall pay a duty of 50 cents per ton on the gross admeasurement in addition to the regular duty imposed by law. And if the country whence a vessel may come direct in ballast or with freight or passengers less than one-fourth her capacity, as aforesaid, holds out to its vessels by law the payment of bounty, subsidy, or subvention of some sort in consideration of making voyages like the one in question, then the countervailing duty shall be one-half of the amount of the gratuity payable as aforesaid, to be added to the regular and extra duty and collected, as aforesaid. Surveyors of tonnage shall ascertain and certify to the collector the proportion of carrying capacity occupied by passengers, by freight, and by ballast, respectively, and no vessel so laden shall be discharged except upon acceptance of the report of the surveyor by the master or agent of the vessel.

SEC. 2. That a discriminating tonnage duty, based upon the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels, not of the United States, that shall arrive with merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions where the said cargo, in whole or in part, was laden, to which said vessels do not belong, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross the additional duty shall be $1.25 per ton until the 1st day of January, 1909, after which date it shall be $1.50 per ton until the 1st day of January, 1911, after which date it shall be $1.75 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $1.50 per ton until the 1st day of January, 1909, after which date it shall be $1.75 per ton until the 1st day of January, 1911, after which date it shall be $2 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons the additional duty shall be $1.75 until the 1st day of January, 1909, after which date it shall be $2 per ton until the 1st day of January, 1911, after which date it shall be $2.50 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $2.25 per ton until the 1st day of January, 1909, after which date it shall be $2.75 per ton until the 1st day of January, 1911, after which date it shall be $3.25 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $3.50 per ton until the 1st day of January, 1909, after which date it shall be $4 per ton until the 1st day of January, 1911, after which date it shall be $5 per ton. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 3. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions to which said vessels do not belong, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross the additional duty shall be 75 cents per ton until the 1st day of January, 1909, after which date it shall be $1 per ton until the 1st day of January, 1911, after which date it shall be $1.25 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $1 per ton until the 1st day of January, 1909, after which date it shall be $1.25 per ton until the 1st day of January, 1911, after which date it shall be $1.50 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons the additional duty shall be $1.25 per ton until the 1st day of January, 1909, after which date it shall be $1.50 per ton until the 1st day of January, 1911, after which date it shall be $1.75 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $1.50 per ton until the 1st day of January, 1909, after which date it shall be $1.75 per ton until the 1st day of January, 1911, after which date it shall be $2 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $2.50 per ton until the 1st day of January, 1909, after which date it shall be $3 per ton until the 1st day of January, 1911, after which date it shall be $4 per ton. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 4. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States but of a country that holds out to its vessels by law the payment of bounty, subsidy, or subvention of some sort, in consideration of making voyages like the one in question, that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions to which said vessels do not belong, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross the additional duty shall be $1 per ton until the 1st day of January, 1909, after which date it shall be $1.25 per ton until the 1st day of January, 1911, after which date it shall be $1.50 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $1.25 per ton until the 1st day of January, 1909, after which date it shall be $1.50 per ton until the 1st day of January, 1911, after which date it shall be $1.75 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons the additional duty shall be $1.50 per ton until the 1st day of Janu-

ary, 1909, after which date it shall be $1.75 per ton until the 1st day of January, 1911, after which date it shall be $2 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $1.75 per ton until the 1st day of January, 1909, after which date it shall be $2 per ton until the 1st day of January, 1911, after which date it shall be $2.25 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $2.75 per ton until the 1st day of January, 1909, after which date it shall be $3.50 per ton until the 1st day of January, 1911, after which date it shall be $5 per ton. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 5. That a discriminating tonnage duty, based on the gross admeasurement, in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel not of the United States that shall arrive from a country not its own, whether with or without cargo, passengers, or mails, but under engagement to load cargo, passengers, or mails for another country than its own, or that shall effect such engagement after arrival at a time and while there shall be one or more vessels of American registry in port listed at the custom-house as ready and offering to engage for the same or a similar voyage, as follows:

CLAUSE 1. On all vessels not exceeding 4,000 tons gross the additional duty shall be $2 per ton until the 1st day of January, 1909, after which date it shall be $2.25 per ton until the 1st day of January, 1911, after which date it shall be $2.50 per ton.

CLAUSE 2. On all vessels between the sizes of 4,000 and 8,000 tons the additional duty shall be $2.75 per ton until the 1st day of January, 1909, after which date it shall be $3 per ton until the 1st day of January, 1911, after which date it shall be $3.25 per ton.

CLAUSE 3. On all vessels between the sizes of 8,000 and 12,000 tons the additional duty shall be $3 per ton until the 1st day of January, 1909, after which date it shall be $3.50 per ton until the 1st day of January, 1911, after which date it shall be $4 per ton.

CLAUSE 4. On all vessels between the sizes of 12,000 and 16,000 tons the additional duty shall be $3.25 per ton until the 1st day of January, 1909, after which date it shall $3.75 per ton until the 1st day of January, 1911, after which date it shall be $4.25 per ton.

CLAUSE 5. On all vessels exceeding the size of 16,000 tons the additional duty shall be $3.50 per ton until the 1st day of January, 1909, after which date it shall be $4 per ton until the 1st day of January, 1911, after which date it shall be $5 per ton.

CLAUSE 6. But if, in addition to coming as aforesaid, under engagement or making it after arrival, as above, a foreign vessel shall have held out to her by law the payment of bounty, subsidy, or subvention of some sort in consideration of making voyages like the one in question, then, and in such case, a duty of 25 per cent over and above the rate per ton stated in clauses 1, 2, 3, 4, and 5 of this section shall be levied and collected: *Provided, however*, That if there be no vessels of American register listed at the custom-house at the time of arrival, or of engagement afterwards, as ready and offering to engage for the same or a similar voyage, then tonnage duty shall be payable under section 2 or 3 or 4, according to the circumstances described. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 6. That all vessels not of the United States running under bounty, subsidy, or subvention of some sort, arriving at the Gulf ports of the United States from the Atlantic ports, or vice versa; or arriving at the Pacific ports of the United States from the Atlantic or Gulf ports, or vice versa; or arriving at any port of the insular possessions of the United States, or vice versa, in ballast and without freight or passengers, seeking cargo, shall pay additional tonnage duties for the privilege thus enjoyed as follows: On arrival from Atlantic to Gulf ports, or vice versa, 30 cents per ton; on arrival from Atlantic or Gulf ports to Pacific ports, or vice versa, $1 per ton; on arrival from any port of the mainland to any port of the insular possessions of the United States, or vice versa, $2 per ton, gross measurement in all cases. No vessel not of the United States shall discharge or take in cargo without a permit from the collector. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted by the collector to load cargo in a port of the United States.

SEC. 7. That a duty of 50 cents per ton on the gross admeasurement, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel that shall enter a port of the United States from a port of her own country, either with or without cargo, passengers, or mails, if she has not come direct, but has called or stopped on the way at a port of a country not her own and there, either in or off the port, has received merchandise, passengers, or mails, and the same shall be landed in the United States, unless said vessel has been built in the United States or is owned by citizens of the United States to the extent of 40 per cent, to be proved to the satisfaction of the collector and the district attorney of any United States court.

SEC. 8. That a tonnage duty, to be termed light tax, of 3 cents per ton on the gross admeasurement of every merchant vessel not of the United States that shall enter a port of the United States, shall be levied and collected, in addition to the duties required by preceding sections, before clearance for sea, except in case such vessel shall clear in ballast, or may have made port in distress, or was built in the United States.

SEC. 9. That a tonnage duty, to be termed race tax, of 4 cents per ton on the gross admeasurement of every merchant vessel not of the United States that shall enter a port of the United States and there discharge merchandise, passengers, or mails shall be levied and collected, in addition to the duties required by preceding sections, if said vessel shall be manned to an extent exceeding 10 per cent of the crew by persons belonging to a different race of men from the owners of said vessel.

SEC. 10. That the regular tonnage tax referred to in preceding sections shall be paid by all vessels in the foreign trade, whether American or foreign, shall be hereafter collected on every entry and computed on the gross admeasurement. The present rates shall be increased from 6 cents to 10 cents and from 3 cents to 5 cents per ton, respectively. American steamers carrying mails shall pay tonnage tax but once a year.

PART 2.—EXPORT PREMIUMS.

SEC. 11. That all collections of tonnage duties and charges of every sort against vessels of every kind, whether regular or additional duties, light, race, and immigrant tax, entrance and clearance fees, and permits provided by this and former acts to be levied, collected, and paid at the custom-house, and all fines, penalties, and forfeitures paid into the courts from violations of the navigation and revenue laws of the United States, this act included, shall, after the passage of this act, be set apart in the Treasury as a special fund from which to pay, first, for the support of marine hospitals for American seamen employed in the foreign trade, and second, for the payment of premiums to exporters of merchandise for giving preference in the employment of vessels to those of the United States not in fact owned by themselves. No part of this fund shall ever be covered into the General Treasury, but be carried over.

SEC. 12. That on and after fifteen months from the passage of this act there shall be paid, out of the special export fund in the Treasury provided for by section 11 of this act, to the bona fide owners and exporters of merchandise the growth, production, and manufacture of the United States, to foreign countries not adjoining the United States, in vessels of the United States registered pursuant to law and not owned in fact by themselves, as follows: A premium of one-fourth of 1 per cent on the cash valuation of each shipment direct to a port not less than 65 miles from the tidal or national boundary of the mainland of the United States; and a premium of one-half of 1 per cent on the cash valuation of each shipment direct to a port not less than 400 miles from the port of departure in the United States; and a premium of three-fourths of 1 per cent on the cash valuation of each shipment direct to a port not less than 1,000 miles from the port of departure in the United States; and a premium of 1 per cent on the cash valuation of each shipment direct to a port not less than 2,000 miles from the port of departure in the United States; and a premium of 1¼ per cent on the cash valuation of each shipment direct to a port not less than 3,000 miles from the port of departure in the United States; and a premium of 1½ per cent on the cash valuation of each shipment direct to a port not less than 4,000 miles from the port of departure in the United States; and a premium of 1¾ per cent on the cash valuation of each shipment direct to a port not less than 5,000 miles from the port of departure in the United States; and a premium of 2 per cent on the cash valuation of each shipment direct to a port not less than 6,000 miles and upward from the port of departure in the United States. These premiums to an exporter shall be payable to his order upon report of the clearance of the vessel, with a statement of the collector of the port fixing the value of the shipment, which must be sworn to by an appraiser for the United States, within ten days, according to such regulations as the Secretary of the Treasury shall prescribe, distances between ports to be determined by the Hydrographic Office of the Navy Department and stated in sea miles.

PART 3.—MAIL CARRIAGE.

SEC. 13. That the postal act approved March 3, 1891, be, and it is hereby, amended to provide and to read as follows:

CLAUSE 1. That the Postmaster-General shall as often as once in each year advertise for informal proposals for the carriage of mails by sea in American vessels between such ports of our own and other countries as to exporters may seem advantageous. The advertisements shall be inserted four times weekly in a paper printed in Boston, New York, Philadelphia, Baltimore, New Orleans, Galveston, Norfolk, Charleston, Savannah, Mobile, San Francisco, Portland, and Seattle, describing the service as that of mail and naval vessels adapted to promote the postal, commercial, and naval interests of the United States and to subserve those of their owners as well. Proposers will state the size and speed of vessels, number of trips yearly, remuneration required, time when service could be begun, and such other particulars as may seem useful for the Government to consider.

CLAUSE 2. That within one month after receipt of informal proposals the Secretary of the Navy and the Postmaster-General shall together consider their contents, the wants of the Navy and the needs of the postal service, and fix upon a schedule of requirements that will satisfy both interests. The Secretary of the Navy will control the plans for the vessels, and the Postmaster-General will decide upon the postal programme, and the two together shall advertise formally to let contracts for the running of the vessels required. Such advertisements shall be inserted in the same papers that called for informal proposals four times weekly, describing the route, the character of the vessels, the size and speed, the number of trips yearly, the times of sailing, and the time when the service shall begin. These requirements shall not be such that bidders can not be found. The Navy Department shall pay the cost of formal advertising. The letting of such contracts shall be the same as prescribed by law for the letting of inland mail contracts, so far as shall be applicable to vessels. Every contract must have the approval of the President, and none shall exceed the limit of thirty years; but the President may require improved service every ten years.

CLAUSE 3. That the vessels employed under any contract made under this act shall constitute a line, which shall have a sailing day or days, as often as three times a week, but no line shall monopolize the carriage of mails to any foreign port. Another line may have a contract to run to the same port on different days of the same week, and from the same port.

CLAUSE 4. That the owners of lines contracting for mail carriage may be persons or corporations, but if the latter, the contract must be with the individuals of the board of directors, who must be citizens of the United States and at all times prepared to swear that not more than 40 per cent of the capital stock of the corporation is held by aliens, and that a citizen manages the line, under penalty of forfeiture of the contract, which, in such case, the President of the United States is hereby authorized to declare. No line shall combine or consolidate with another, under the same penalty.

CLAUSE 5. That the vessels employed under this act shall be commanded by citizens, and at least two officers and two engineers of each vessel shall also be citizens of the United States, to wit: During the first year, one-eighth thereof; during the next two years, one-fifth; during the fourth and fifth years, one-fourth; during the sixth and seventh years, three-tenths; during the remainder of contract time, one-third thereof. But no mail carrier shall be delayed in sailing to obtain a crew in above proportion. It may be stipulated that mails may be brought from abroad, the foreign country paying for the service; also that passengers and baggage and freight may be carried both ways. After July 1, 1909, the mails shall be sent foreign by vessels of the United States and no others, without express consent of Congress; and in cases of need, when private enterprise fails to undertake or carry on the mail service at reasonable or lawful rates of remuneration, the Secretary of the Navy shall have authority, and it shall be his duty, to furnish suitable vessels of the Navy in which to send mails foreign or bring them home, until the further order of Congress.

CLAUSE 6. That all vessels in the postal service and hereafter built for it shall be prepared to receive arms for immediate use as cruisers, scouts, or transports in time of war; and in future their plans and specifications shall be agreed upon by and between the owners and the Secretary of the Navy, the strength and stability to be sufficient to

carry armament required in naval service, and the materials of hull and machinery to be such as will command the highest classification given by American inspection of vessels. And all such vessels hereafter built shall be constructed under the inspection of a naval officer detailed by the Secretary of the Navy, to whom he will report in writing the progress made monthly, whether or not the contract is being well performed, and when the trial trip may be made; and no vessel not approved by the Secretary as fulfilling the contract, as to hull and machinery, shall be accepted for the service.

CLAUSE 7. That the compensation to be agreed upon and paid for such service as may be contracted for under this act shall be reasonable and as low as responsible bidders will perform the same, having regard to the encouragement to vessels provided by this act, to the commercial circumstances in each case, and to the rate of compensation for similar service paid by other countries. Where a bid may be deemed too high the programme may be modified or the route readvertised, payment for services to be made at the end of each round voyage. If the contract shall fail to be fulfilled for six months, the President may declare it forfeited, and thereupon the route shall be readvertised and let to another bidder, but on no account shall the service be abandoned to other countries. Readvertising shall be done in a paper printed in Washington, D. C.

CLAUSE 8. That upon each mail vessel the United States shall have transported, free of charge, one messenger, whose duty shall be to receive, sort, take in charge, and deliver the mails to and from the United States, and who shall be provided with suitable room for himself and for the mails.

CLAUSE 9. That officers of the Navy may volunteer for service on mail vessels, and when accepted by the contractors may be assigned to such duty by the Secretary of the Navy whenever in his opinion such assignment can be made without harm to the service, and while in said employment they shall receive furlough pay from the Government and such other compensation from the contractors as may be agreed upon: *Provided*, That they shall be required to perform only such duties as pertain to the service.

CLAUSE 10. That said vessels shall carry as cadets one American boy under 21 years of age for each 2,000 tons gross register, who shall be taught the duties of the service as seamen, rank as petty officers, and receive reasonable remuneration.

CLAUSE 11. That said vessels may be taken and used by the Government as cruisers, scouts, or transports at any time, on payment to the owners of their fair, actual value at the time of the taking, either for service by the voyage, by the month, or year, or may be purchased outright, and if there shall be a disagreement as to the value, then the same shall be settled by two appraisers, one appointed by each party, they selecting the third, who shall act in case the two disagree.

CLAUSE 12. That all vessels not of the United States, coming with passengers from a country to which said vessels do not belong, shall pay to the collector of the port an immigrant tax of $20 for each and every passenger brought from such country who shall be landed with his or her effects.

PART 4.—GENERAL PROVISIONS.

SEC. 14. That marine underwriters or insurance companies belonging abroad, in person or through agencies in the ports of the United States, may issue policies, in conformity with State regulations, on shipments of goods, wares, and merchandise to be exported, but any discrimination made by them or their agents in the clauses of policies, in the premium rates, or affected through inspection of hulls or otherwise, which shall tend to favor the employment of foreign vessels, or tend to disfavor the engagement of vessels of the United States, shall be deemed a misdemeanor, *punishable* by a fine as a penalty in a district court of the United States. Said fine for the first offense shall not exceed five thousand nor be less than three thousand dollars; for a second offense said fine shall be not less than $10,000; and for the third offense and each one afterwards said fine shall be not less than fifteen thousand nor more than twenty-five thousand dollars, and suits shall be prosecuted by the attorney of the court aforesaid for each and every violation of this section that may be brought to his notice. In any such suit it shall be no defense that the orders or directions of any person, or the rules and regulations of any association of underwriters, shipowners, merchants, marine surveyors, or their agents, not citizens of the United States, or that the inspection or classification of any vessel by any person, society, or authority whatsoever, can be claimed to justify the discrimination that may have been the subject of complaint. A refusal to insure goods, wares, and merchandise under this act, to be carried by American vessels, shall forfeit the privilege of doing business in American ports, or make the parties fineable as above, to be decided by the court.

SEC. 15. That in a time of peace it shall not be lawful for any officer of the Government to receive tenders of service to be performed by vessels not of the United States, and in all contracts for the performance of public work it must be provided that transportation shall be performed by vessels of the United States. And the transportation of passengers, mails, goods, wares, and merchandise between the United States, its Territories, and possessions, and the ports and places of the Panama Canal Zone is hereby declared to be reserved for vessels of the United States under the coastwise laws.

SEC. 16. That in a time of war it shall not be lawful for vessels not of the United States to import or land anywhere in the United States, its Territories or possessions, any goods, wares, or merchandise the growth, production, or manufacture of a country not at peace with the United States. And all goods, wares, and merchandise imported by a vessel, not of the United States, admitted to storage in bonded warehouse is hereby limited to a period of ten days, within which time the lawful duties and charges must be paid, whether entered for consumption or reexportation. In cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported, there shall be levied, collected, and paid full rates of duty, notwithstanding any convention, if the same shall have been brought in by a vessel not of the United States, or not of the reciprocating country from which such goods, wares, or merchandise were exported; or if the same, not being the growth, production, or manufacture, of a country contiguous to the United States, shall have been brought across the line from such country.

SEC. 17. That on and after the passage of this act it shall be lawful for the space of thirty months, but no longer, for any bona fide citizen, citizens, or domestic corporation engaged in, or intending immediately to engage in the carriage of merchandise, mails, or passengers in the foreign trade of the United States, to import and enter at the customhouse, for his or their own use, and that of no other person or persons in said trade, and not to be held for sale or sold to others, and not to be employed in the domestic trade more than two months in the year, any vessel or vessels suitable therefor, of size not less than 2,000 tons gross, and of age not more than five years, and have the same duly registered as a vessel of the United States, but upon the following conditions, nevertheless, to wit, that all vessels imported in the first six months of the term of thirty months, as aforesaid, shall pay a duty of $4 per gross ton; those imported in the second six months shall pay a duty of $5 per gross ton; those imported in the third six months shall pay a duty of $6 per gross ton; those imported in the fourth six months shall pay a duty of $7 per gross ton; those imported in the fifth six months shall pay a duty of $8 per gross ton measurement. The Treasury Department may allow credit on duties for imported tonnage to the extent of six and twelve months' time on secured notes of owners with interest at 2 per cent per annum. And it shall be unlawful upon penalty, as for a misdemeanor, punishable by fine of not exceeding $1,000 in a district court of the United States, for the master, owner, or agent of any foreign-built freighting vessel or yacht not duly registered, enrolled, or licensed to fly the flag of the Union from or abaft of the aftermost mast, spar, or pole, except as a sign of distress.

SEC. 18. That the making or offering to make exclusive contracts for the carriage of exports of goods, wares, or merchandise to foreign countries, conditioned partly on the future shipment of same by no other vessel or line of vessels, and the payment of rebates of freightage in consideration thereof, is hereby declared a misdemeanor, punishable by fine in a district court of the United States of not less than one thousand nor more than three thousand dollars on each conviction of the owner, agent, or master of any such offending line or vessel, and the vessel or vessels of such owner, agent, or master so convicted shall not thereafter be permitted to load cargo in the United States if under foreign registry. Where it may become suspected by, or known to, the collector of any port that such contracts are in force and that rebates of freightage are offered, promised, or paid in an endeavor to engross the carriage of export goods, wares, or merchandise, he shall forthwith place the facts before the district attorney, who shall bring suit to break up the practice. And for the prevention of frauds under this act in indirect voyaging, foreign vessels not built in the country of registry shall undergo a probation of three years before being adjudged by the collector as belonging in good faith to the country of registration, unless built in the United States.

SEC. 19. That after the passage of this act it shall not be lawful for any officer of the Government to issue a register, enrollment, or license for any vessel built abroad, except such as have been captured in war and condemned as prize; such as have been forfeited for a violation of the laws and bought at public sale, or may have belonged to a country that has come under the Government of the United States or been admitted by an act of Congress.

SEC. 20. That the regular duties of tonnage, computed on the gross admeasurement, and the usual passenger tax shall be paid alike by American and foreign vessels on each and every arrival, in foreign trade, when entry of vessel is made. Immigrant tax shall be paid when permit is given for the landing of passengers from vessels, not of the United States, brought from countries to which said vessels do not belong. All additional tonnage duties and the light and race tax shall be paid before lading permit is issued, but if loading be delayed, then, at latest, at the end of two months from date of entrance. American vessels carrying crews of which one-eighth the number are citizens or owe allegiance to the United States shall have rebate of tonnage tax to the extent of 20 per cent; if one-fourth of the crew be citizens, the rebate shall be 30 per cent; if three-eighths of the crew be citizens, the rebate shall be 40 per cent; if one-half of the crew be citizens, the rebate shall be 50 per cent; if five-eighths of the crew be citizens, the rebate shall be 75 per cent; and if three-fourths of the crew be citizens the rebate shall be 100 per cent. The United States shipping commissioner shall ascertain and certify to the collector the proportion of citizens in each crew where rebate of tax may be demanded. Regular apprentices as seamen or engineers, if citizens, shall count as men in computing rebate of tax. In trade to and from tropical countries, where it may not be practicable to find any but natives of such regions to man American vessels, permits may be issued, on applications under oath of the owner or agent, by the Secretary of Commerce and Labor for one year, or while necessary, to carry a crew such as it may be practicable to engage in any given place. In all cases where vessels may be fined for infractions of law, in accordance with the statutes, it shall be unlawful for the Secretary of any Department to remit any portion thereof without an order of court duly recorded; and it shall also be unlawful for the Commissioner of Navigation to order refunds of tonnage taxes that have been paid to a collector without a trial and judgment of the case.

SEC. 21. That sections 11, 13, 14, 15, 17, 18, 19, and 21 of this act shall take effect upon its passage, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 16, and 20 in one year and thirty days thereafter, and all acts or provision of law in conflict herewith are hereby repealed; also any and all articles or clauses in existing maritime reciprocity conventions or treaties, whose time fixed has expired, that are in contravention herewith, are hereby annulled and abrogated, in conformity with the stipulations and equities of said agreements and the rights of the United States; and the formal notice of the Congress of the United States is hereby given all countries concerned that, in one year from the approval of this act by the President, all conventions or treaty stipulations for the suspension of commerce regulations under the aforesaid agreements, so far as they are terminable, are receded from on the part of the United States, and all enactments therefor are by this act repealed. An agreement, as above, not yet terminable, may be observed until its term expires, but not longer.

Mr. SULZER. Now, Mr. Chairman, that bill speaks for itself, and I have had it read at the Clerk's desk for the purpose of getting it again in the RECORD, so that the people who are interested in this great shipping question can read the bill and judge accordingly. I shall offer it, if I can get a chance, as an amendment to the pending bill. I place my tonnage-tax bill by the side of this ship-subsidy bill and submit the merits of the two measures to the impartial judgment of the taxpayers of the country, confident that the general principles of my bill will be accepted by them in preference to those of the ship-subsidy bill. My bill is a practicable, honest, businesslike measure, and, in the opinion of those most competent to testify regarding this matter, its enactment into law will go far to solve the shipping problem, restore our merchant marine, place our flag on the high seas, and give us at least our share of the world's ocean-going commerce. There is a difference as wide

as the poles between the principle of my bill and the principle of this subsidy bill. My bill is a tonnage-tax bill, and the foreigner pays the tax. This being the case, foreign shipowners would have to charge higher freight rates than American shipowners, with the consequence that the American shipowners would get all the advantage in ocean carrying trade. This would create a demand for American-built ships, and the demand would revive our languishing shipbuilding industries, and the revival of those industries would give employment to thousands and thousands of workmen on both the Atlantic and Pacific coasts. Of course no foreign shipowner will commend my bill. No subsidy grabber advocates it. No shipowners' trust favors it. No marine monopoly likes it. Naturally every foreign shipowner is absolutely opposed to it, because every foreign shipowner knows that if a bill like this should become a law in this country, in less than ten years the United States would be the mistress of the seas and do the major part of the deep-sea carrying trade of the world.

I do not expect foreign shipowners to favor my bill, but I know when the question is understood by the taxpayers of our country every patriotic American will be in favor of my bill in preference to any ship-subsidy bill which takes money out of the pockets of the people of this country and pays it over in the nature of a gratuity to a special business interest. There is no graft in my bill; no private gain at public expense; it is just a plain, simple, practical, business, maritime measure for a tonnage tax on the gross admeasurement of foreign ships.

Now, sir, I know we all realize that there is a strong feeling throughout the country in favor of the rehabilitation of our merchant marine. This is a patriotic sentiment, eminently proper, and should be encouraged by every true American. It is unfortunate, however, that a great many well-meaning citizens, who desire to see our ocean carrying trade restored, have little knowledge of the causes which drove our shipping from the high seas and placed us at the bottom of the list of the world's maritime powers; and consequently the noisy subsidy boomers, knowing they are sure to get all the benefits, are having everything down here pretty much their own way.

Mr. Chairman, I see my time is nearly consumed and I must conclude; and in doing so I want to say that my bill is not a makeshift. It is not a temporary expedient. It is a permanent remedy, and once adopted and upon the statute books it would continue in favor for years and years to come, until the American people possessed the greatest merchant marine in all the world; and I therefore say in conclusion that from a careful study of the whole subject-matter I sincerely believe that the adoption of my bill will speedily restore our ocean carrying trade, revive our shipbuilding industries, give employment in our shipyards to thousands and thousands of men in all parts of the country, bring about an era of prosperity such as we have never known before in our shipping trade and deep-sea commerce, place our flag on ships on every ocean and in every port, and make the American sailor what he was in the historic days of the Republic—the master of the seas, and the arbiter of the ocean highways of the world. [Loud applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SULZER. Mr. Chairman, I ask unanimous consent to print in the RECORD some data in connection with the matter under discussion.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The data referred to is as follows:

[From the New York Press, February 21, 1907.]

SUBSIDY GRAFTERS READY TO RAID THE TREASURY FOR THE POCKETS OF THE ROCKEFELLER, HARRIMAN, AND HILL TRUSTS.

The ship-subsidy grafters "packed" the Committee on Merchant Marine of the House of Representatives to get their bill reported out—that is to say, since a majority of the members were opposed to the graft, the Speaker changed the committee, and it is significant that those chiefly relied on to do the work of the subsidy grafters are members whose terms expire in a few days, so that they can not be punished by their constituents for the raid they are making on the Treasury.

Having "packed" the committee, and thus engineered the situation to have the bill reported out, the Speaker has now arranged a plan to have it passed by dark-lantern methods at night sessions, when it is expected that opposing Representatives will be absent, but when pains will be taken to have every legislative agent of the ship-subsidy grafters in his seat to vote public money into the pockets of the shipping trusts.

Before this dark-lantern work is carried out the people of the United States should understand exactly what the present subsidy bill is, so that when the voters pass on this affair at the polls next year they can defeat the Members who are responsible for this mockery of "aid to American shipping" and this outrage upon the public of the United States.

The subsidy-graft bill is not a measure to revive or expand our merchant marine. It is a jimmy to break into the Treasury and a conspiracy to create an absolute monopoly of what over-sea shipping floats the Stars and Stripes. It does not propose to do anything at all for the general shipbuilder or owner who is anxious to have a merchant marine. It does not make provisions that will establish new shipbuilding industries and stimulate old ones. It makes provision for paying out of the Treasury an annual revenue to the existing shipping trusts of the Rockefellers, the Harrimans, and the Hills. It proposes to make it impossible for other American shipowners to compete with those monopolies on the Atlantic and Pacific sides of the country or to have any existence on the high seas.

The subsidy-graft bill is in the private interest of the Rockefeller, Harriman, and Hill shipping trusts and against the welfare of the American people. There is absolutely nothing else to the measure.

A few days ago Representative SULZER made a speech in the House showing how, if they really wanted to do something for American shipping and the American shipbuilding industry, the Members who are behind the subsidy graft could do it. Assuming the impracticability at present of the old discriminating tariff duty which favored American bottoms and built up our merchant marine until it was the most prosperous and the proudest on the waters of the globe, Mr. SULZER explained the possibilities of a policy embodied in a bill of his which sleeps in the House Committee on the Merchant Marine, the body "packed" to accomplish the purpose of the grafters. This measure, briefly described, provides for a graduated tonnage tax on foreign bottoms bringing cargoes into and carrying them from our ports. Not only would there be this extra tonnage tax for the foreign vessels to pay, but there would be an additional light tax, together with a race tax covering the nationalities of the crews of the foreign vessels. There would be further discriminations in the form of fees to be paid by foreign vessels bringing in passengers from other countries than those where the ships were owned, etc.

Such provisions would increase the cost of the operation of foreign vessels engaged in the American trade. This would make for an equalization of expenses as between the American and foreign vessels. It would enable American bottoms to compete with them. A further assistance to our shipping would be rendered in the clause providing that all the tonnage taxes, light fees, race fees, etc., should go into a fund to be distributed among American exporters using American bottoms for their shipments. This would divert American cargoes into American bottoms. It would create and foster American shipping by giving it business. It would establish and increase the shipbuilding industry by enlarging and making profitable our shipping.

This would enable any capital to go into American shipping. The field would be open to all. Anybody could build ships and operate them on even terms, competing for the cargoes thus offered to our own shipping. But this is not the kind of thing the subsidy grafters want. They don't want an equal chance for all capital; they don't want everybody in the country to have a free opening to this ocean traffic. They want only the shipping trusts of the Rockefellers, the Harrimans, and the Hills to be permitted to engage in the ocean carrying trade. So they provide specific annual payments to their particular lines. Not another thing. Nothing for general shipping; nothing for the American people; nothing for anybody but the grafters who are planning to loot the Treasury.

Their proposition amounts to exactly this: There ought to be a bounty—a subsidy—out of the United States Treasury for raising potatoes—but not to John Smith for raising potatoes; not to James Brown for raising potatoes; not to William Jones for raising potatoes. A subsidy for raising potatoes, but only to Rockefeller, Harriman, and Hill.

How do the American people like that sort of plundering of the Treasury for rich and powerful trusts which can command legislation for the benefit of their private pockets? And what are they going to do at the polls, in the Congressional elections next year, to Members of the House of Representatives who do this jimmy and dark-lantern work for the ship-subsidy grafters?

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[From the Washington Post, Wednesday, February 20, 1907.]

FIGHTING SHIP SUBSIDY—NATIONAL GRANGE MASTER IS AT ODDS WITH GROSVENOR—FAILED TO PRINT ANSWER—FORMER GOVERNOR BACHELDER, OF NEW HAMPSHIRE, REPRESENTING 900,000 FARMERS, DECLARES AGAINST PLAN TO SUBSIDIZE MERCHANT MARINE—CHAIRMAN OF COMMITTEE SHOULD HAVE HAD LETTER PRINTED.

The National Grange, composed of 900,000 farmers throughout the United States, is disappointed because Chairman GROSVENOR, of the House Committee on Merchant Marine and Fisheries, did not print, with other data, its reply to a letter from him in opposition to ship-subsidy legislation. The correspondence may be read on the floor of the House.

Former Governor Bachelder, of New Hampshire, who is master of the National Grange, sent a letter to President Roosevelt, in which he said:

"I regret the duty which devolves upon me to advise you, on behalf of the great national organization of farmers which I have the honor to represent, that the farmers of the nation are for the first time unitedly and steadfastly opposed to the legislative recommendations you have made to Congress in your recent message favoring ship subsidies. We protest most urgently against any future payments of the public funds to any private firm or corporation for any purpose whatsoever without safeguarding such payments by a public accounting of the business of the firm or corporation to whom such payment is made.

GENERAL GROSVENOR REPLIED.

The President turned this letter over to General GROSVENOR, who replied in a letter, in which he said that the bill encouraged American farmers, and that a great majority of the members of the National Grange approved it.

"You would make a waste place of our last shipyard and drive our last ship owners and seamen and shipyard mechanics to choose between the poorhouse and foreign lands," said he.

This correspondence was published in a public document compiled by the general. The former governor replied at length; but, according to the legislative committee of the Grange, General GROSVENOR declined to print the reply. As a result, the members of the Grange are sending floods of letters to their respective Representatives in the House, urging them not to vote for the ship-subsidy bill.

Governor Bachelder, in his reply, impresses upon General GROSVENOR that in his opposition to the subsidy bill he is backed by 900,000 farmers, who have in their conventions decided against the proposition by overwhelming majorities. Continuing, he says:

"I wish to take exception to your assumption that the proposal to pay out of the United States Treasury subsidies to steamship companies, over and above a fair price for carrying mails, has anything in common with the protection of American farmers or American workingmen against foreign competition.

PURPOSE OF PROTECTION.

"So far as I know, not even the most extreme protectionist has ever claimed that it would be right, even if it were possible, to protect the products of American farmers or labor by giving a subsidy to the portion of those products sold in foreign markets. Protection is intended for the home market only, and it is an application of the protective policy hitherto undreamed of that our Government should put its hands into the Treasury to aid our industries in competing in neutral markets.

"I must also take exception to your assumption that I wish to make a waste place of our shipyards and drive our shipowners and seamen into the poorhouse. I favor nothing of the kind. So far as our domestic and coastwise trade is concerned our shipowners and sailors have an absolute monopoly of the business, and it is only in connection with international trade that the advocates of ship subsidies claim that our shipbuilding industries are languishing.

"You are generous enough to assume that in opposing subsidy legislation, I am doing so through a misapprehension of the facts.

PLENTY OF TRAMP STEAMERS.

"You will pardon me if I suggest that this is a matter to which I have given sufficient attention to be in a position to know that there is not the slightest foundation for your statement that foreign steamship companies are ousting our farmers from the markets in Brazil and elsewhere. You refer to evidence to this effect submitted to your committee. I have heard of this evidence, but could never find that it was more than mere rumor or groundless allegation, which had no foundation in fact.

"Your statement that because foreign nations had ships and we have none Australian farmers are enabled to drive us out of the flour market of the Orient is a fair sample of the argument used in support of subsidies. If you will consult any of the large flour milling concerns in Minneapolis or other parts of this country, they will tell you that there are always more tramp steamers seeking freights for any part of the world than are needed.

"I can not agree with you that the practically unanimous attitude of the farmers against subsidies is due to ignorance of the facts.

"FARMERS KNOW SITUATION.

"The farmers have been reading about this subject and discussing it at their local State and national grange meetings for the past ten or twelve years, and they are fully convinced that it is contrary to their best interests. They do not see how it would benefit them for the foreign consumer of their wheat or meat products to have his freight carried at possibly slightly lower rates.

"Any benefit which might result from increased competition in the ocean carrying trade would inevitably redound to the foreign consumers, and not to the American farmer.

"I would call your attention to the fact that there are many hundreds of business and commercial organizations in this country, and, so far as I can learn, comparatively few are in favor of the subsidy bill.

"I regret as much as you do the fact that our shipping industry, in so far as the foreign trade is concerned, has fallen off so largely since 1861. I am sincerely desirous of seeing this industry restored to its former great proportion of the world's carrying trade, but I can not see how the taxpayers of the country can justly be called upon to pay money out of their pockets toward this particular industry any more than they should to pay subsidies to a local express or freight service in the farming sections of the country to enable carriers to make larger profits than they do now."

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[From the Philadelphia Inquirer, February 27, 1907.]

A STEP TOWARD SHIP SUBSIDIES.

The House at Washington has agreed to settle the question of ship subsidy at 3 o'clock on Friday afternoon. At that time the miserable little substitute for the Senate bill will be brought to a final vote.

It is a mere makeshift. The Senate bill was bad enough. It was all right as far as it went, but it did not go very far. The House has presumed to take liberties with it, and the result is a measure of trifling value when the whole vast subject of restoring the American flag of commerce to the ocean is taken into consideration.

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[From the Washington Post, February 18, 1907.]

SUBSIDY AND FOREIGN TRADE.

Mr. Secretary Shaw continues to insist on hothouse political economy, and demands the creation of a merchant marine by subsidy that is to go forth and fetch to our shores all the foreign trade we can manage with both hands. Here is one of his declarations, his latest in New York Friday night: "Countries which consume imports equal in value to our aggregate manufactured products, which in turn equal the manufactured products of any three other countries on the map, have scarcely heard of the United States as a commercial country. Let our flag be exhibited in their waters and our wares in their ports, and the danger of industrial stagnation will be materially minimized."

Suppose we show our flag in their waters and dump our goods in their marts? Shall we return in ballast? Certainly we will if we preserve the home market for our own manufactures. We can not eat our cake and have it. If we send our goods abroad, we must exchange them for other goods. That is prohibited in the Dingley law, and until there is tariff revision it is folly to talk about a merchant marine for the foreign trade.

We hear a heap about the Argentine Republic, down yonder, and its stupendous potentialities, and it is proposed to subsidize ships to go down there and fetch her trade home with them. Argentina produces what we produce—meat and bread. Why should we go thousands of miles after grain, beef, and mutton when we have more grain, beef, and mutton at home than we can eat? As well for Alabama to send her cotton to Mississippi; as well for Illinois to send her corn to Iowa, when Mississippi has more cotton and Iowa more corn than they know what to do with.

And yet in every "subvention" speech there is a wilderness of statistics to prove we are on the road to the poorhouse and will surely land there if our shipmasters are not hired at public expense to capture this trade for us that we would not know what to do with if we had it. Argentina is our rival; so is Australia; so is New Zealand. We do get some beef hides from South America, brought in foreign bottoms, and the ship that fetches them is fined 15 per cent at the custom-house on their value before it is permitted to land them. That is for the beef trust.

The Omaha Bee is a stanch Republican paper, as good a protectionist as Secretary Shaw, or Speaker CANNON, or General GROSVENOR, or Mr. DALZELL and the Bee warns the interests that are clamorous for this subsidy that big foreign trade and highly protected domestic trade are inconsistent and can not long exist together. That ought to be as plain as the sun at noonday. Foreign trade means exchange of products, and it means nothing else. Before it can prosper the duties on such products in the tariff schedules must be enormously decreased.

So it is reduced to this: We must let the foreign trade slide or abandon tariff for protection only, with incidental revenue.

We once had that foreign trade—fruit of the Robert J. Walker tariff of 1846. We will get it again when we return to the Walker idea, and not until then.

Our subventionists, we fear, are a little averse to that.

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[From the Journal of Commerce and Commercial Bulletin, February 25, 1907.]

GOVERNMENT SERVICE FOR SUBSIDY GRAFTERS.

Has the Government Printing Office and the consular service been put to use to help the ship-subsidy grafters in their effort to reach into the public Treasury for profits for a new combination of capital? A pamphlet of 44 pages has been issued from the Government Printing Office with the label "Memoranda of the Committee on the Merchant Marine and Fisheries on the substitute for S. 529." It is not an official document of the committee and has never been submitted to the House or to any public authority and "ordered printed." By whom it was prepared does not appear, but it is made up of a farrago of statements, quotations, and references, after the exact manner of the "campaign documents" of the Merchant Marine League in support of the subsidy policy. It is not sent out in the ordinary way as an official document for the public, but is distributed privately for the evident purpose of affecting public opinion and securing support for the pending subsidy bill. Is this a legitimate use of the Government Printing Office and the resources provided for the service of the public?

Is it a mere coincidence that in the single number of the Daily Consular and Trade Reports for February 21 there appear simultaneously in front of everything else quotations from reports from consuls at leading South American ports complaining of a lack of shipping facilities, a lack that notoriously does not exist unless "under the American flag" is to be implied, and suggesting the need of such facilities to help American trade to those ports? It certainly is not a coincidence that much more is implied in the editorial sentences introducing these quotations than can be found in the quotations themselves. For instance, on the front page the editor in Washington starts off with the statement: "Consul-General Snyder calls attention to the fact that there is practically no direct trade communication between the United States and Buenos Ayres, all American goods imported being sent by way of England." This statement is so notoriously contrary to fact that one naturally scrutinizes the passage quoted from Mr. Snyder's report for the basis of it. No ground for it is to be found there, though Mr. Snyder does say, being thereto prompted perhaps from Washington, that "the chief improvement in the matter of shipping facilities between the United States and Buenos Ayres should be the establishment of a fast steamship line between the two countries." The fact is that there is regular and frequent communication with all the river Plata ports, ample for all the trade requiring them.

Consul-General Anderson is said to furnish "the following in regard to lack of United States tonnage in trade with Brazil." The "following" in this case conforms better than the other with the introductory line, but is almost equally far from the facts. It represents that the Brazilian trade is dependent upon the triangular route via Europe and says that much of the extra tonnage employed late last year in bringing coffee here from Rio Janeiro "has been unable to meet the present demand in American ports for tonnage for South America, particularly for Brazil." Evidence of this inability to meet the demand is not found in the American ports themselves.

Skipping over to Chile, the Washington editor of this consular information finds that Consul Winslow, at Valparaiso, reports that "the shipping facilities between the United States and Chile are not what they should be in order to develop business between the two Republics." What this consul says is that the two lines from New York "under the British flag" charge a rate that is "fair" and render a service that is "very satisfactory, considering everything," but he is prompted to add, whether by suggestion from superior authority does not appear, that "there should be one or two lines for this coast sailing under the American flag," and that "something should be done to encourage American shipping if the United States is to get the trade it should have in this part of South America." He conceals the fact that the lines "under the British flag" are owned and managed by Americans and anxious to do all they can to develop the trade, and would gladly carry the American flag if the benevolent Government did not make it impossible.

The lively editor jumps back to Montevideo and remarks that Consul O'Hara reports that "American trade communication with Uruguay appears to be limited and insufficient." Mr. O'Hara says nothing to imply that, unless "American trade communication" means communication by American vessels, though he does say, under the prompting that seems to have gone along the South American coast with remarkable simultaneousness, that "one of the first steps to be taken in improving the commercial relations between the United States and Uruguay would be to establish a first-class steamship line between the two countries."

It is evident on the face of these publications that the Government service and the public money have been used directly in these cases, not to furnish facts and information for the public and enable it to form a fair judgment for itself, not even to serve a partisan purpose for the Administration, which would be sufficiently reprehensible, but to promote the efforts of that clique of capitalists and promoters who are hunting for subsidies from the Public Treasury to give them a promise of profit in their schemes. It is a disreputable business, for which it is to be hoped the head of the Administration or any Department thereof is not responsible, and which ought to be discontinued and reprimanded.

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[From the Mitchell (S. Dak.) Gazette, February 21, 1907.]

CONSERVATIVE LEGALIZED GRAFT.

The ship subsidy steal bill, offered at the last session of Congress by Senator GALLINGER, has been knocked out, and the new bill recommended by President Roosevelt under a little different name is very sure not to become a law. The Congressmen have heard from the people at home, and with the exception of the open grafting element in both branches of Congress they have decided to not tax 99 per cent of

the people to build up a water monopoly transportation trust for the other 1 per cent. A ship subsidy is a bounty or bonus given to favored individuals or corporations who are eternally seeking special privileges so they may rob the rest of mankind. It is very easy to convert transportation companies or common carriers of public necessities into a monopoly, and when any class of avaricious, greedy men secure a monopoly or a corner on things the public must use they at once become despots and tyrants, and the people are rapidly learning that it is unsafe to give over any class of business exclusively to individuals who can force the public to use their trust or monopoly.

When the Gallinger ship bounty bill was before Congress a year ago many able arguments were made against it, and the lower House of Congress refused to pass the steal, although the Senate, with the aid of the South Dakota members, pushed it through by a vote of 38 to 27. Not a Democratic Senator voted for the bill at that time, and there were five Republicans who had the honesty and courage to vote against it. Those Republican Senators were BURKETT of Nebraska, DOLLIVER of Iowa, LA FOLLETTE and SPOONER of Wisconsin, and WARNER of Missouri. When the Gallinger bill came to the lower House a year ago, having passed the Senate by 11 majority, Congressman WILLIAM SULZER, the antimonopoly Democrat from New York, helped to give it a death blow in a very able argument which he then made, a part of which was as follows:

"Ship subsidies do not build ships—they create ocean trading monopolies. Ship subsidies will not give workmen employment in American shipyards. The money will simply go into the capacious pockets of the plutocratic beneficiaries of the shipping trust. Every scheme of this kind simply permits respectable corruption and benefits the few at the expense of the many. The principle of ship subsidies is inherently wrong and absolutely indefensible. It is un-Republican, un-Democratic, and un-American, and no man who understands the question can justify the steal in the face of the facts. If we had continued the policy of our fathers, we would to-day be the greatest maritime nation in the world, our flag would be on every sea, and our ships would be carrying the commerce not alone of our own country, but perhaps half of that of all the great nations of the world."

These ship-subsidy advocates are not satisfied to rob the American people by the grace of the tariff in selling American-made goods at home to American consumers at a price 30, 40, and 50 per cent higher than they sell the same articles in foreign countries. They now want these same American consumers to pay these big transportation trusts a few million dollars bounty every year, so they can make more money on the American manufactured goods which they will haul in these big ships and sell them at a low price in foreign lands. The plan has been and still is to make a tariff tax so high that American consumers can not have a chance to buy foreign-made goods, but must pay the American monopolist any price he demands, and then also make him pay a hauling bounty for the goods he takes to Europe and sells at a big discount below the price in this country. Any public officer who advocates such a plan ought to be speedily removed from office for conspiracy to defraud the American people.

It is a continuation of the respectable thieving laws that have been put on the statute books of this country under the name of "conservatism," which means legalized graft.

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Whereas the so-called "ship-subsidy bill" is still being vigorously pushed; and

Whereas we are informed that threats are applied to public men, and especially Members of Congress who refuse to indorse or assist in the passage of the same through the House of Representatives; and

Whereas somebody calling itself the Maritime Trades Council of New York and Vicinity, probably "Maritime" because there are no mariners in it, are either consciously or unconsciously misrepresenting the nature of the bill in communications sent to all local and national trades unions whose address they can obtain, including in the same blank forms or resolutions to be adopted, signed, sealed, and forwarded to Congressmen urging the passage of this measure: Therefore, be it

*Resolved by the eleventh annual convention of the International Seamen's Union of America*, That we hereby warn all organizations of workingmen against these communications coming from this so-called "Maritime Trades Council," concerning such shipping bill, and we hereby declare the information sent out to be misleading to the reader in this, that it misrepresents both the shipping bill itself, the purpose for which it was drawn, and what it will accomplish if enacted; further

*Resolved*. That as seamen, representing seamen, and having given careful consideration to the bill, we protest against its enactment into law.

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THE AMERICAN ANTITRUST LEAGUE,
*New York, February 27, 1907.*

The HOUSE OF REPRESENTATIVES,
*Washington, D. C.*

GENTLEMEN: The undersigned hereby protest against the passage by Congress of the ship-subsidy bill, either in the form of the Littauer bill in the House or the still more objectionable Gallinger bill in the Senate.

The ship-subsidy policy of taking the people's money from the public Treasury and making it a present to corporations of such a questionable character as those who have monopolized our land and water transportation is utterly indefensible, yet this is just what the ship-subsidy bill will do.

The healthy growth and development of the American merchant marine can never be secured by the gift to the combined shipping and railroad trusts of public money taxed from the people. Any action by Congress to advance the interests of the American shipping can best be accomplished by laws for tonnage duties, giving preference to American ships, as provided for in H. R. 21196, introduced by Congressman WILLIAM SULZER, of New York, in the present House. By the line of legislation proposed in this bill we shall build up American shipping by extending the principle of competition, which is the very life of trade, both on land and sea.

The application of the principles embodied in Congressman SULZER'S bill will build up American shipping by a policy that will stimulate and encourage that industry without taking money from the public Treasury for the benefit of private corporations, instead of strengthening the lawless and extortionate transportation monopolies by gifts of the taxpayers' money, as proposed by the Littauer and Gallinger bills.

Respectfully,

M. L. LOCKWOOD, *President*,
H. B. MARTIN, *Secretary*,
C. T. BRIDE, *Treasurer*,
*National Executive Committee Antitrust League.*

[From the American Federationist for March, 1907.]

SHIP SUBSIDY—THE CHARLATANISM OF ITS "PROMOTERS."

In the January issue of the American Federationist we published an article in which was exposed some of the deception, forgery, and bribery as part of the methods of the "promoters" of ship-subsidy legislation. The exposure was so complete that it rather staggered the "promoters" and their hangers-on. In desperation the spokesman of the "promoters," Alexander R. Smith, of Cleveland (he who figured so conspicuously and unenviably in the exposé), issued a circular, which he sent to every Member of Congress. It was a labored effort to explain how he was caught in his scheme of meddling in the affairs of organized labor; trying to place it in a false position, and how he managed to play upon the weakness of an uninformed man. The circular then proceeds, by indirection, to declare that the American Federation of Labor and its representatives, and particularly its president, have not the interests of labor at heart.

Measuring men by his own standard, Mr. Smith, who never manifested activity in any public matter, unless he was sure as to what there was in it for himself, insinuates that labor and its representatives are prompted by the same motives in regard to ship-subsidy legislation. Congressmen generally, and particularly those who have had some experience with Mr. Smith's former exploits, as well as his activity in the ship-subsidy promotion scheme, wholly disregarded his circular. Others, unacquainted with his tactics, desired information from the American Federation of Labor. Among the latter was the Hon. THOMAS SPIGHT, and to whose request a response was made. The letter is sufficiently comprehensive and important to warrant its publication, and we therefore print it here. It is as follows:

HEADQUARTERS AMERICAN FEDERATION OF LABOR,
*Washington, D. C., February 7, 1907.*

Hon. THOMAS SPIGHT,
*Member of Congress, House of Representatives,*
*Washington, D. C.*

DEAR SIR: Your letter to Mr. Arthur E. Holder, a member of our legislative committee, in which you inclosed copy of a circular issued by Mr. A. R. Smith, of the Merchant Marine League, in other words, one of the chief promoters of the ship-subsidy bill, was, as you requested, turned over to me. You desire an expression of opinion from me on the matters referred to in Mr. Smith's circular.

You will, of course, note that Mr. Smith throughout the circular refers to the opposition of labor to the ship-subsidy bill as "Samuel Gompers and his organization." The very spirit of that designation is unquestionably intended to belittle the intelligence of the men composing the great trade-union movement of the country which constitutes the American Federation of Labor, and also is intended to convey the notion that, regardless of the wishes or the interests of the men of labor, my personal prejudices or interests dominate the whole labor movement. I refer to this simply to call attention to the petty methods which Mr. Smith employs to cast odium upon the oft-repeated declarations of the rank and file of the organized wage-earners of our country.

No one who knows the attitude of labor and how that attitude is ascertained; no one who has any knowledge of the efforts which I have endeavored to put forth in the interests of the working people and of all the people of our country, would for a moment give credence to any statement made by Mr. Smith which in any way reflects upon the labor movement or the cause which it represents, or myself, either personally or officially.

Take Mr. Smith's own version of his negotiations with Mr. Weeks and it is quite clear then that he took advantage of the weakness of a poor uninformed man. However, the affidavit voluntarily made by Mr. Weeks shows clearly that Mr. Smith wantonly undertook to suborn him, and that he (Mr. Smith) falsely made it appear that the organization of the Marine Trades Council of New York authorized the issuance of appeals to the labor organizations of America, when, as a matter of fact, no such authority was either asked or given; that a counterfeit letter head of the Marine Trades Council was made at the instance of Mr. Smith; that a new motto, which he invented, was placed on the head of the counterfeit letter head; that the name of Mr. Weeks was put to documents without his consent or the consent of the Marine Trades Council, from which body the appeal was supposed to have emanated.

We are not wholly dependent upon the statement of Mr. Weeks, but it is corroborated by the voluntary affidavit of Mr. Story in the district attorney's office of the city of New York.

As a matter of fact, the whole transaction is of a character which Mr. Alexander R. Smith is well known to have practiced on previous occasions.

A little more than eight years ago, when Mr. Smith could neither persuade, cajole, nor bring his other "peculiar" influences to force me into line to help ship-subsidy legislation, he left my office uttering threats as to what he would do. What he did do was to bring a lobby to the convention of the American Federation of Labor for the double purpose of having the convention change its attitude and declare for ship subsidy and to punish me. Just before that convention I met with a serious railroad accident and could only attend the convention for less than a half hour of the ten days' session; yet the convention rejected, with but one dissenting vote, the proposition to indorse ship subsidy, the author of the resolution being the only one who voted for it.

It is one of the adroit tricks of those who have a bad case to abuse and asperse the motives of anyone who differs from them. It is a favorite trick of those who are antagonistic to the labor organizations to say, among other things, that it is foreign in origin and has no place in our country, forgetting, or trying to hide the fact, that like causes produce like results and that the industrial conditions of our country naturally produce the great organizations of labor here.

Organized labor of America favors the building of ships to the fullest in the United States. It believes in the fullest extension and development of our industrial resources. We have urged the passage of a bill to prevent the wholesale towing of unfit or undermanned vessels. The passage of such a bill would compel the building of an immense number of vessels properly manned and which would possess their own propelling power. What has Mr. Smith or any of those who favor ship subsidy said in the interest of such a bill? They have allowed it to remain in committee and have never uttered a word but in opposition to it.

American workmen, I repeat, favor the building of American ships to carry American passengers and American commerce to any part of the world, but they do not believe that a subsidy is necessary to accomplish that purpose. They believe that the principle involved in the proposition of subsidy is vicious and contrary to American principles.

The insinuation contained in Mr. Smith's circular that either other representatives of the American Federation of Labor or I are working

in the interest of foreign shipowners in foreign countries is a malicious, false, and contemptible utterance. While I am not authorized to speak for any other men in the labor movement, yet I am confident they have never, and, so far as I am concerned, I am positive I have never had any conference or communication, directly or indirectly, with any foreign shipbuilders, shipowners of foreign countries, by representatives or otherwise, upon any subject remotely referring to the question under consideration, or, for that matter, to any other question.

Then, again, letters which organizations have sent favorable to the passage of the ship-subsidy bill were sent under the false impression that they were aiding a measure which was asked by organized labor of the country, and they were wholly unconscious that the circular was issued under a forged signature, upon a counterfeit letter head, and without authority or consent from the organization from which it purported to emanate, and that it avoided the mention of one of the particular features of the ship-subsidy bill—the conscription provision—to which labor is particularly opposed.

Your attention is called to Senate bill 529 of the Fifty-ninth Congress, second session, report No. 6442, upon that bill. Together with other representatives of labor, I had occasion to appear before the House Committee on Merchant Marine and Fisheries on several occasions, conveying labor's protest against the passage of the so-called "ship-subsidy bill," particularly upon the ground that it contained provisions which made conscription (compulsory naval service of seamen) a condition precedent to their employment on privately owned vessels.

In discussing that bill, it may be necessary to call attention to the fact that the advocates of the bill questioned the accuracy of our contention on this latter point, and asserted that the naval service required is of a voluntary character.

It is true that the language employed in the bill gives the superficial appearance that such service, if undertaken, would be voluntary; but upon an examination of the language and its practical application there is no escape from the conclusion that it means, and is intended to mean, compulsory naval service in time of peace or war as a condition upon which seamen can find employment on privately owned vessels; in other words, that seamen would be required to sign articles enlisting in the naval service before they would be permitted to earn their own livelihood and to support those dependent upon them.

For your information I quote the provisions of the bill bearing upon this subject. The bill is known as "Senate 529" of the first session of the Fifty-ninth Congress. The provisions referred to are as follows:

"That there shall be enrolled in such manner and under such requirements as the Secretary of the Navy may prescribe, from the officers and men now and hereafter employed in the merchant marine and fisheries of the United States, including the coastwise trade of the Atlantic and Pacific and the Great Lakes, such officers, petty officers, and men as may be capable of rendering service as members of a naval reserve for duty in time of war. * * * These members of the naval reserve shall be enrolled for a period of four years, during which period they shall be subject to render service on call of the President in time of war. They shall also possess such qualifications, receive such instructions, and be subject to such regulations as the Secretary of the Navy may prescribe.

"A vessel shall not be entitled to the subvention (subsidy) above provided for unless during the period of employment in the foreign or deep-sea fisheries the following proportions of the crew of the vessel, after the dates specified, shall have been enrolled in the naval reserve."

The bill then proceeds to prescribe the continual increased proportion of the constantly increased number of those seamen employed in privately owned vessels "who shall have been enrolled in the naval reserve."

It will be observed that the bill provides that enrollment of seamen is compulsory; that it prescribes that they shall be enrolled for a period of four years, compelled to render service in time of war, and subject in times of peace to the instructions and regulations prescribed by the Secretary of the Navy. And further that the vessels can not receive the subsidy unless there is a constantly increased number of seamen who shall have been enrolled in the naval service. It is not difficult to understand that if the owners of vessels can only receive the subsidy upon the condition that their seamen shall have enrolled themselves in the naval service, these owners will insist upon their seamen signing the articles of enlistment in order that they may be employed.

The theory, declared the American Federation of Labor at its last convention, upon which the bill is drawn and the reasons given by its advocates are that we have not the vessels needed as auxiliaries to the Navy and not all the men needed to man the Navy in time of war. Accepting these contentions as facts, it is contended, therefore, that the cost of building a vessel in an American shipyard and the cost of sailing a vessel under the American flag in the foreign trade is so much higher than that under other flags that a subsidy is necessary. It is further contended that with an adequate subsidy we shall have more vessels, and having more vessels we shall have all the native or naturalized seamen needed.

That we have not now the necessary number of native or naturalized seamen needed for the merchant marine and the Navy is a fact not disputed; it is patent to all who are at all acquainted with maritime conditions. The American boy is not seeking the sea as a means of livelihood and the American man at sea is seeking and finding more agreeable and more remunerative employment on shore.

There is employed at present, according to the census, about 120,000 men as seamen or deep-sea fishermen under our flag, and among the seamen from 10 to 15 per cent are either natives or naturalized; the rest are men owing allegiance to other flags and not subject to draft upon order of the President.

If the seamen and fishermen employed in our fisheries and our coastwise and Lake trades were either native or naturalized Americans, the number of men necessary for the Navy could at any time be obtained. The difficulty, therefore, lies not so much in the number of men as in the number of men available, and the primary cause is that for some reasons the American does not seek the sea or remain there. If the American does not seek the coastwise trade, when there is no competition with the foreign vessels and small wages, and onerous conditions are not caused thereby or an excuse therefor, there seems to be no reason why he should seek employment in the foreign trade where the shipowner has the reason of competition for the wages and conditions which he imposes upon the seamen. The American ceased to go to sea because he could do better on shore than he possibly could at sea, where, no matter what his industry and thrift, he could not and can not earn sufficient upon which to keep a family.

As to the cost of operating a vessel under the American flag, the contention that American vessels in the foreign trade provide better quarters, more and better food, that they carry more men, and pay more wages than vessels under other flags is not based upon facts. When the steamers *Paris* and *New York* were placed under the American flag the number of firemen and coal passers and of able and ordinary seamen was reduced.

The wages of sailors and marine firemen depend upon the port in which they are engaged and the voyage they are about to make, and not at all upon the flag under which the vessel sails, and our law, enacted in 1884, gave to the shipowner the right to hire his crew in a foreign port, bring them to the United States and back to a foreign port without reshipping them in the United States. This puts him on an absolute equality as to wages, exclusive of officers, with any country with which he trades. He pays English wages if he trades with England, French wages if he trades with France, and Chinese wages if he trades with China. The law gives him this privilege and he avails himself of it to the fullest extent.

The other costs of operating a vessel are coal, lubricating oils, and provisions; like other vessels, he buys it where it is cheapest. If it be a sailing vessel it consists in spars, canvas, ropes, and blocks, and these things we furnish to other nations to a very large extent.

Since the organization of our Government no industry has been as well cared for through absolute authority over the men employed therein, through immunities granted and special privileges conferred, as has been the merchant marine. By law enacted in 1790 the seaman was made the property of the vessel upon which he served. If he sought to withdraw himself from the servitude of his master, he could be and he was arrested, put in prison, there to remain until called for by such master. If he succeeded in escaping from his service and his master, he could be and he was pursued from State to State, or from one country into another, forcibly returned to his master, and compelled to continue the labor on pain of imprisonment. When involuntary servitude was taken off the negro by war and the thirteenth amendment and the statutes revised accordingly, the vessel's ownership of the seaman remained undisturbed. Conditions as to quarters on board, food, and working hours were by Congress left at the discretion of the owner. Some improvements have been made, but the seaman's status yet remains that of a serf or a peon. He is still compelled to live in a place 6 feet long, 6 feet high, and 2 feet wide. In this place he has to eat, to live, and to sleep when off duty. It has been described as too large for a coffin and not large enough for a grave. He is still compelled to sign away in the foreign trade a certain sum of the wages to be earned in order to obtain employment. He must obey any order from the master or any other officer or go to prison. But if crippled for life by injury thereby received, he has no remedy. He must, in obtaining employment, compete with the unskilled and destitute, not only in this country, but from all nations and races. The vessels are undermanned, both as to skill and number, and the shipowner is resisting every improvement by every means within his power.

In the meantime the shipowners have been relieved of risks arising from acts of God or dangers of the sea through a system of insurance; arising from piracy through the present imperfect policing of the seas; from those arising from popular local disturbances through damages paid by such localities or States; of liabilities to the shipper, passenger, or seaman through limited-liability laws and judicial decisions; of taxes on floating property by several States; of fees to be paid for the enforcement of navigation laws, except in some unimportant instances; of care and cure of sick seamen, cost of which is now borne by the Public Treasury, and the burial of dead seamen, who are handed over to the coroner and then buried by the community; of the duty to carry a certain number of citizens in the crew of the vessel; of the duty of training men for the sea service, now done by foreigners or in training ships at public expense. In addition to this he may carry as many or as few men as he pleases, with such skill or lack of skill as he chooses; he may carry as much cargo on deck and load his vessel to any depth that he thinks profitable. There are no laws or regulations on these subjects.

He may hire and, in a foreign port in the foreign trade, by assistance of the police, keep the cheapest men that can be found in any part of the world.

Under our coastwise-navigation laws he has an absolute monopoly of all trade from one American port to another.

Under the act of 1892 he may make contracts to carry the mail through which he receives more pay for this service than he pays in wages to every man and boy employed on his vessel as a seaman in any capacity.

Having been relieved of risks and liabilities, and having been given immunities as have been herein mentioned, and having driven the American from the sea, thereby weakening our Navy, and now employing and thereby training foreigners and men of alien and antagonistic races, making them ready to be employed by other navies, he insists upon continuing these conditions, while he urges Congress to further tax the whole American people to help him carry on his private business.

The convention then reiterated its condemnation of any such legislation, and especially against this bill, with its un-American provision for conscription.

In passing it may not be amiss to say that the workingmen of our country, the organized workingmen, are no less patriotic than any of our citizens in other walks of life. In all the great events and vicissitudes, when the honor, the interests, and the safety of our country have been at stake, none more promptly, zealously, and patriotically enlisted and offered their services and lives under the flag of the Republic than did the men of labor. We have lost none of our love for and devotion to our country. The past is but a presage of what the toilers of America will do should the necessity ever arise, but we can not refrain from entering an emphatic protest against an attempt to subvert a principle of civilized government, and particularly republican institutions, by a system of conscription and compulsory military or naval service, especially in times of peace, even if conscription and compulsory service are hidden disingenuously behind the subterfuge that they are voluntary.

You will please note the substitute for Senate bill 529, Fifty-ninth Congress, second session, that section 3 in its entirety is a practical restatement of the provisions of the compulsory naval-service feature of the original bill. Every organization in the boiler making, shipbuilding, and kindred trades has gone on record deliberately and repeatedly as opposed to ship-subsidy legislation. Mr. Smith in his circular quotes a so-called "United Boiler Makers' Association." You should know that this so-called "united boiler makers" is composed of a few locals of the Brotherhood of Boiler Makers and Iron-Ship Builders of America, which seceded from the parent organization upon an entirely different subject, and in no way related to the ship-subsidy proposition. It forms but a very insignificant part of the trade in the United States.

It assumed this position simply as a matter of pique and antagonism because of the other differences which exist.

I should be glad to submit to you originals and copies of the correspondence which passed between Mr. Smith and Mr. William J. Gilthorpe, secretary-treasurer of the Brotherhood of Boiler Makers and Iron-Ship Builders of America, in which it is clearly shown that the efforts of Mr. Smith, acting for the promoters of ship subsidy, in trying to suborn Mr. Gilthorpe and induce him to follow just such a course and practice with his organization, were the same as he (Mr. Smith) used in his scheme to suborn Mr. Weeks.

It may not be uninteresting for you to know that there is not a promoter of ship-subsidy legislation but who has antagonized in Congress every bill of a tangible character which might favorably affect the interests of the working people of our country—the 8-hour bill, the bill to regulate and limit the abuse of the issuance of injunctions, the bill to accord to seamen the right of ownership in themselves, and all other measures for which labor has asked at the hands of Congress.

There are other additional interesting matters in connection with this subject which I hope for the opportunity to present to you for your consideration, but this letter is already too long to attempt of their incorporation here.

Very truly, yours,

SAMUEL GOMPERS,
*President American Federation of Labor.*

In the first session of the present Congress the ship-subsidy "promoters" brought a body of half dozen "labor" men to Washington who, without authority, and in fact against the distinct declarations of their organizations, made a pretense that they were voicing the sentiments of labor when they hypocritically asked for ship subsidy "in the interest of labor." These "labor" men were and are well known to be out of touch and sympathy (and some out of membership) with organized labor. While in Washington at the time they were seen and heard wrangling as to the money consideration they received from the ship-subsidy "promoters" for their dirty part in the dirty business.

It seems to be the part assigned by the "promoters" to Mr. Alexander R. Smith to seek out some poor, weak-kneed men in the labor movement, to cajole, flatter, or hoodwink them; if these fail, to suborn or bribe them. In our efforts to advocate, protect, and further the interests of the toiling millions of our country we have at times run counter to these men, and in every instance the origin of their having "gone wrong" was immediately traceable to the ship-subsidy "promoters," of which Alexander R. Smith is the conspicuous figure.

We can find no more fitting description of the work and methods of the men engaged in the effort to fasten ship subsidy and particularly conscription upon the people than our opening characterization of them in the January article in the American Federationist: "In all our country there is not a more corrupt gang than the well-known coterie who are engaged in the scheme to 'promote' ship-subsidy legislation."

We commend to ship-subsidy "promoters" the well-known but oft-despised couplet:

"What a tangled web we weave,
When first we practice to deceive!"

Mr. GOLDFOGLE. Mr. Chairman, this bill provides, in my judgment, the worst character of class legislation. Though I doubt at this stage that anything that will be said on this side of the Chamber will change a vote on this bill, I want to rise in my place to utter my protest against this unfair and iniquitous attempt to seize millions of the people's money out of the public Treasury for the further enrichment of a favored few. [Applause on the Democratic side.]

In common with other gentlemen of this House, I deplore the fact that America is not to-day the mistress of the sea; that American vessels do not float in the great numbers we would wish them to float everywhere upon the ocean highways. I, too, would wish to see the American shipyards busy turning out in larger number than they now do fast ships built by American mechanics, to be manned by American seamen, and to sail under the American flag. But, sir, the bill before us will not produce that result. It will not build ships. It is not a commerce proposition. It is a subsidy pure and simple. It is to put millions of the public funds into the treasuries of a few shipbuilding concerns without conferring back upon the general public a corresponding benefit.

It has been asserted, and by many fully experienced in the shipbuilding trade, that we can, upon the Great Lakes of this country, build vessels as large and as cheaply as they can be built in foreign yards. This fact has been stated before the Committee on Merchant Marine and Fisheries. It has been substantially admitted by some of those engaged in the shipbuilding industries. The Literary Digest of December 22, 1900, quotes Mr. J. J. Hill as saying:

> We can build ships in this country as well and as cheaply as they can be built anywhere in the world. Now, I had figures within the last year furnished from the best builders on the Clyde and figures from as good builders as there are in this country, and to my utter amazement the American figures on a single ship were £8,000 to £10,000 under the best Clyde builders.

But for the purposes of this discussion we need not so much inquire whether the facilities on the Great Lakes are sufficient now to turn out the fast-going ships that are said to be needed or whether they can be built there as cheaply as in the foreign market. Let us revise the tariff schedules. Let the materials which enter into the shipbuilding industry, to be used in American shipyards, be brought in free from excessive duty; let the trusts and monopolies sell the materials and implements as cheaply in the American market as they do in lands abroad, and through American thrift and American energy and business perseverance we can again restore in all its glory the American merchant marine upon the seas. But this will not suit the purpose of Hill and Harriman interests and the Spreckels and others of their class. They are awaiting these subsidies. They seek the people's money for the enrichment of their enterprises. True that has been disclaimed here. But the fact remains that to further private enterprises and help build up private business concerns it is proposed by this bill to take from the public Treasury during a period of ten years about four millions per annum. This is not all. I fear it is but the entering wedge to further assaults upon the nation's Treasury.

For years and years the subsidy seekers have been knocking at our doors for this subsidy—sometimes in one form, sometimes in another, but always to the same end and for the same purpose. The lobby has been busy for years. Their methods and operations have been public scandals in the past. They have flooded us with literature all emanating from the same source in the hope of making us believe that there is a general demand for this subsidy.

Mr. Chairman, there is no such demand. The people do not want it. They protest against it. The business man is already overburdened with taxation; the laboring classes feel heavily the result of this over and excessive taxation. The labor organizations, backed by public sentiment, have denounced this bill as vicious and as a robbery of public funds. Stripped of all disguise, it is just what the minority of the Committee on Merchant Marine have declared it to be—an attempt to loot the Treasury of millions for the benefit of the few, and the promotion of private business at the expense of the entire people.

I refrain from entering upon a discussion of many of the details that prove that the bill neither makes for American trade, American commerce, nor American prosperity. Its so-called "postal" feature and "naval-reserve" provision at heavy cost during times of peace are but thin disguises to veil a subsidy grab.

One might stand on this floor an entire day to voice opposition to this bill, and yet not better express the views which the public entertain of it than are expressed in an editorial published some time ago in one of the newspapers of my city. It is not a Democratic sheet. It is a Republican newspaper that has always been Republican in its politics and true to Republican principles. I send the editorial from the New York Press to the Clerk's desk to be read.

The Clerk read as follows:

THE SENATE SHIPPING PIRACY.

The ship-subsidy bill passed by the Senate ought not to receive even the courtesy of debate in the House. Divested of its sham virtues of naval reserves and fixed precentages of American seaman in the service, it is nothing but naked piracy against the United States Treasury to turn money into the hands of individuals already holding investments in shipping, but not satisfied with their financial returns.

The Senate piracy is not a bill to restore, enlarge, and maintain a flourishing shipping; it is a bill to fatten those already in the business, without creating a new merchant marine.

The people of this country do want a merchant navy. They realize that it must be built. They would favor any plan which embraced the creation of more shipping. From the Senate they would get nothing of the sort. They would, for the most part, only pay money into the hands of those owning existing shipping. This Senate scheme is not one to restore the merchant marine; it is one to enrich a few individuals, with absolutely no benefits following to the nation.

There is one way to assure enormous merchant fleets plying across the seas as successful and complete as the fleets on the Lakes and in the coastwise trade. There is no coastwise shipping anywhere else in the world to compare with ours. No subsidies have been called for by it. There is no whine for subventions; no lobbying for mail contracts. The powerful industry has grown and continues to grow because it exists under a policy which provides business for it.

If there were a policy that provided business for transoceanic ships as for the coastwise vessels, capital would build and operate shipping for the oceans as for the Lakes and the coastwise traffic, and it would never ask nor want for subsidies; and the fleets, springing into being, would make money—they would flourish and increase. The American bottoms would regain the supremacy which they held on the oceans for half a century when the shipping policy of the nation provided business for American ships.

If the House is to make an effort to restore American shipping and to provide that it shall be maintained as a self-supporting institution, it will waste no time on the Senate measure. It will insist on something that will provide business for American bottoms. A tonnage tax discriminating against foreign vessels engaged in the traffic with this country will do this; a discriminating tariff duty in favor of the vessel which sails into our ports under the Stars and Stripes will do it. Subsidy without business never will.

Mr. KAHN. Mr. Chairman, will the gentleman yield for a question?

Mr. GOLDFOGLE. I am sorry I can not yield, for I have but a minute or two remaining. In that minute I want to say that it looks very bad to the country that at this late hour, when the session is about to close, an attempt should be made to jam this bill through Congress. The restrictive policy of our Government thus far pursued has driven millions of dollars of our money to find investment in shipping under foreign flags. Our navigation laws are no longer suited to the conditions of our times. Let us correct these matters by sober, sane, wholesome legislation. They can not be remedied

by the bestowal of bounties to a favored few at the expense of the many, or by subsidies to the monopolistic combine, who, aided by a powerful lobby, stand behind this measure, which is nothing short of an attempted robbery of the people's money. [Applause on the Democratic side.]

The principle embodied in the bill is opposed to sound Democratic doctrine. It adds to the burden of taxation for the sole benefit of a few. It grants special and unusual favors to a special class. Called by any other name, it is still the same old subsidy which will not restore nor build up, as its advocates claim, our American merchant marine. Such being my view, I shall vote against the bill.

Mr. GREENE. Mr. Chairman, Massachusetts has unquestionably suffered a heavier loss from the decline of American ocean shipping—from 2,500,000 tons in 1861 to less than 1,000,000 in 1906—than any other State in the Union. Shipbuilders and navigation for many years were her chief industries. This was particularly true of the counties of southern Massachusetts and of Cape Cod, which have furnished more officers and sailors to the American flag in peace and war than any like area in the nation.

This present bill does not confer much direct and immediate advantage upon Massachusetts. There is not now registered in that State a single steamship which would be eligible for service on any of the mail routes proposed in this bill, except perhaps on the short route from the Gulf coast to the Isthmus of Panama. Massachusetts men are builders and owners of heavy cargo carriers rather than of swift mail craft. But Massachusetts applauds this bill and supports this bill because its citizens regard it as a measure which will be of great benefit to the commerce and the shipping of the nation as a whole.

Though our Commonwealth now owns only half a dozen steamships in the foreign trade, and these not within the scope of the proposed legislation, yet there is one element indispensable to a strong merchant marine which Massachusetts does produce in considerable numbers. These are the brave and skillful officers of the deck and engine room and the hardy young seamen trained from boyhood on our rugged coast to "hand and reef and steer," unsurpassed in their hazardous calling and famed for their courage and endurance on every ocean of the world. To say that a man is a New England sailor in any port the whole world over is as proud a boast as in the old days one would say he was a Roman citizen.

Massachusetts has heretofore been a State of wooden-ship building. It was the birthplace half a century ago of the most famous clippers that ever sailed the seas. Even now the art of the wooden-ship builder is actively followed for the fisheries and coastwise trade. But steel-ship building has sprung up in Massachusetts for our coastwise navigation and the Navy, and one of the largest modern shipyards in the country, the Fore River Ship and Engine Company, stands on the shores of Boston Harbor. New England can compete with Pennsylvania or Virginia in the construction of modern ocean ships. She has no native materials, it is true—no native coal or iron. But in the early days for a long time her shipyards brought much of their oak and pine from the far Southern States to have them wrought into finished ships by the unflagging skill and industry of her mechanics. Moreover, Massachusetts realizes that all the materials for an ocean ship constructed for the foreign trade are duty free and that she can get her steel and iron, her wood, and all the manifold articles of equipment without being troubled by the exactions of the tariff.

OF BENEFIT TO THE WHOLE NATION.

This bill now before the committee calls for the construction of a great fleet of twenty-five or thirty swift and powerful ocean steamers, built on designs approved by the Navy Department, and fit for the service of the Government in war. They are to be ships of a type far larger, more elaborate, and more expensive than the cargo carriers which ply up and down our coast. And though these fast mails ships belong to a peculiar class, resembling war ships, and are far apart from the mail body of our merchant marine, yet the building of them means a vast stimulus and improvement of the entire shipbuilding industry of America. Just as the construction of the armor clads and cruisers of our new Navy has made its influence felt upon the protected coastwise fleet, improving the character of these domestic ships and enabling our shipyards to produce commercial steamers of a size and speed before unheard of in America, so the building of the fleet of mail steamers provided for in this bill, one by one, will quicken still further the entire American shipbuilding industry, thereby improving the skill of our mechanics and the ability of our naval architects, and enabling them to produce better vessels for our great and prosperous coastwise trade and for all the general demands of ocean commerce.

One severe handicap now upon our ocean shipyards, because of the paralysis that has long afflicted our shipping in foreign trade, is the haphazard character of employment. For a few months our shipyards have been fairly busy, as they happen to be at the present time, to meet the demands of the coastwise service, or to construct a few heavy men-of-war. But these fortunate periods have always been followed by many months of depression and idleness, in which the skilled workmen have been scattered or reduced to the roughest kind of manual labor at the lowest wages.

You can not maintain a healthy and prosperous industry on such conditions as these. You can not have an efficient industry out of such uncertain and spasmodic employment. You can not produce ships at a low cost if your shipyards are working only half the time, and are unable to standardize their products, and to effect the economies of administration which only constant work at the fullest capacity makes possible.

Twenty-five or thirty new mail steamers called for in this bill mean not only the addition of a large and valuable tonnage to our merchant marine, but also the strengthening of the power of our shipyards to construct ocean vessels of improved character at a lower cost. Thus while directly this proposed bill encourages only the fast steamer element in our merchant fleet, indirectly this bill will benefit the whole body of our merchant shipping. This is frankly recognized by some of the principal sail-vessel owners of Boston, who state that though they regret that their cargo carriers are excluded from this bill, yet they earnestly desire that the bill become a law, because these great mail lines will heavily increase the total volume of our commerce with South America, and give our cargo vessels, both sail and steam, a chance to share in this increased carrying of at least the bulkier commodities.

A QUESTION OF WAGES.

The present difference in cost between an American ship and a British ship is simply a question of labor. Our shipbuilders have testified before the House Committee on Merchant Marine and Fisheries that with all materials for ships for foreign trade on the free list, steel from Pennsylvania is laid down in a New England yard at the same price for which similar steel can be delivered duty free from Scotland. Our timber, which now comes chiefly from Virginia, the Carolinas, Georgia, Florida, and Mississippi, is of course as cheap as any in the world. If it costs more to build a steel ocean steamship on Boston Harbor than it costs on the Clyde or the Tyne, the difference is to be found in this contrast of American and British shipyard wages.

I do not deny that our New England mechanics in trades where they are steadily employed will do more work in a given time than their low-wage competitors on the other side of the ocean. Our people live better. Their higher wages enable them to secure more varied and abundant food. They read the newspapers and books. They have a better opportunity to get ahead in the world and to help their children to get ahead. They have a keener personal ambition than is possible in Europe.

All these things tell in the character of their handiwork. But while I believe heartily in the superiority of the American workman, I do not go so far as to say that under present conditions, with his present experience, he can do any more work in a day than his kinsman and rival abroad. Undoubtedly under present conditions of partial, spasmodic employment the higher wages obtained by American mechanics are a serious handicap upon American shipbuilders.

HOW TO LOWER THE COST OF SHIPS.

But this is not a permanent condition. We know that our steel mills, and our locomotive works, and many of our cotton mills engaged in weaving certain classes of fabrics pay wages practically double those paid in similar callings abroad, and yet, after years of experience and of constant employment at full capacity, they are now able to sell their products in foreign lands at the same prices as their European competitors. This fact, that even with high wages American producers in certain trades can turn out articles for the European price, is a fact so well known and understood that it is being made the pretext for a demand for a reduction or entire removal of the protective tariff on such articles.

If, after years of adequate protection and constant employment, such facility has been attained by our high-wage workmen and manufacturers in the production of locomotives and steel bridges that American locomotives and steel bridges are being sold all over the world, there is no escaping the conclusion that if you will protect the ocean shipping industry so as to create a great and steady demand for American ships, the time will come when American shipyards, turning out these ships regularly in large numbers, standardizing their product, and effecting

the economies possible only with great and constant production, will be building ships as cheap as any other nation in the world. For what is an ocean steamship but a locomotive and a steel bridge wrought together?

THE WORD "SUBSIDY."

The peculiar insistence with which the word "subsidy" is still used to characterize this bill has much significance. As a matter of fact such payments as it provides for are not subsidies, but they are merely payments for work performed. The United States Government is in the business of distributing the mails. It employs all sorts of vehicles for accomplishing that distribution—railroads, wagons, stages, men—all are employed when and where needed. Ships are also employed, and ships are paid for the services performed precisely as the electrical, the gasoline, and the horse vehicles are paid for, as the men are paid—for services performed. The mere calling of a payment a "subsidy" because it is made to a ship, when the word "subsidy" is unpopular in many minds and begets prejudice, is not done without intent. It has a purpose.

The vested interests now monopolizing our foreign carrying trade and enjoying $200,000,000 a year for carrying our mails, passengers, and freight to and from foreign countries dislike to have this country encourage its shipping in the foreign trade. Personally I am not aware of any attempt on the part of foreign shipping interests to oppose bills which are brought up in Congress with the intent of unbuilding American shipping in foreign trade. That it would be natural for them to oppose anything that advances American shipping interests goes without saying. We may, I think, properly ascribe to them the influence that persists in calling provisions for paying American steamships for carrying the United States mails to distant parts of the world by harsh and unreasonable names. The press which oppose this bill teem with such characterizations as "ship-subsidy grab," "the ship-subsidy steal," "the ship-subsidy graft," and those interested in the bill's passage are savagely referred to as "grafters," as "subsidy beggars," as "Treasury looters," as men anxious to plunge their arms into the National Treasury with the intent to steal the people's money; they are characterized as people seeking to obtain the people's money without adequate return, when, as a matter of fact, a very valuable and necessary service must be performed for the Government—for the people—by the steamship lines that are to receive this payment if the bill becomes a law.

The bill is a mail-line bill, and, as I have stated, it is a bill to accelerate the carriage of our mails to distant parts of the world. Possibly thereby opportunities will be afforded to business men in other countries to visit the United States more frequently, more readily, more comfortably than ever before. Unquestionably such opportunities availed of by business men of other countries, who thereby familiarize themselves with our resources, our productions, our prices, our possibilities, will increase their trade with us.

On the other hand, the operation of direct, swift American mail lines to foreign countries, especially where no such lines are now operated, and making frequent sailings, will induce our own business men to send their agents and salesmen to those foreign countries for the purpose of establishing business relations with their business men. This will bring the distant countries that will be connected with our own into more close and intimate relations with the United States; they will understand us, and we shall understand them better. We may well characterize these proposed lines of swift mail steamships under the American flag as pioneers of trade, and it is to be hoped that they will accomplish all that their most enthusiastic advocates predict for them. Certainly we need them; we need them for the chief purpose for which they are to be paid—for carrying and thus expediting the delivery of our mails to distant countries; we need them as trade solicitors; but, most of all, we need them for essential auxiliary naval purposes. For these purposes they will be invaluable in times of emergency, as is clearly set forth in the very valuable, detailed, and explicit reports that were submitted to Congress toward the close of the year 1905 by Admiral Dewey, expressing the views of the Navy in respect to the great and pressing need of such ships, and of General Chaffee and the Secretary of War in transmitting the views of the Army War College. These facts are printed in the reports of the House Merchant Marine and Fisheries Committee. That these ships would be useful for naval and military purposes will be apparent to anyone who will give to the reports even the most casual study, for even limited as the bill is in the number of ships it will bring into existence it will nevertheless be of the greatest aid to our Army and Navy, if need for that aid shall ever arise.

Least of all is the pending bill a protective measure. A measure that merely provides for payments for services rendered can not be called a protective measure, and as this is a bill that provides only reasonable, fair, just, and necessary payment for carrying the United States mails, it should not be opposed because it is mistakenly charged with being, and as mistakenly believed to be, a protective measure.

The pity about this amended House bill is that its terms are not understood by the great majority of our Members; it is not understood by the press of the country, and it is not astonishing, therefore, that it is not understood by the people of the country. Members will be inclined to vote against this bill because of the belief that they are thereby helping to prevent the establishment of a very dangerous precedent. Gentlemen tell each other on the floor of this House that they are afraid to try the "experiment," and with serious faces they say to each other that this is only "an entering wedge;" that if successful, in time it will be extended, and that thereby a dangerous interest will be fostered and encouraged. Therefore they hesitate to support this bill which provides for carrying the United States mails to far-distant countries.

The Post-Office Department is constantly improving the different methods of mail distribution and delivery. In every way possible, and in many cases quite regardless of seemingly excessive costs, the delivery of our mails is hastened. The prime object always is to secure the most rapid and safe handling of the mails, to shorten the time in every possible manner between the sender and receiver of the mails. To this end pneumatic tubes are favored to prevent the congestion and delay arising from accumulations of mail, and this method has solved a grave problem. Does anyone mean to say that the owners of these pneumatic tubes are subsidized, or that they are "grafters" or "subsidy beggars?" I think not. We have established and we are constantly extending our rural free-delivery service, and the expense, great as it is, is not objected to. The end accomplished is what is sought, and the people voice their approval.

So it is with our mails to foreign countries. The President and the Secretary of State and many others tell us that our mails at the present time for South America are more promptly delivered if they are first carried across the Atlantic to Europe and then brought back across the Atlantic again by foreign steamships. In most cases those foreign steamships enjoy fair and just compensation—subsidies if you prefer the word—for carrying the mails. As a result of these payments for mail carriage fine lines of steamers have been established and steadily maintained. But without the payments they receive for the carriage of the mails the lines might not in many cases be operated at all. What European countries have by experience found it to their interest to do we may well undertake to do, and we can afford to pay for a better delivery of our mails to such foreign countries where deliveries are now made irregularly, slowly, unsatisfactorily, and unreliably. We have no mail lines of any kind either to Brazil or to Argentina. Those are both great American Republics of extensive areas, with large populations, enormous resources, and with products that we can utilize to our advantage, and whose people need many of the things that we can produce in abundance. They are anxious to do business with us, and we are anxious to do business with them. But the chief instrumentalities with which to conduct such business—swift mail steamships making frequent and regular sailings—are lacking. This bill proposes to overcome this disadvantage—that is all—and by the swiftness, regularity, and frequency of the delivery of our mails, and incidentally the mingling of our business men and their business men, and with the better distribution of freight to and from their ports, we shall establish a growing and prosperous trade. Moreover, we shall soon get into the most cordial and delightful relations with peoples about whom we know but little at present and who know very little about us, all for our mutual good.

These are the things that the establishment of the lines proposed in this bill will accomplish. The United States Government, in the progressive steps it has taken to improve its postal service, has reached the seaboard, and dissatisfied with the service now rendered in the carriage of our mails, especially to South American countries, purposes improving it. Call it a subsidy, if you choose; call it anything you like, so long as what it is is clearly known. The name "subsidy" will lose its terrors and be robbed of its sinister suggestiveness once its purpose is found to be, as in this case, merely the more rapid, more regular, and more frequent delivery of our mails to distant countries.

Let it not be forgotten that this is in no sense an "experiment." Quite the contrary, Sixty years ago it was an experiment. When it was proposed in 1845 and 1847, under the Administration of President James K. Polk, it was, so far as this country was concerned, an experiment. To be sure, Great Britain had been paying large, generous, and bountiful sums to British steamships for establishing regular lines and carrying

British mails to the uttermost parts of the world. They were called "subsidies" then, as they are now. Great Britain has steadily persisted, however, in paying these sums to British steamships for carrying British mails. In the past seventy years Great Britain has expended in this way sums aggregating $300,000,000. If payments for the carriage of the mails by steamships are subsidies, then unquestionably is Great Britain the greatest subsidizing nation on earth.

Only a few years ago when an ambitious American accustomed to doing things industrial and financial upon a large scale bought up a million tons or thereabout of fine British steamships—the cream of the trans-Atlantic fleet—he stirred our good friend, John Bull, to his very marrow. To save the one remaining British trans-Atlantic line of consequence from the devouring clutches of this ambitious American Great Britain came to the support of the Cunard Line. Years before "the blue ribbon of the Atlantic," the palm for speed, had passed from the British to their German rivals, and it was a sore point with Great Britain that she had been compelled to lower her standard on the Atlantic to her younger and more successful rival. So it was agreed by the British Government to loan to the Cunard Line, a British steamship line that has been receiving mail pay from the British treasury for nearly seventy years, the large sum of $13,000,000 for a period of twenty years at 2½ per cent interest. It did not matter that a year or so later, when Great Britain came to sell her bonds, that she was compelled to pay for the use of the money that she had loaned to the Cunard Line 3½ per cent. In other words, Great Britain had to pocket a loss of one-half of 1 per cent for twenty years on $13,000,000.

She wanted swift British mail liners, which had to be the largest and swiftest steamers afloat, and Great Britain was willing to pay the cost. But it did not end at that. Great Britain further stipulated that as these huge, swift "greyhounds of the sea" would be useful for auxiliary naval purposes, she was willing to pay their owners for their possible use in time of war. So she agreed to pay the line a matter of $750,000 a year for twenty years for the naval uses that the ships might in an emergency be needed. Some people would call that a subsidy, but the proper phrase is admiralty subvention. But Great Britain was not disposed to stop with paying these Cunard owners for the possible naval uses that their ships might be required to perform. In addition, she agreed to pay these ships a matter of $340,000 a year for twenty years for carrying the mails.

It is nothing to Great Britain that she pays out several millions of dollars more every year for the carriage of the British mails than she receives from the postal revenues of her foreign mails. The act is regarded broadly by our British cousins, and they count the money well spent when the mails are delivered regularly, swiftly, and frequently, and incidentally the trade of Great Britain is built up. At the same time auxiliaries for her naval needs are brought into existence and kept in constant state of readiness for use.

The same is true of Germany, France, Norway, Holland, Spain, Italy, Austria, Russia, and Japan. They all make liberal payments to the steamships that are built in their countries for the carriage of their mails to distant countries. The countries know that they are making necessary, just, and fair payments for the carriage of the mails, and no one terrorizes them with the fear of the meaning of the word "subsidy." The only country in which the word "subsidy" has become a bogy man is in the United States, but we ought to be large enough now not to be needlessly scared at any word, however ill-favored it may appear or however sinister may be its suggestion.

I neglected to state that when Great Britain provided all of those loans and admiralty subventions and mail payments for the two great Cunard ships she stipulated that the ships must be built in the United Kingdom. That was a very wise provision, since she wanted her own people to build the ships, and thereby she provided for their employment.

Returning to the pending bill. Who stops to think that it is an amendment to a bill passed by Congress sixteen years ago? Who recalls the terms of the act of March 3, 1891, known as the "ship-subsidy bill" of that time, called the "ocean mail act" at the present time? The fact is that it gave an impetus to the building of steam vessels in this country that we had not known for a quarter of a century. Our steam shipping in the foreign trade had actually declined between 1866 and 1890. But since the passage of the act of March 3, 1891, payments for the carriage of our mails aggregating $1,500,000 a year are made to five different American lines running to different parts of the world.

The advent of our mail-carrying steamships cut freight rates in two so many times that it wasn't thought anything to send our products across the ocean. Since the "ocean mail act of 1891" went into effect we have trebled our steam shipping in foreign trade. This result of the last sixteen years would lead us to believe that the legislation of 1891 to encourage shipping was a great success.

Then again this country has a surplus of over $3,000,000 a year from its sea postage. We have that sum in the Treasury with which to pay for the ocean carriage of our mails, and before this bill takes a dollar out of the Treasury the surplus sea postage collected by our Government in eight years will have exceeded $20,000,000. Besides, the annual revenue from sea postage will suffice for all the payments required under this bill. The mails that our steamships will carry will themselves supply the revenue for their transportation. And this is the bogy man of a ship-subsidy bill. This mild, economical, necessary, and useful mail-carrying bill—this subsidy, if you like.

I believe in protecting our merchant shipping on the seas in free trade competition with foreign shipping, with so-called "subsidized foreign shipping," with foreign ships being liberally paid by their governments for the carriage of their mails. But this bill is not a protective shipping bill. It is a purely mail-carrying act and nothing else, except that it contains the wise provision for the establishment of a needed naval reserve of not exceeding 10,000 men.

We need five or six million tons of American ships before we can do the great bulk of our own foreign carrying, as I believe we ought to do, but this bill, which will bring into existence a couple of hundred thousand tons of swift American steamships, will not be a drop in the bucket as compared with our real need of an American merchant marine. Whether this bill passes or fails to pass, the problem of upbuilding our shipping in the foreign trade will still be unsolved; it will be as acute as ever; the necessity of protecting our ships that are in free-trade competition with foreign ships will be as great, if not greater, than ever. But I again repeat this is not protection. It is fair and just pay for carrying the United States mails on American steamships to distant foreign countries.

The Postmaster-General tells us that we need this bill; the Secretary of State pleads for it; the President in special message has asked for its passage. I say let us pass this bill, and let it be understood that it is nothing but a mail-line bill, that it is neither subsidy nor protection for American shipping in the foreign trade. Protection denied by a House of Representatives overwhelmingly composed of protectionists will evidently have to be deferred until some future time. American protectionists seem at this time to be unwilling to extend protection to our cargo ships upon the seas. Why they are unwilling I can not understand. But I urge my colleagues to join with me in the passage of this mail-line bill for the advantage which even this bill will confer upon the American nation. [Applause.]

Mr. GOULDEN. Mr. Chairman, I now yield to the gentleman from North Dakota [Mr. GRONNA].

Mr. GRONNA. Mr. Chairman, I certainly feel that I should not at this late hour attempt to make any extended remarks. But the question before us is of such great importance that I feel it my duty to submit some facts and figures which I believe this honorable body should consider. The question has been raised and the statement has been made that this is a party measure. To this I do not agree, but deny. Were it so, Mr. Chairman, I should indeed hesitate before opposing this measure. As a new Member of this House, and one who has watched the proceedings as carefully as I possibly could have done, I will say that I think too much of the leaders on the Republican side to vote against a measure which, in my opinion, would be against the policies of my own party. The gentleman from Wisconsin [Mr. MINOR] and the gentleman from Washington [Mr. HUMPHREY] paid considerable attention to the fact that the merchant marine of the United States in 1861 had two-thirds of the business at that time, and that the business we now have is only about 8 per cent. I do not believe, Mr. Chairman, that if you take the volume of business as a whole and figuring on a percentage that there will be a percentage of 75 per cent to 8 per cent. I shall submit to you some figures and give as briefly as I possibly can my opinion and my understanding—give you my views and an analysis of the situation as I see it.

I will admit, Mr. Chairman, that what benefits certain localities of the United States benefits us all; but I will not admit that when that benefit is given to a few individuals it benefits the entire people of the United States. The gentleman from Massachusetts [Mr. GREENE], who just took his seat, tried to make a comparison between the rural route service and that service which you are now trying to establish or extend. I leave it to the Members of the House to decide whether that has any merit or not. You propose in this bill to give to seven

steamship lines $3,750,000 annually for ten years. It is true that we expended nearly $25,000,000 in 1906 for rural service, but this was paid to 35,666 people for actual service performed and at the lowest rate paid to any person in the Government employ. There has been an economic revolution in the art and science of agriculture, and as a result crops beyond comprehension have been produced by the American people, by the American farmer, so that there is now a congestion by the railroads, and has been for some considerable time. Just think of it! This last year alone we produced 4,688,000,000 bushels of cereals. I am surprised that a comparison should be made, or that reference should be made, to the rural route service in connection with this proposition. For the producer is the one who keeps both the common carrier and the manufacturer busy.

Now, the railroads and transportation companies have been unable to take care of this business; but, Mr. Chairman, do we come to Congress and ask for a subsidy to do the business in our own land? There was a time, Mr. Chairman, that Congress was asked to pay large sums of money to these railroads, which have been built up to such an extent that they now own practically one-seventh of the entire wealth of this nation. They have been built up at the expense of the people of this country. Now you are making the same cry for the steamship companies, and so far as I am personally concerned, if I thought that it would benefit the people of the United States, I should not oppose the measure; but I have not heard a single argument on this floor convincing me that the entire people of the United States will be benefited by the passage of this bill. What do you propose to do? To establish seven steamship lines and subsidize them—pay tribute to them. What does this mean? It means that those who have a sufficient amount of money—a large amount of money—will build these ships, and they will crush out the little fellows; and there will be no competition in the future. A paying out of nearly $40,000,000 of the people's money to eliminate competition. To my mind that is exactly what it means. We had a measure before this House, and which is upon the Calendar now, to obtain a loan of $1,000,000 for the drainage of the Red River Valley, a valley in the State of North Dakota and a part of what is known as the "bread-basket of the world," unequaled in productiveness in the United States. This is a proposition which would benefit a great number of people, a proposition that would not be in the interests of the few, but which would benefit all of the people living in that community, and it would be something that would last for all time to come. We do not ask it as a subsidy; we ask it merely as a loan, agreeing to return the Government every dollar of this money; but we wanted some strong arm to put the measure through so that this work could be done. However, we are denied even the privilege of calling the bill up, thereby preventing an intelligent discussion of the meritorious measure.

Following are the exports and imports of the United States, as shown by the Statistical Abstract and the Bulletin of Commerce and Finance for June, 1906, for ten years preceding June 30, 1906:

| | |
|---|---|
| Imports: | |
| 1897 | $764,000,000 |
| 1898 | 616,000,000 |
| 1899 | 697,000,000 |
| 1900 | 849,000,000 |
| 1901 | 823,000,000 |
| 1902 | 903,000,000 |
| 1903 | 1,025,000,000 |
| 1904 | 991,000,000 |
| 1905 | 1,117,000,000 |
| 1906 | 1,226,000,000 |
| Exports: | |
| 1897 | 1,051,000,000 |
| 1898 | 1,231,000,000 |
| 1899 | 1,227,000,000 |
| 1900 | 1,394,000,000 |
| 1901 | 1,487,000,000 |
| 1902 | 1,381,000,000 |
| 1903 | 1,420,000,000 |
| 1904 | 1,460,000,000 |
| 1905 | 1,518,000,000 |
| 1906 | 1,743,000,000 |
| Excess of exports over imports: | |
| 1897 | 286,000,000 |
| 1898 | 615,000,000 |
| 1899 | 529,000,000 |
| 1900 | 544,000,000 |
| 1901 | 664,000,000 |
| 1902 | 478,000,000 |
| 1903 | 394,000,000 |
| 1904 | 469,000,000 |
| 1905 | 401,000,000 |
| 1906 | 517,000,000 |

The total foreign trade of the United States in 1906 (exports and imports) was nearly $3,000,000,000—all built up by the exporters and importers of the country without subsidy or subvention. Neither the farmers that raise the largest part of the exports nor the exporters who sell the goods to foreign lands have any interest in the sentimental question of who carries the goods. All that the farmer or exporter cares about is a market and cheap transportation. If foreigners are willing to carry our goods cheaper than the American shipowners, the farmer and exporter are content that they should have the trade. The farmer and exporter, unaided by Government, have found a market for nearly $2,000,000,000 of exports. They have gained for our country a grand foreign trade, to which the American shipowner and shipbuilder have contributed nothing whatever. They have been idle for years, while foreigners have been busy building their transportation lines to enter and carry our trade. To tax the farmer and exporter now in order to subsidize American shipping is unfair and unjust. Even then, it is by no means certain that the American shipowners will carry American goods as cheaply as the foreign shipping masters.

COST OF FOREIGN MAILS.

From the report of the Superintendent of Foreign Mails for the year ended June 30, 1906, it appears that the following amounts were paid out for carrying ocean mails last year:

| | |
|---|---|
| For trans-Atlantic service | $1,443,908 |
| For trans-Pacific service | 447,247 |
| For miscellaneous service | 659,122 |
| Total | 2,550,277 |

Besides these amounts a number of smaller items—as $42,976 to Panama Railroad Company, $39,000 special steamboat service at New York, and others—brought the grand total of cost for foreign mail service last year to $2,965,624. Of this amount, about $1,500,000 was paid to subsidized American steamship lines under the law of 1891, as follows:

| | |
|---|---|
| Trans-Atlantic service | $762,638 |
| Trans-Pacific service | 292,065 |
| Miscellaneous service | 427,012 |

EXCESS OF SUBSIDY COST.

The Superintendent of Foreign Mails calculates the excess of cost under the contract or subsidy service over regular ocean rates for the year 1906 at $393,559. Why the people should pay this enormous amount over and above regular postal rates is not easily answered. But this is not the worst of it. Regular sea and inland postal rates are about four times what the Government pays foreign steamship lines. Steamers of United States register not subsidized are paid at the rate of $1.60 per pound for letters and post cards and 8 cents a pound for other articles. Steamers of foreign register are paid 44 cents a pound for letters and post cards and 4½ cents for other articles. The calculation which gave the subsidy excess at $393,559 was made on the basis of $1.60 for steamships of American register not subsidized. Had foreign ships been given the mail matter at 44 cents a pound the amount paid out would not have been much more than $400,000. Subsidy as we now have it costs us nearly $1,000,000 more than it would cost were the mails carried by foreign steamships.

We paid $114,774 to the subsidized steamships for carrying the mails to Port Antonio. Regular sea and inland postage was but $10,864, an excess by reason of subsidy of $103,909, as calculated by the superintendent of foreign mails. Subsidy received $72,398 for mails to Habana, which at regular rates amounted to $2,661, a pure gift to the steamship line of $69,736, as calculated by the superintendent of foreign mails. Eighty-two thousand four hundred and thirty-seven dollars' worth of mail at regular rates to New South Wales cost us $249,885, or three times what it was worth. One thousand and twenty-seven dollars' worth of mail to Tahiti cost us $42,180, or a subsidy grab of forty-two times what the service was worth. These are some of the features of subsidy as we now have it, and it is unwise, in my opinion, to extend it further.

RECEIPTS FOR FOREIGN MAILS.

This is an interesting phase of the question, but unfortunately nothing definite can be said of it. The superintendent of foreign mails estimates that $6,000,000 were taken in from foreign mail service, excluding Canada and Mexico. He says that it is impossible to calculate how much of this should go to the inland postal account for transporting the mails between exchange post-offices to United States post-offices at which they were mailed or delivered. He is certain, however, that after making every allowance for this charge the postage collected by the United States largely exceeds the gross expense incurred by the Department in connection with mails exchanged with foreign countries.

Were there no subsidies the excess would be still greater and would aid materially toward wiping out the annual deficit of

postal revenues. Simply because the foreign mail service more than pays its way is no reason for giving what is made to a lot of greedy shipowners as an annual subsidy. We are willing to pay generously for an actual service, but we are unwilling to pay anything for mere sentiment or to swell the profits of corporations who have not contributed one iota to our foreign trade.

WAGES PAID TO SHIPPING LABOR.

From the bulletin of the Bureau of Labor for July, 1906, it appears that the following wages were paid labor in 1905 in the shipbuilding industry:

| | Cents per hour. |
|---|---|
| Blacksmiths: | |
| California | 35 |
| Delaware | 25 |
| Maine | 26 |
| Maryland | 25 |
| Massachusetts | 30 |
| New Jersey | 33 |
| New York | 34 |
| Pennsylvania | 28 |
| Boiler makers: | |
| California | 36 |
| Delaware | 25 |
| Maryland | 26 |
| New Jersey | 36 |
| Pennsylvania | 24 |
| Calkers, iron: | |
| New York | 30 |
| Pennsylvania | 26 |
| Calkers, wood: | |
| Maine | 29 |
| Maryland | 27 |
| Massachusetts | 38 |
| New Jersey | 38 |
| New York | 32 |
| Carpenters: | |
| California | 37 |
| Delaware | 27 |
| Maine | 24 |
| Maryland | 29 |
| Massachusetts | 32 |
| New York | 30 |
| Pennsylvania | 29 |

Drillers were paid from 15 to 23 cents; fitters from 23 to 30 cents; joiners, 25 to 37 cents; laborers, 13 to 21 cents; machinists, 25 to 33 cents; painters, 24 to 29 cents; riggers, 18 to 32 cents, and riveters, 22 to 34 cents.

Carpenters in the building trades are paid from 31 to 55 cents an hour, much higher than in the shipbuilding industry. Painters in the building trades get from 31 to 45 cents, and the same proportions hold for the other positions. Labor in the shipbuilding industry is not paid as well as in iron and steel, the building trades, and others.

*Comparative table of British and American sailors' wages.*

| | Per month. |
|---|---|
| On sail vessels: | |
| Able seamen | $18 to $30 |
| Boatswains | 23 to 28 |
| Carpenters | 35 to 50 |
| First mates | 40 to 55 |
| Second mates | 30 to 40 |
| On steam vessels: | |
| Able seamen | 25 to 30 |
| Boatswains | 30 to 35 |
| Carpenters | 30 to 60 |
| First mates | 60 to 120 |
| Second mates | 40 to 70 |
| Firemen | 30 to 45 |
| Trimmers | 25 to 40 |
| First engineers | 100 to 150 |
| Second engineers | 75 to 90 |

These figures are from the Report of the Bureau of Navigation for 1903, page 66.

| British sailors' wages on sail vessels: | Per month. |
|---|---|
| Able seamen | $12 to $15 |
| First mates | 27 to 43 |
| Second mates | 21 to 72 |
| Boatswains | 19 to 43 |
| Carpenters | 25 to 30 |
| On steam vessels: | |
| Able seamen | 19 to 38 |
| Boatswains | 19 to 43 |
| Carpenters | 24 to 43 |
| First mates | 38 to 92 |
| Second mates | 24 to 75 |
| Firemen | 19 to 24 |
| Trimmers | 17 to 20 |
| First engineers | 56 to 170 |
| Second engineers | 36 to 100 |
| Third engineers | 30 to 85 |

Above figures taken from Report of Bureau of Navigation of 1903, page 94.

From all this it appears that for the skilled labor of engineers English wages are higher than in the United States. Officers get a trifle more in America than in England, but not from 50 to 100 per cent more, as subsidy advocates claim. The English service is the best in the world; the sailors are a high body of men and are well paid. A fair estimate can not be made, as different ports have different scales, but the difference will never be more than 20 per cent on an economically administered scheme. To get a subsidy, however, it is necessary to make the difference as great as possible—a difference far greater than the facts will justify. When it is known that the British pay a subsidy of but $45,000 per annum for 20-knot ships, the folly of paying American ships of from 14 to 16 knots per hour an annual subsidy of from $300,000 to $800,000 becomes apparent. There is no such difference in cost of ships or in sailors' wages.

SUBSIDY EXCESSIVE.

The following table, taken from the report of an English committee headed by Lord Camperdown, and printed in the Report of the American Commissioner of Navigation for 1903, page 267, shows what Great Britain pays for mail service on vessels having a speed of 20 knots or more:

| Speed. | Engine power. | Annual subsidy. |
|---|---|---|
| | *Horsepower.* | |
| 20 knots | 19,000 | $45,000 |
| 21 knots | 22,000 | 97,500 |
| 22 knots | 25,000 | 202,500 |
| 23 knots | 30,000 | 337,500 |
| 24 knots | 40,000 | 552,500 |
| 25 knots | 52,000 | 990,000 |
| 26 knots | 68,000 | 1,020,000 |

The English idea is fast service, and in demanding this England agrees to pay the extra cost for making the speed over and above demanded for ordinary mercantile purposes. You will observe that every additional knot in speed is only gained at a most rapidly increasing scale of cost. England pays 20-knot ships an annual subsidy of $45,000 a mile. Grant that labor costs us more and that the first cost of the ship is greater. The ship, according to the Report of the American Merchant Marine Commission of 1904, costs from 30 to 40 per cent more made in the United States than in England, and labor is from 20 to 30 per cent higher, making 50 per cent difference possibly for all contingencies. The American subsidy, then, for a 20-knot ship would be less than $70,000 for each year's service.

This bill calls for no speed greater than 16 knots, and the average is about 15 knots, and it carries from $300,000 to $800,000 per annum. If England can get 20-knot ships for $45,000 per annum the United States should certainly get 14-knot vessels for $45,000, and a payment of from $300,000 to $800,000 is the height of extravagance. It is criminally excessive, absolutely unnecessary, and without justification on any rational grounds. I shall vote against it and be proud of the vote. The farmers of the United States create more than half of the wealth of the whole country and are not interested in any kind of subsidy legislation. Their burdens are already great enough without giving the shipping industry a gratuity to carry their products. The subsidy does not help the farmer, as he is now getting a cheaper carriage than American shipowners will give him. The farmers of North Dakota are less interested in subsidy than in other questions and are opposed to all such legislation. They are especially opposed to the exorbitant, excessive, and unjustifiable rates proposed by this bill as mail subsidy, and they can see no reason for paying even an American shipowner from three to ten times what the service is worth—from three to ten times what the service can be easily obtained for in the open markets of the world.

We welcome the day when our merchant marine shall again have 75 per cent of the ocean trade; when the American ships under the American flag shall have regained their power and rule the seas as they did before any subsidy was granted them.

MAIL PAY UPON TONNAGE BASIS.

The gentleman from Michigan [Mr. FORDNEY] has been taken to task upon this floor for stating that the postal subsidy now paid to the Oceanic Steamship Company, the Spreckels line, is in excess of the entire wages of the crews upon the ships drawing this subsidy. His statement was well within the facts. I have looked up this matter from several standpoints and I will prove the correctness of the statements of the gentleman from Michigan from another standpoint than that upon which his information was correctly based. One of the common methods of calculating the wages of crews is upon the amount of cost of running the ship based upon its gross tonnage.

I will quote several statements upon this basis regarding officers' and seamen's wages from the Commissioner of Navigation. In his report for 1899, page 55, he shows that the wages per month for the steamship *Cherokee*, 2,557 gross tons, carrying thirty-two men in all, were $1,385, which is 54 cents a gross ton.

In his report for 1900, page 37, he showed that the wages per month for the steamship *Pleiades*, 3,700 gross tons, carrying

5,300 tons of cargo, twenty-six men in all, were $1,215, or 33 cents a gross ton.

In his report for 1901, page 39, he shows that the wages per month of the steamship *St. Louis* (one of the largest ships of the International Mercantile Marine Company, which gets three-quarters of a million subsidy for carrying the mails to England), 11,000 gross tons, 380 men in all, were $11,306, or $1 a gross ton.

The commissioner states on page 39 of this report that the pay roll of the year will, as a rule, be equivalent to about nine months' wages.

On page 42 of the report of the Commissioner of Navigation for 1902 is given the pay roll of six steamships engaged in Pacific commerce as follows:

The Oceanic Line—the line referred to by the gentleman from Michigan [Mr. FORDNEY]—has three ships which carry the mails to and from the Australasian colonies: The *Sonoma*, 6,253 gross tons; the *Ventura*, 6,253 gross tons; the *Servia*, 5,989 gross tons.

Each of these is a 17-knot ship. The amount received by the Oceanic Line for the fiscal year ending June 30, 1906, for carrying the mails to and from the Australasian colonies was $249,885.

This company also received $42,180 during the fiscal year ending June 30, 1906, for carrying a very small amount of mail, as previously stated, to Tahiti.

Calculation like that employed by the Commissioner of Navigation in the instances above cited shows that if the crews of these ships were employed and paid for full twelve months' service, this amount of subsidy that they have received would equal $1.12 a gross ton per month for all the wages of their officers and men. This shows $1.12 a gross ton paid in subsidy for these small vessels against a cost of $1 a gross ton, as calculated by the Commissioner of Navigation, upon a basis of nine months' service in the year for the big steamship *St. Louis*, a vessel of 20-knot speed and nearly twice as large as any of the steamers on the Oceanic Line. In other words, if the Oceanic Line was to pay its crews for full twelve months' service, the sum it already receives from the Government would enable it to pay 12 per cent higher wages than were paid the crew of the *St. Louis*. And, as a matter of fact, for the fiscal year ending June 30, 1906, the number of trips actually made by the Oceanic Line would reduce the wage period even below the nine months estimated by the Commissioner of Navigation for the *St. Louis*. If, then, the pay roll for the year be considered equivalent to about nine months' wages, the sum received by the Oceanic Line from the United States Government would allow that line to pay 50 per cent higher wages than was paid on the *St. Louis*.

How absurd, then, is the proposition contained in this bill to give this line an additional $200,000 subsidy.

RAILROAD SUBSIDIES.

In the olden days we subsidized the railroads of the country by giving them large parts of the public domain. More than 100,000,000 acres of choice lands were given them, which yielded them from $250,000,000 to $1,000,000,000. Besides this, the Government guaranteed the principal and interest of the Pacific railroads, amounting to more than $65,000,000. What was the result? The railroads became great. They rolled in wealth and began to fleece the people in all manner of ways. They acted as though they owned the country and defied its regulating power.

The shipbuilding industry now asks the same kind of aid and will, in all probability, take the same course.

There are 213,932 miles in railway track in the country, with the commercial value of $11,244,000,000, according to the report made in Senate Document No. 178, second session of the Fifty-eighth Congress. This value was based on the market value of the stocks and bonds of the corporations, and agrees in the main with the value fixed by the Bulletin No. 21 of the Census Bureau. The railroads own between one-seventh and one-ninth of all the wealth of the country. These railroads have gone into public affairs to control public legislation. They have gained large influence over our local public officials and have thereby escaped taxation. The taxed value of their property is less than one-fifth of the market value of their holdings. In Idaho they pay taxes on a valuation which is but 11 per cent of the market value; in Nebraska, 19.5 per cent; in Oklahoma, 15.2 per cent; in Washington, 14.3 per cent; in North Dakota, 18 per cent; in Colorado, 35 per cent; in New York, 25.6 per cent, and in Iowa, 16 per cent. All these figures are carefully worked out in Census Bulletin No. 21, and show the danger of building up great corporations through subsidies and subventions to fatten from the spoils of purchased legislation and a system of rebates and discriminations so iniquitous as to be a stench in the nostrils of the people.

The following table from Bulletin No. 21 shows the commercial and taxed value of the railroads, and is especially worthy of study at this time:

| State or Territory. | Commercial value. | Assessed for taxation. | Ratio of assessment to commercial value. |
|---|---|---|---|
| | | | *Per cent.* |
| United States | $11,244,852,000 | | |
| Alabama | 150,211,000 | $53,926,026 | 35.9 |
| Arkansas | 124,626,000 | 34,709,623 | 27.8 |
| California | 350,694,000 | 92,378,550 | 26.3 |
| Colorado | 198,261,000 | 49,492,135 | 25.0 |
| Connecticut | 105,369,000 | 120,493,648 | 114.4 |
| Delaware | 17,285,000 | | |
| Florida | 80,467,000 | 21,817,478 | 27.1 |
| Georgia | 156,603,000 | 63,105,810 | 40.3 |
| Idaho | 91,877,000 | 10,115,378 | 11.0 |
| Illinois | 805,057,000 | 425,709,055 | 63.8 |
| Indiana | 375,541,000 | 165,863,267 | 44.2 |
| Iowa | 344,847,000 | 57,535,160 | 16.7 |
| Kansas | 356,356,000 | 60,093,534 | 16.9 |
| Kentucky | 155,772,000 | 77,658,040 | 49.9 |
| Louisiana | 123,401,000 | 29,044,195 | 28.9 |
| Maine | 80,146,000 | | |
| Maryland | 132,342,000 | | |
| Massachusetts | 250,052,000 | | |
| Michigan | 277,597,000 | 196,795,000 | 70.9 |
| Minnesota | 466,734,000 | | |
| Mississippi | 107,884,000 | 29,847,640 | 27.7 |
| Missouri | 309,768,000 | 97,916,869 | 31.6 |
| Montana | 196,209,000 | 36,759,827 | 18.7 |
| Nebraska | 263,170,000 | 46,082,853 | 18.5 |
| Nevada | 43,745,000 | 13,778,049 | 31.5 |
| New Hampshire | 79,786,000 | 22,625,000 | 28.3 |
| New Jersey | 333,568,000 | 231,655,525 | 69.5 |
| New York | 898,222,000 | 229,582,064 | 25.6 |
| North Carolina | 113,146,000 | 69,480,974 | 61.4 |
| North Dakota | 123,390,000 | 22,160,304 | 18.0 |
| Ohio | 689,797,000 | 133,858,945 | 19.4 |
| Oregon | 75,661,000 | | |
| Pennsylvania | 1,420,608,000 | | |
| Rhode Island | 25,719,000 | 15,832,003 | 61.6 |
| South Carolina | 75,500,000 | 29,467,716 | 39.0 |
| South Dakota | 49,646,000 | 14,354,930 | 28.9 |
| Tennessee | 131,166,000 | 58,536,566 | 46.6 |
| Texas | 237,718,000 | 95,209,785 | 40.0 |
| Utah | 90,325,000 | 20,682,461 | 22.9 |
| Vermont | 37,311,000 | 27,344,020 | 73.3 |
| Virginia | 221,315,000 | 63,269,623 | 37.7 |
| Washington | 182,837,000 | 26,066,949 | 14.3 |
| West Virginia | 201,799,000 | 28,771,358 | 14.2 |
| Wisconsin | 284,510,000 | 218,024,900 | 76.6 |
| Wyoming | 100,307,000 | 7,498,232 | 7.5 |
| Alaska | 100,000 | | |
| Arizona | 68,356,000 | 6,667,349 | 9.7 |
| District of Columbia | 5,578,000 | 2,486,024 | 44.6 |
| Indian Territory | 79,405,000 | | |
| New Mexico | 86,400,000 | 8,511,538 | 9.9 |
| Oklahoma | 78,668,000 | 11,936,317 | 15.2 |

It was estimated by the Department that the increased cost for the conveyance of foreign mails from 1893 to 1906 was more than $4,000,000. We have given to seven steamship lines $1,475,138 annually for fifteen years, or more than $22,000,000, and about $8,000,000 more than Mr. Wanamaker estimated. Still you say that our merchant marine has gone to decay for lack of a subsidy.

You propose under this bill to establish a mail service to South America, Australasia, and the Orient; one from the Atlantic coast to Brazil; one from the Atlantic coast to Argentina; one from the Gulf coast to the Isthmus of Panama; one from the Pacific coast to the Isthmus of Panama, Peru, and Chile; one from the Pacific coast to Samoa, New Zealand, and Australasia, and one from the Pacific coast, via Hawaii, to Japan, China, and the Philippines, at a cost of $3,750,000 annually. The seven lines proposed and their compensation are as follows:

| | Monthly service. | Fortnightly service. |
|---|---|---|
| Atlantic coast to Brazil, 16-knot steamers | $300,000 | $600,000 |
| Atlantic coast to Argentina, 16-knot steamers | 400,000 | 800,000 |
| Gulf coast to Isthmus of Panama, 14-knot steamers | [a] 75,000 | [a] 150,000 |
| Pacific coast to Isthmus of Panama, Peru, and Chile, 16-knot steamers | 300,000 | 600,000 |
| Pacific coast, via Hawaii, to Japan, China, and the Philippines, 16-knot steamers | 350,000 | 700,000 |
| North Pacific coast to Japan, China, and the Philippines, 16-knot steamers | 350,000 | 700,000 |
| Pacific coast to Samoa and Australia, 16-knot steamers | [b] | [c] 200,000 |
| | 1,775,000 | 3,750,000 |

[a] Fortnightly and weekly.
[b] Once in three weeks.
[c] In addition to present compensation of $283,000.

Under the act of March 3, 1891, John Wanamaker, in 1892, contracted with eleven steamship lines. The following is a list which have received a subsidy:

| Beginning of contract. | Termini of routes. | Number of trips. | Period of contract. |
|---|---|---|---|
| Apr. 26, 1893 | Galveston to La Guayra | 3 times a month. | 5 years. |
| Mar. 1, 1892 | New York to La Guayra | ....do | 10 years. |
| Feb. 1, 1892 | New York to Colon | Weekly | Do. |
| Do | San Francisco to Panama | ....do | Do. |
| Do | San Francisco to Hongkong | Biweekly | Do. |
| Oct. 12, 1895 | New York to Southampton | Weekly | Do. |
| Do | New York to Antwerp | ....do | Do. |
| Dec. 10, 1892 | New York to Buenos Ayres | ....do | 5 years. |
| Dec. 1, 1892 | New York to Rio | Monthly | Do. |
| Nov. 1, 1892 | New York to Tuxpan, Mexico | Weekly | Do. |
| Do | New York to Habana | ....do | Do. |

Mr. Chairman, we find that three of these lines, viz, San Francisco to Panama, San Francisco to Hongkong, and New York to Rio went out of business inside of one year. As to the remaining eight lines, we have information as to their value to the Government. Postmaster-General Bissell, in his report for 1893, said:

I am unable to ascertain that any positive advantages have accrued from either a mail or a commercial point of view by reason of the contracts thus far placed in operation by the act of March 3, 1891.

I believe the ocean mail service contract routes on which service is now being actually performed were in existence and were having performed on them the same service before the change in compensation took place, and it is probable that had the Department not executed contracts the steamship companies would still have found it desirable to continue their operation as at present. The gains in the expedition of the mails have not been material, and the advantages to be derived from the Government's control of the ships, other than first-class ships, do not seem to be sufficient to outweigh the additional cost involved and which becomes directly chargeable to the revenues of the Post-Office Department.

The route to La Guaira has been abandoned, and we have the following mail service left: Routes Nos. 36 and 37, to Puerto Cabello and Maracaibo; route No. 57, New York to Southampton; route No. 69, New York to Tuxpan; route No. 70, New York to Habana; route No. 75, San Francisco to Australia, and route No. 76, San Francisco to Tahiti.

The subsidy of $4 per mile to route No. 57, New York to Southampton (fifty-three trips of 3,641 miles each, or 192,973 statute miles), is a gratuity pure and simple of $771,892 per annum, or $9,262,604 for twelve years of the contract's existence.

The friends of this measure say it is not new legislation, but only an extension of the service we now have. They also say that the deplorable decay and humiliating conditions of our merchant marine is due to the fact that the steamship companies have been kept out of the public Treasury, when, as a matter of fact, millions of dollars have been paid to them in gratuities, and still they have made a failure, an absolute failure. According to the statements of the friends of the bill, they have not restored the trade which we had some fifty years ago, when our merchant marine, in the day of its glory, "ruled the seas." That was a time when the steamship lines were not subsidized at all. [Applause.]

BETTER TO PLANT TREES THAN TO BUILD SHIPS.

We can have the mails carried more cheaply than this bill provides for, and the money so demanded can be employed to better purpose in many ways. It can be a thousand times better employed in the improvement of our forest reserves. There is a great and righteous demand for forestry legislation. Twelve great States, through their governors or through their legislatures or through other agencies, have petitioned Congress for large appropriations for forest reserves. The Secretary of Agriculture has repeatedly called attention to it in his annual reports. Two Presidents of the United States have indorsed it, and President Roosevelt, in many public utterances, has strongly urged legislative appropriations for the preservation and creation of forests.

We can use the money to better advantage than that of subsidizing these steamships. We can use any surplus available in the way of forestry and tree culture. Forestry, tree culture, and irrigation have been carried on in the West for some time, but have been at the expense of the West. We have not asked for an appropriation, nor do we ask for one now.

The great work being done by the Chief Forester of that Bureau, Mr. Pinchot, will be appreciated for generations to come. The national policy of forest preservation should extend not only to the Rocky Mountains, but also to the White Mountains and the southern regions of the Appalachian Mountains. We should encourage not only forestry, but also tree culture. A great deal of interest is manifested in protecting the shipowners. It requires timber to build ships. It is infinitely of greater importance to encourage tree culture and to protect our forests, which in so many respects are indispensable and of the greatest value to mankind. Russia, a country which, it has been said, is far behind the times, years and years ago established a national policy of forestry, with the result that now the valley of the Black Sea is like unto the Garden of Eden.

From the Baltimore News of January 5, 1907, the following is pertinent as indicating what has been done in France for the forestry of that Republic:

The work of reforesting the denuded mountains in that country was begun in 1860. By 1900 France had spent over $15,000,000 and had acquired over 400,000 acres of land, while the annual expenditures were still going on at the rate of over $600,000 a year. It is estimated that the expenditure of over $20,000,000 more will be required to complete the work as now planned, and at least one-fourth of the area must be unproductive for many years. But if the proposed reserves in this country are acquired now they can be made to pay their way from the start. The outlay proposed by the bill is only $3,000,000. Merely as a productive investment the money could not be better spent. The total income of the forest reserves of the United States in 1905 was about $500,000—a remarkable showing in view of the fact that the Forest Service has only recently undertaken to exploit the commercial resources of the timber lands under its control. In Europe forestry has become an important source of public revenue. The Swiss forests yield a net return to the Government of $8 an acre a year.

The possibilities of our national forest reserve system would stagger the imagination of France and of all Europe. They are absolutely colossal. Our Forestry Bureau has now under actual, practical administration 127,000,000 acres. Through all this vast system runs police patrol by a small army of forest rangers. In watching after fires, in protecting the reserves from spoliation, in the many duties incident to this system of forest policing a great many more rangers than are now provided are needed. In supplying these rangers, in supplying all the aids and facilities necessary for preserving and building up our great forestry system there is room for the wise expenditure of funds such as under the terms of this bill are absolutely donated to private uses. The glory of this Forestry Service is that it is not and can not be for the benefit of special interests, but that it is and must be for the benefit of the whole people.

The Secretary of Agriculture, in an official letter to the Chief Forester, dated February 1, 1905, set forth so clearly the administrative policy under which the forest reserves are managed that I will insert it here for the information of this House and the country.

In the administration of the forest reserves it must be clearly borne in mind that all land is to be devoted to its most productive use for the permanent good of the whole people, and not for the temporary benefit of individuals or companies. All the resources of forest reserves are for *use*, and this use must be brought about in a thoroughly prompt and businesslike manner, under such restrictions only as will insure the permanence of these resources. The vital importance of forest reserves to the great industries of the Western States will be largely increased in the near future by the continued steady advance in settlement and development. The permanence of the resources of the reserves is therefore indispensable to continued prosperity, and the policy of this Department for their protection and use will invariably be guided by this fact, always bearing in mind that the *conservative use* of these resources in no way conflicts with their permanent value.

You will see to it that the water, wood, and forage of the reserves are conserved and wisely used for the benefit of the home builder first of all, upon whom depends the best permanent use of lands and resources alike. The continued prosperity of the agricultural, lumbering, mining, and live-stock interests is directly dependent upon a permanent and accessible supply of water, wood, and forage, as well as upon the present and future use of these resources under businesslike regulations, enforced with promptness, effectiveness, and common sense. In the management of each reserve local questions will be decided upon local grounds; the dominant industry will be considered first, but with as little restriction to minor industries as may be possible; sudden changes in industrial conditions will be avoided by gradual adjustment after due notice, and where conflicting interests must be reconciled the question will always be decided from the standpoint of the greatest good of the greatest number in the long run.

There is a distressing though enlightening contrast between this use of the great forest reserves for the greatest good to the greatest number and the donations of public funds, as provided in this ship-subsidy bill for the greatest profit to the fewest number.

The Chief Forester, in reply to recent criticisms of the forest-reserve system, has made the following statement, which is of further interest upon this great question:

National forests (formerly called forest reserves) are created with the main object of using all their resources in the wisest way. Everything is for use; the timber, the range, the water, the land. Only those lands chiefly valuable for the production of timber or the protection of the water flow are included in national forests. It happens that little patches of agricultural land, small mountain meadows, and very inconsiderable areas of open grazing land must necessarily fall within their boundaries, because it would be impossible to exclude them.

PASS TO HOME BUILDERS.

All such little tracts, where cultivation is possible, are being classified, and are passing to private ownership through the act of June 11, 1906, which is merely an extension of the homestead law to the national forests, within which every bit of agricultural land will eventually be made to support a home.

The miner is better off in a national forest than on the unreserved public domain. The mineral laws apply in precisely the same way. The prospector can explore and locate his claims without the slightest restriction, and in mining localities the timber is protected, kept in the country, and kept from burning up, for the particular benefit of the miner.

All timber and wood in the national forests is for use, and for prompt use. It is sold to the small man and to the big man. Everybody who needs timber to establish his home gets it free of charge, and gets it

when he asks for it. In the case of the national forests recently created, the settler will not have to wait until they are under administration. He may take what timber he needs for domestic use without asking.

NO CHANCE FOR MONOPOLY.

In the sale of timber there is no chance for monopoly, for the Secretary of Agriculture can sell as much or as little as he pleases, to whomever he pleases, and for whatever price he deems fair for the best interests of all the people.

The Government gets a fair return for its own timber, whereas before, under the timber and stone law, it practically gave it away, and gave it away in such a manner that it was monopolized in vast tracts by corporate interests. And after it was cut off the land was burned over and became a nonproductive waste.

In a national forest the lands are protected, wisely cut over, and kept productive forever.

As of further interest in this connection, I insert a table showing the cost of administration as officially reported for various countries, as follows:

| Year. | State. | Government forests. | Actual expenditure on management of State forests. | | Percentage of gross income expended. |
|---|---|---|---|---|---|
| | | | Total. | Per acre. | |
| | | *Acres.* | | | |
| 1898..... | Baden..... | 231,082 | $685,972 | $2.97 | 43 |
| 1895..... | Bavaria..... | 2,350,193 | 3,701,000 | 1.50 | 50 |
| 1899..... | Switzerland..... | 94,280 | 124,740 | 1.32 | ..... |
| 1895..... | Prussia..... | 6,846,733 | 8,408,000 | 1.23 | 50 |
| 1900..... | France..... | 2,691,581 | 2,801,949 | 1.04 | ..... |
| 1898..... | Belgium..... | 62,551 | 43,597 | .68 | 22 |
| 1874-1893. | Austria..... | 2,573,100 | 1,434,000 | .56 | 72 |
| 1885-1894. | Hungary..... | 3,512,700 | 1,690,385 | .34 | 61 |
| 1899..... | British India..... | 51,192,000 | 3,450,000 | .07 | 59 |
| 1898..... | Sweden..... | 18,640,300 | 358,600 | .02 | 18 |
| 1900..... | Russia..... | 643,067,880 | 5,086,181 | .008 | 18 |

AWAY WITH SPECIAL PRIVILEGES.

Mr. Chairman, away with ship subsidies and bounties and special gratuities of every sort for the benefit of the favored few. Let us employ the vast resources of the National Government in the building up of internal improvements, in the proper development of rivers and harbors; if you please, in the building of good roads, in the further preservation and development of our magnificent forest reserves—all for the benefit of the whole people of this great country. Then will the desert be made to blossom as the rose, then will trees flourish upon the now arid plains, then will prosperity cover the earth like the dew, then will the voice of the people go up in a hymn of thanks to God for the wisest Government of the greatest country on the face of the earth.

Let me read from the President's message, on page 30:

If it prove impracticable to enact a law for the encouragement of shipping generally, then at least provision should be made for better communication with South America, notably for fast mail lines to the chief South American ports. It is discreditable to us that our business people, for lack of direct communication in the shape of lines of steamers with South America, should in that great sister continent be at a disadvantage compared to the business people of Europe.

Now, as a business proposition, Mr. Chairman, that is the only thing that appeals to me, that if you want to establish one line from the Pacific and another from the Atlantic to the South American ports, that seems to me to be all that should be done as a business proposition. We have been charged that we are opposed to the Administration by opposing this bill. I want to say, Mr. Chairman, that so far as I am concerned I indorse the policy of this Administration—the policy regarding corporations and campaign contributions, injunctions, antilynching, capital and labor, eight-hour law, and the employers' liability law, investigations of disputes between capital and labor, a graduated inheritance tax, and a graduated income tax. They say that we want to reach the markets of the world. As a Republican I have been taught that the markets of the world should be in the United States. I believe that is a Republican doctrine. I am not in favor of this bill. I am not in favor of giving $40,000,000 as a subsidy to the steamship companies. I do not wish to array one class against another. We have the rich, and we will always have the poor, and I am for special privileges to none and charity for all.

Now, regarding our President, Mr. Roosevelt, permit me to say that the State of North Dakota is proud of him. He came to our State in 1884 and lived there until the year 1886. He was a resident and an officer of that State. He held the office of deputy sheriff in Billings County under Billy Jones. He came there not as a dude, but, in a blue shirt and slouch hat, he took up the life of a rancher. He is the first President which North Dakota has had, and I want to say to you that in 1908 North Dakota will be for Roosevelt because we believe in his policies, and we believe that he is the man who can best carry them out. [Applause.] We believe, Mr. Chairman, in the policies that have been inaugurated by this great President. I say now that North Dakota will send a delegation to the national convention that will urge the renomination of the man who recognizes the 90,000,000 of people and does not recognize merely a few millionaires in this country. We are for him because he has inaugurated the policies of reform in all of the Departments which we have. [Prolonged applause.]

Mr. GROSVENOR. Mr. Chairman, I yield to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, during the progress of this debate we have heard a great deal from the other side of this House about the iniquity of subsidy. Indeed, almost every gentleman on the Democratic side who has spoken has raised his voice in horror against this so-called "iniquity." And what has been the attitude of the gentlemen on that side of the Chamber respecting subsidy? Why, year after year on the floor of this House I have heard my good friends on the Democratic side of this Chamber vote the poor people's money into the pockets of the Southern Railroad. [Applause.] "Money," to use their favorite expression, "wrung from the pockets of the toiling farmers and the poor laboring people of these United States" and paid as a subsidy to the Southern Railroad, a gigantic railroad corporation.

Mr. GOULDEN. Will the gentleman allow an interruption?

Mr. KAHN. Certainly.

Mr. GOULDEN. Does the gentleman from California include all on the Democratic side?

Mr. KAHN. No; I do not.

Mr. GOULDEN. I want to say to the gentleman that I have always and invariably for the years I have been here voted against that measure, and I know the leader of the minority has voted against it.

Mr. KAHN. But the gentleman from Mississippi [Mr. SPIGHT], the ranking Democratic member of the Committee on the Merchant Marine and Fisheries, who made the minority report on this bill, has always voted for the railroad subsidy. [Applause on the Republican side.]

Mr. GOULDEN. I supposed you referred to the leader on the minority side, who has always been consistent in the matter of subsidy, whether railroad or ship subsidy——

Mr. KAHN. I decline to yield for a speech.

Mr. JAMES. Will the gentleman yield for a question?

Mr. KAHN. One at a time. [Laughter.] I yield to the gentleman from Kentucky.

Mr. JAMES. Does the gentleman attempt to justify the action of the Republican side now in voting for this subsidy by claiming to follow the example of some Democrats, as you say, in voting for a subsidy?

Mr. KAHN. I simply say this: That if I had voted for railroad subsidies year after year and as recently as the first session of the present Congress, I would not arise on the floor now and denounce subsidies.

Mr. JAMES. I will say to you, so far as I am concerned, I have uniformly voted against it.

Mr. KAHN. The gentleman can put that into the RECORD in his own time.

Mr. JAMES. The Republican party is so used to taking Democratic platforms and Democratic issues it is not astonishing that you attempt to follow the action of a few Democrats when the example was a bad one.

Mr. KAHN. I yield to a question, not to a speech.

Mr. GROSVENOR. If the gentleman will permit me, is it possible that the disclaimer made by gentlemen on the other side to rid themselves of the stigma of having voted for that subsidy is intended as a reflection on the great majority on that side of the House?

Mr. KAHN. I am not prepared to say that it was a stigma.

Mr. LEGARE. The gentleman speaks of that railroad subsidy as a Democratic measure. I know the gentleman wants to be fair. Will not the gentleman state that the railroad subsidy, like the ship subsidy, came from the Republican party?

Mr. KAHN. But when the House was Democratic the Democrats were always in favor of that railroad subsidy just the same. I decline to yield further.

The CHAIRMAN. The gentleman from California declines to yield further.

Mr. GROSVENOR. The first time it was ever passed it was by a Democratic House.

Mr. KAHN. I want to say, Mr. Chairman, we have heard a great deal said in the debates on that side about paternalism; but when the agricultural appropriation bill comes here and an item for $250,000 is put in the bill for free seeds, every Member on that side of the floor rushes forward in the mad scramble to get between the tellers and vote for it. Is that paternalism?

Mr. SULZER. You said every Member. I want to say to my friend on the other side I have always voted against it.

Mr. KAHN. Perhaps I should have said "nearly every Member." I decline to yield further.

Mr. GOULDEN. The gentleman should be fair. I did not vote for free seed at any time. [Laughter and applause.]

Mr. KAHN. Well, Mr. Chairman, I am glad to see one or two oases in the desert. [Laughter.]

Now, Mr. Chairman, I have voted for subsidy, and I am not ashamed of it. I believe in fast communication between the different sections of our country. I believe in giving the people the best and fastest kind of transportation obtainable, and the more of it we have the better for the country.

Why, I come from the far West. Away back in the Administration of the lamented Lincoln the first steps were taken to build the transcontinental railroads. Was there a subsidy given for that purpose? Why, of course there was. Could those roads have been built without the land grants that were given and without the Government aid—I think it was $30,000 a mile at the beginning—to build those roads? Could private capital have undertaken the task? Was that subsidy? And how many Democrats in Congress at that time voted for it? If it had not been given, it is probable that to-day that great western country, which is populated by millions of happy, contented Americans and with unlimited opportunity for development, would still be—a great part of it, at least—in the language of Daniel Webster, "a desert of drifting sands and whirlwinds of dust; of cactus and prairie dogs." Therefore when we talk about subsidy let us be fair; let us be honest.

I confess I do not know very much about the lines that have been projected in this bill on the Atlantic seaboard, but I profess to know something about those lines that are projected on the Pacific seaboard. Let us take the Oceanic lines, for instance. What is the history of the effort to build a successful line from the Pacific coast to Australia? It is a record of failure—of squandered treasure and blasted hopes. Prior to the time that the Oceanic Steamship Company went into that business there had been seven lines to the Antipodes, and every one of them had failed, some of them having become absolutely bankrupt.

Listen to the record:

We know that the first line ran from June, 1866, to December, 1868. It was the Panama and New Zealand Royal Mail Company. It had a subsidy of £55,000 a year and it failed. A subsidy of £55,000 a year was not enough at that early time to make it a paying line.

The second line was a service from San Francisco, which started in 1869 and was abandoned in 1871.

Third. Two lines undertook the service between 1871 and 1874. Both of them gave up.

No. 4. A monthly service started in 1874 and contracted for six years, as follows: Ten-knot speed, 60,000 pounds; 11-knot speed, 75,000 pounds; 12-knot speed, 90,000 pounds per annum. The contractors threw up the service and paid £10,000 forfeit after running one year.

The fifth line: In 1875 the Australian Steam Navigation Company ran vessels under special contract, but gave it up.

Sixth. The Pacific Mail Steamship Company entered into a contract in 1876 for a monthly service and ran until 1884. It received £89,950 per annum subsidy, but it could not make the line pay.

In 1885 the Oceanic Steamship Company started and has followed the route for twenty-two years, not because the service by itself was profitable, but because the company sacrificed its profits on other lines in order to maintain an Australian service.

The Oceanic Steamship Company ran for many years three steamers, the *Alameda* and the *Mariposa*, which were both American ships of about 3,000 tons register. Its managers also had an arrangement with the owners of the *Moana*, a British ship of about the same register, so that these three ships carried on that service for some years and made money.

Along in 1900, when the line was paying fairly well and the stockholders were getting a dividend, the directors of the Oceanic Steamship Company thought it would be advisable to put on three new American ships twice the size of the ships that were then in that service. The managers of that company came East and negotiated a contract with President McKinley and Postmaster-General Smith to carry on what is known now as "ocean mail route No. 75." Then, with three new 6,000-ton ships they started out under that contract. These new ships were the *Sierra*, the *Sonoma*, and, I believe, the *Ventura*. Now, the *Moana*, as I said before, was a British ship, owned by the Union Steamship Company, of Australia. That company is probably the most powerful shipping company in the southern seas. As soon as these new ships were put on, or about that time, the coastwise-trade laws were extended to Hawaii, and under those laws the *Moana* was no longer allowed to carry passengers and freight to Honolulu as well as to San Francisco, and therefore she was taken off that line. The Oceanic Company soon found that instead of carrying more business than it had before, and instead of making more money for the stockholders than it had ever made before, there was a loss, and that loss continued year after year. This was the reason for it: The *Moana* was put into a new line which ran from Australia to Vancouver, the Canadian-Australian Line, and every effort was made to divert the business to that line. Furthermore, the colony of New Zealand, which had been paying the Oceanic Company a subsidy of $118,025 on the basis of thirteen trips a year and which should have paid under the seventeen trips a year schedule $154,333 per annum, when it found that the *Moana* was no longer in that service and that that vessel was shut off from the Hawaiian trade, reduced the subsidy to $75,000. About that time, too, the Pacific Mail Steamship Company ordered its new ships, the *Siberia* and the *Corea*, and later on it leased the *Mongolia* and the *Manchuria*, and they, too, diverted a part of the profitable business of the Oceanic Steamship Company, and under the then existing conditions the latter company failed to pay any dividends and has never paid any since, while its securities have constantly depreciated.

The stock of the Oceanic Steamship Company, which is worth $100 at par, has gone down to $2 a share. The 5 per cent bonds of that company, which were worth $1,000 each, have gone down to $600 each. If these lines were making the great sums of money that gentlemen on that side of the House would have us believe, does anyone for a moment think that you could go into the open market to-day and purchase their stock for $2 a share and their bonds at 60 cents on the dollar? Why, the idea is simply ridiculous. What is more, the company has defaulted on its bonds, and under the conditions attached to those bonds if the interest on them is not paid within six months from the time that it falls due a receiver will be appointed and the affairs of the company will be liquidated. On the 1st of next July, if this interest is not paid, that company will go into the hands of a receiver, and instead of the American flag flying proudly from the masts of those ships, the chances are ninety-nine in a hundred that they will go into another service and that another flag will float from the masthead.

This Oceanic Line is in direct competition with the Canadian Line that runs from Sydney to Vancouver. The only reason why that latter line has not taken away more of the business is that it does not make the time. The *Moana* is a 3,000-ton ship, and can not make the time to Vancouver in the same way that the Oceanic ships make the time to San Francisco. So the people of New Zealand prefer to pay a subsidy of $75,000 a year to the Oceanic Company, because by keeping that company afloat they enable the citizens and residents of New Zealand to go to England in a shorter time than they can go over any other route. The people of New Zealand are intensely loyal to British interests, and if the Canadian Line were to put on new steamers of 6,000 tons each, the chances are that the government of New Zealand would withdraw her subsidy entirely from the Oceanic Line and would give it to the Canadian Line. That would cause almost all of the travel to be diverted to Canada, and that would mean a loss of millions of dollars to the people of the United States in the way of business, because the men who come from these colonies at the present time in the steamers of the Oceanic Steamship Company strike an American port first. They have an opportunity to interview American merchants, they have a chance to buy American goods; whereas if they first went to Canada they would come into touch with Canadian merchants and they would buy Canadian goods.

Again, we hear gentlemen on the floor of this House saying that there is no need to give additional subsidies to this line, because it is one already in operation; that it is owned by rich men, and that therefore it can get along without any assistance. Get along! Owned by rich men! Did you ever hear of a poor man building a $2,000,000 ship? Did you ever hear of an aggregation of poor men building a $2,000,000 ship? And that is what one of these modern vessels costs. It is rich men who have to build them, and where is the rich man in the United States or elsewhere to-day who wants to put up a single dollar of his money in an enterprise where he does not see the possibility of collecting a cent of interest for years and years to come?

Mr. BONYNGE. Is the Canadian Line subsidized?

Mr. KAHN. Mr. Chairman, the gentleman from Colorado wants to know if the Canadian Line is subsidized. Yes; even that line, with its 3,000-ton steamers, gets an annual subsidy of $330,000 from its government. That is $47,000 a year more than the Oceanic Line receives from the Government of the United States for carrying the mails.

I was very much amused yesterday, or the day before yesterday, when the gentleman from Michigan [Mr. FORDNEY] made a brilliant, as he thought, speech upon this floor, calling attention to the fact that the Oceanic Steamship Company only pays $235,000 or $250,000 a year for wages.

Why, does the gentleman think, or does anyone think, that the entire expense for wages is what is paid to the crews of ships? What becomes of the hundreds of men who wait around on the docks to unload the ships when they come into port? What has become of the army of hired men who perform all sorts of services in connection with the proper equipment and proper running of a line of modern steamers?

Mr. JAMES. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. JAMES. Would the gentleman vote to take from the public Treasury and give to each one of the laboring men in this country sufficient amount to make up $2 a day to those who were unable to make that sum per day?

Mr. KAHN. If he did something to build up the Government's business, if he would perform services for the benefit of the Government, I would say yes.

Mr. JAMES. Suppose he was doing his duty—the first duty of an American citizen—trying to keep his family in food and raiment?

Mr. KAHN. If he was in the Government service—and these lines are all to be engaged in the Government service in carrying United States mail, and they can not get a dollar if they do not do that—if he was engaged in that service I should want him to get the highest pay that could be obtained by anybody in any part of the world for performing similar services.

Mr. GAINES of Tennessee. Mr. Chairman——

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Tennessee?

Mr. KAHN. Yes.

Mr. GAINES of Tennessee. The gentleman just now said, if I understood him, that, in speaking of labor, there were men standing around on the banks of the harbor.

Mr. KAHN. Oh, no, no; I didn't say banks of the harbor. [Laughter.] I said they stood around on the wharves and docks.

Mr. GAINES of Tennessee. On the side of the Golden Gate. Will that suit the gentleman for geography?

Mr. KAHN. Oh, no; the ships don't land on the Golden Gate. One did—the *Alameda*—and it took the Oceanic Steamship Company over ten days to get her off, and cost $150,000 to do it. No; the docks are on the other side of the city. [Laughter.] But I shall have to decline to yield, Mr. Chairman.

Mr. GAINES of Tennessee. The gentleman is making the galleries laugh so—— [Laughter.]

Mr. KAHN. My time is almost up, and I must go on.

Mr. GAINES of Tennessee. But I want to put my question, Mr. Chairman.

Mr. KAHN. Mr. Chairman, I must decline to yield.

Mr. GAINES of Tennessee. Well, I don't care whether you yield to me or not. If you don't want to yield, go ahead.

Mr. KAHN. Oh, go ahead. [Laughter.]

Mr. GAINES of Tennessee. Well, now, if you will stop laughing until I can put my question [laughter]—the gentleman stated that labor was standing around ready, somewhere in this country, to unload the ships.

Mr. KAHN. Why——

Mr. GAINES of Tennessee. Wait a minute; and unless we gave this subsidy he asks what is going to become of them. I suggest that they go to work and help to rebuild San Francisco and vote for Democrats to put them in office so as to give us free raw material, that the gentleman said we could not do. I introduced a bill for that purpose at the last session, and the gentleman said it was unconstitutional.

Mr. KAHN. The gentleman from Tennessee has, as usual, Mr. Chairman, butted into my speech. I want to say to him now that I never said the bill was unconstitutional, but I did say, and I reiterate it here, that a committee of the Senate declared it was unconstitutional; and, as a matter of fact, every member of my delegation will bear me out, and I think the chairman of the Committee on Ways and Means will bear me out, and other members of the Committee on Ways and Means will bear me out when I say that from the moment I came back from San Francisco after the disaster of last April I took up the matter of free raw material. I——

Mr. GAINES of Tennessee rose.

Mr. KAHN. I will not yield. I was a member of the California delegation on the floor of this House. While I was in San Francisco the gentleman from Tennessee [Mr. GAINES] introduced a bill granting a drawback on building material to be used in the rehabilitation of the stricken city for the period of one year. He did not even show me the courtesy after my return from the stricken city to come to me and speak to me about his bill and ask me whether he could help us in any way. I never heard of his bill until he was on the floor here one day and began to make a speech and taunt the Members from California about not having taken the matter up. On the other hand, the gentleman from Illinois [Mr. MADDEN], a Republican, who had introduced a similar bill, came to me almost on the day of my return and offered his services—unstintedly, freely, fairly, and never attempted to make any political capital out of his action on the floor of this House. [Applause on the Republican side.]

Now, Mr. Chairman, that I have had to digress, I think I had better get back to the text. Gentlemen on the other side of the House have had a good deal to say about the number of ships that are now on the seas floating the American flag; that we are now the second nation in the amount of tonnage employed in the carrying trade on the seas; and yet we have 10,000 fewer ships floating the seas to-day than we had in 1861, and what does that mean? It means that there are probably twenty-five or thirty thousand fewer places as officers for American boys, and that is why the American boy does not go to sea. There is no chance for him to rise. There is no opportunity for him to get up in the world, and the American boy is not content to go to sea and stay in the forecastle. He is endowed with ambition and bright hope. He wants to become an officer, and you can not blame him for not going into a service where he sees nothing ahead of him but the constant grind of the forecastle.

A great many gentlemen have spoken on that side about what a good thing it would be if we could only get free ships—"buy free ships, no matter where you can purchase them, bring them in here and put them under the American flag and you will rehabilitate your merchant marine." Why, gentlemen, the initial cost of a vessel is almost nothing as compared with the cost of running expenses. That is where the cost comes. Under the navigation laws of the United States it costs an owner of a merchant vessel more money to feed his crew than it costs the Government of the United States to feed a crew upon any naval vessel that we own. I am glad of it. The rations, under existing law, that are dealt out to men in the Navy do not begin to cost as much as the rations which, under existing law, must be handed out to the seamen and to the officers of a ship in the American merchant marine. I am glad that that is so. I am glad that the Government of the United States and that the Congress of the United States has enacted legislation so that the American seaman shall be used as a man and not as a brute, to be knocked down with a belaying pin by any captain or mate that treads the deck of his vessel. I am glad the American Congress has legislated in that way, and because the American Congress has legislated in that way I do not see why it can not take a step in advance of that and do everything in its power to enable American capital to go into the construction of, the equipment of, and the running of American ships under the American flag.

I want to say just one or two words in connection with the Pacific Mail Steamship Company. We have heard a great deal here about Mr. Harriman and Mr. Hill of the Northern line. I do not believe that Mr. Harriman will ever take advantage of the provisions of this bill. I do not know whether Mr. Hill ever will. I am in hopes that the time will come when some enterprising American may see his way clear to take advantage of those provisions and build a line of ships to ply across the Pacific from San Francisco, by way of Hawaii, to Manila and from Puget Sound to Yokohama and Manila. In that way we can build up the commerce of the Pacific. It is a well-known fact that two steamers, the best two steamers of the Pacific Mail Steamship Company, the *Mongolia* and the *Manchuria*, are not the property of the Pacific Mail Steamship Company. That company has never had the money to buy and pay for them. They are leased to the company—leased by the Union Pacific Railroad Company, whose property they are. The Pacific Mail Steamship Company has not paid a dividend for years. Its stock, which has a par value of $100 a share, can be bought in the open market to-day for $35 a share, which, to my mind, is the best evidence in the world that "this great, gigantic monopoly, the Pacific Mail Steamship Company, owned by this man Harriman," as the opponents of the pending measure constantly exclaim, is not a paying venture at all, and that much of the talk that has been indulged in by my friends on the other side of the Chamber in that regard has been mere buncombe and noise. [Applause.]

Mr. GROSVENOR. If the gentleman from New York desires, I will finish my time now, fifteen minutes.

Mr. GOULDEN. I have three speakers, and I desire now to

yield to one of them. I yield ten minutes to the gentleman from Texas [Mr. RANDELL].

Mr. RANDELL of Texas. Mr. Chairman, I wish to enter my protest against this legislation. To discuss the merits of it there is neither adequate time allowed, nor would any argument avail. The edict has gone forth that the bill must pass. [Applause.] Individual opinion on that side of the Chamber is coerced by the thumbscrews of the Republican machine. To amend or in any way improve the measure will not be tolerated. [Applause.]

The leaders of the dominant party are evidently in great straits in their attempt to hold the popular confidence and at the same time to keep faith with the political pilferers who live and flourish by class legislation and are now clamoring for campaign promises to be redeemed. [Applause.]

They hope by this bill to inaugurate a system of plunder that will take hold of our ocean transportation facilities [applause] and, under the fostering care of the Republican party, gain such strength that it can not be uprooted, but will continue, like the oppressive and unjust discriminations in our so-called "protective-tariff system." [Applause.]

When the exploiters of the Treasury get their hands into its vaults they never willingly withdraw them, but by specious pretense and corrupt influence go deeper and deeper, even to their very armpits. [Applause.]

The only hope that this bill will not pass at this session is that perhaps the rush at this late hour by the party management in this House may be only a hypocritical effort to evince a desire to enact the coveted legislation, knowing it will not get through the Senate. [Laughter.]

The hope to avoid this enactment rests in the cunning of those controlling the action of Congress—the Republican leaders. By making a plausible effort, but not passing the bill, is to retain this leverage on the adipose tissue of the fattened favorites of corporate monopoly to secure extra contributions for the campaign fund next year. [Applause.] Thus infamy will be thwarted by hypocrisy and public pelf by duplicitous chicanery. Those recognizing the evils of this measure should not, however, rely on the Senate. [Laughter.] It has already passed a ship-subsidy bill, of which this is a substitute. It might accept the substitute and thus enact the law. If the people have any real friends on that side of the Chamber, I appeal to them to show it now. [Applause.] The bounties given by this bill are an admitted subsidy. The only plausible argument for it is to overcome artificial barriers to shipbuilding in this country and the artificial disadvantages of our merchant marine. It is an attempt by subsidies from our Treasury to compensate for the wrongs that class favoritism has inflicted on our industries and commerce. That we may build ships in America let us free the material for building them from the fetters of the Dingley tariff act. [Applause.] That we may have a merchant marine let us cut the bonds of iniquitous legislation that now bind and strangle our commerce. [Applause.]

We can not make a remedy by piling wrong upon wrong and injustice upon injustice. We should correct the evil by repealing unjust and discriminating laws and returning to just regulations and natural conditions. We have the best material for building ships, in the greatest quantity and most convenient locations, but the price of it is inflated by enormous tariff duties and ever-growing and absorbing monopolies. Our mines, our forests and mills, furnish the foreigner cheap shipbuilding material, but you deny to our own citizens the natural advantageous resources of the country and forbid the pursuit of occupations for which our people are so admirably fitted. [Applause.] If the tariff on material necessary for shipbuilding is not a revenue producer, but monopolistic and prohibitive, why not remove or reduce it? Why do you not give our citizens desiring to build ships the products of our iron mines cheaper than to the foreigner across the ocean? Because the steel trust tells you not to do it. Why do you not let Americans procure the products of our forests cheaper than aliens living thousands of miles away? Because the lumber trust says you must not. Why is it that our own people can not have the privilege of purchasing the necessary material for building ships in the markets of the world, at home as well as abroad, free from the oppression and exactions of monopoly and tariff discrimination? Because the trusts in the United States are in league with the Republican party and you dare not offend corporate monopoly [applause], on whose bounty you exist and by whose power alone you can hope to retain control of this Government. [Continued applause.] If you will not let our people build ships, why not let them buy ships and own them like other property? Is it because the "protected" interests forbid you to thus expose to the public gaze the iniquity by which shipbuilding is discouraged and prevented in this country? If we were permitted to buy ships and use them without hindrance under the American flag, the reason why we can not now profitably build them would become so apparent to the public that the oppressive tariff rates would be changed and monopoly would receive a violent blow. [Applause.] You or, rather, your moneyed masters, are determined this shall not happen. Many of our tariff schedules are prohibitive in amount of duty, thus producing no revenue. Yet they stand as a wall to keep out foreign trade. The unjust exactions of the tariff-created trusts operate to the detriment of our trade in other countries. Foreign governments resent our oppressive and unnecessary regulations and retaliate by unfriendly tariffs and prohibitive regulations against our products. Under such conditions, how can we build up a merchant marine? Real trade is necessary for commerce. There must be an exchange of goods, and this exchange must be mutually profitable or commerce is well-nigh impossible.

Subsidies are always objects of suspicion. They are usually impolitic and nearly always dishonest. [Applause.]

They have another peculiarity. Their advocates always claim that a subsidy is not a subsidy, but it is necessary to pay for some sort of service that is desirable in the interest of the public; and yet every man that they can persuade to vote for such a measure, such as what they now call a "subsidy" for the Southern Railroad, is claimed by them as an ally who must thereafter vote for anything that has the name of subsidy. [Applause on the Democratic side.]

I am glad I am one of the number of those who have never voted for any such provision at any time; yet I remember it was claimed by the advocates of the appropriation for the benefit of the Southern Railroad that that was not a subsidy, but was a proper compensation for reasonable services and was a benefit to the people all through the Southern States. If that claim was true, then the pay was proper, and the "subsidy," as you call it now, ought to have been given. [Applause.]

Mr. GOULDEN. I yield ten minutes to the gentleman from Indiana [Mr. HOLLIDAY].

Mr. HOLLIDAY. Mr. Chairman, in determining my duty toward any measure which comes up on the floor of the House I am glad to take into earnest consideration the views of the great leader of the Republican party and the greatest statesman of the age, the President of the United States. I am always glad and invariably do try to take into consideration the views of my party associates upon any question upon which I am called upon to vote, and in determining whom I shall follow in this House there is no man whose banner I more readily follow than that of the distinguished gentleman from Ohio, whom we all love whether we agree with him or not. [Applause.] There is another matter that I sometimes take into consideration, and that is to find out what the Democratic party wants and then to take the other side. But, Mr. Chairman, beyond all these considerations, beyond the question of what the President of the United States believes in, beyond the question of what attitude my party may take, beyond the question of what blunders the Democracy may make, the highest and chief consideration that ought to govern us is what is everlastingly right in the premises. [Applause.] Viewed from that standpoint, Mr. Chairman, I can not support the pending proposition. I am not opposing it because it is favored by particular individuals or opposed by particular individuals. I place my opposition upon the high standard that the whole thing is fundamentally wrong, from the beginning to the end, and that the legislation is unwise. In saying that it is unwise I do not want to arrogate to myself superior virtues. I know that the men who favor this proposition are just as earnest, just as sincere and patriotic as myself. The only trouble is that I can not possibly bring myself to see the situation from their viewpoint.

Now, Mr. Chairman, when we take the people's money—it is not ours—and put it into the hands of a private corporation or a private individual to be used in his private business we ought to be actuated by very grave and powerful reasons.

Why, some gentleman said, a few hours ago, that the river and harbor bill was a subsidy. That is a startling proposition. Why, Mr. Chairman, the nation owns the rivers and harbors. When we are improving them we are improving our property, and I insist here now, and shall continue to insist, that if the Government is to build ships on any ocean the Government ought to own them and ought to get the benefit of whatever wealth they create. [Applause on the Democratic side.] I do not think it is right to take the people's money on any pretext whatever and give it to private individuals. [Applause on the Democratic side.] And, Mr. Chairman, it did me good to see so many men rise from their seats this evening and declare that they did not vote for the graft to the Southern Railroad a year or two ago. To the best of my recollection two-thirds

of the membership of the House voted for it, and yet out of that two-thirds I have not found many to get up and justify it, and I am glad to know that is true.

Mr. WILLIAM W. KITCHIN. It only carried by 1 vote. We came very near beating it a year ago.

Mr. HOLLIDAY. I am referring to the vote of three years ago. I have been voting against it ever since I have been in Congress, and I am glad to know that we have eliminated it from the last post-office appropriation bill.

Mr. JAMES. I want to suggest to the gentleman that there were yea-and-nay votes on the Southern Railroad subsidy, and when any man who makes a claim relative as to how he voted the record will show whether it is true or not.

Mr. HOLLIDAY. The point I make is that the men who claim that they voted against it are up telling about it and the others are not. That is the proposition I stated. Now Mr. Chairman, what are the arguments in favor of this bill? One is that we may get our exports more directly to foreign countries. I am not speaking technically. I am speaking as a man unfamiliar with naval affairs. The proposition is that it will create additional exports and help our country. Why, Mr. Chairman, during the last fiscal year the exports of the United States were greater than in any one year in the history of the Government, and in spite of that they say that our commerce is languishing. It is not necessary that we should own the ships in order to get our goods from here to the men who want to buy them. If I raise hogs and corn in Indiana, and lots of us do raise hogs and corn, and raise lots of both, and want to have a market in New York, we do not have to buy the railroad from Chicago to New York. As a matter of fact, most of the exports that go from the United States to South America and to the Orient are not carried in subsidized ships of any nation, but in tramp vessels. [Applause.]

There is a proposition in here to help the Navy—our fighting men—by offering a subsidy to sailors who are employed. Let us see what that is. For each seaman, first class, $36; for each seaman, second class, $30; for each seaman, third class, $24 per annum. In other words, we offer the magnificent inducement of $2.50 a month for men to enter the American Navy. You can not get them at those figures, and it occurs to me that this proposition was placed in the bill simply to get friends for it that it otherwise might not have. Why, we have a large merchant marine now, and my information, which I think is reliable, is that you do not get recruits for the American Navy from the merchant marine. You get them from the farms of the Middle West, and I never heard one particle of complaint about the material that was recruited from those places. If you want to do that, instead of making this ship subsidy, give it directly to the sailor; increase the wages of the seamen employed on the naval vessels and you will get proper results far more readily than you will by this extravagant method. Some gentlemen upon our side of the House have argued that we can afford to pass this bill, because it is somewhat innocuous; that the worst features have been eliminated, and better let it go through. Why, my friends, I want to say that is absolutely false logic. If ship subsidy is a good thing, we can not have too much of it; if it is a bad thing, we ought to have none of it. That is all there is about it. [Loud applause.] Let us go the whole hog. [Laughter.]

There is another proposition that strikes me with amazement. Whenever there is a proposition to raid the Treasury somebody brings up the grim specter of war and flings it out. Why, my genial friend from Washington [Mr. HUMPHREY] looked like he was absolutely scared about war with Japan, as if Japan might invade Washington to-morrow morning. Suppose we should have a war with Japan; and suppose overnight by some inscrutable process we could have these particular ships referred to in this bill, so that they could be ready to transport men to the Philippine Islands. How rapidly would they get there? We could not prevent the landing of the Japanese.

Now, Mr. Chairman, if we are to protect our insular possessions, we must do it by our Navy. We are too far from base to depend upon the Army. Russia tried that, and although her soldiers were vastly superior, what was the result?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOULDEN. I yield three minutes more to the gentleman.

Mr. HOLLIDAY. Now, my friends, whenever a proposition of this kind is brought in before us our patriotism is appealed to. We are told that the grand old flag that we love so well—I followed it for three or four years myself—is about to be driven from the ocean. In pathetic words we are asked to do something for that flag. But I have noticed that the trust magnates, the great captains of industry, who will be the chief beneficiaries of this bill, care nothing for the old flag unless there is an appropriation hitched onto it. [Applause.] I am opposed to the whole business. I do not like this subsidy business. Stripped of all its verbiage, reduced to the last analysis, it means to go down into the Treasury of this country and turn over to private individuals part of the people's money in order that they may carry on their business heretofore found to be unprofitable. That is all there is to it.

Mr. GAINES of Tennessee. Has the gentleman calculated how many rural routes or thousands of rural routes the $25,000,000 subsidy carried by the bill will perpetuate?

Mr. HOLLIDAY. I do not care. We will perpetuate the rural route whether this bill passes or not. [Laughter and applause.]

Mr. GAINES of Tennessee. How many more could be put in operation if we had that $25,000,000?

Mr. HOLLIDAY. Now, Mr. Chairman, this is really not a political question; it is a business question; it ought to be looked at from a business standpoint. I regret very much that some gentlemen on the other side have seemed to work harder trying to obtain a political advantage than to beat the bill. The questions of right and wrong are not necessarily political. If we enter upon this proposition, we enter upon an unknown sea. It may mean $3,000,000 to-day; it may mean $30,000,000 next year, and it may mean $300,000,000 in the future. [Applause.] Let us pause while we may. Let us call a halt upon the proposition of giving the Government money to private individuals right here and now. Let that be the last of it. [Loud applause.]

Mr. GROSVENOR. I yield fifteen minutes to the gentleman from Michigan.

Mr. McMORRAN. Mr. Chairman, I had not intended to speak upon this question of ship subsidy this evening, and I would not have done so had it not been for the remarks made by my colleague [Mr. TOWNSEND] this afternoon. While I have the highest respect for my colleague and regard him as one of the leading Members of the Michigan delegation, I fear he has been inoculated with the free-trade theory of our Democratic friends.

I want to say to the Members here that I am a protectionist; I am in favor of any measure that will protect the American farmer and build up his interests as well as those of the American manufacturer, and protect American labor.

My friend wants to know what is the pressing necessity for this great bill we are attempting to pass here. I will attempt to give him my reasons why there is a pressing necessity for the passage of this bill and my position on it.

In my judgment, there never was a time in the history of this country when we needed the ships that are covered by this bill as badly as we do to-day. We are appropriating annually millions of dollars to build a Navy, and to-day we are as helpless with our Navy, in case of war, as a ship on a lee shore without an anchor. We are drifting forward to the shore; and from a mathematical and business standpoint, it is my judgment that it would be economy for this Government not only to subsidize to the extent of $4,000,000, but even $5,000,000 a year rather than to build and own these ships itself.

We are confronted with two propositions. We must either build from twenty-five to fifty or a hundred scouts and transports, or else we must encourage capital in this country to build and operate them; and I believe, as a business proposition, that it is better for this Government to encourage private capital to build and operate these ships.

There is another theory of this subject, Mr. Chairman. Our facilities for manufacturing in this country are growing at a very rapid pace. We are needing greater markets, and unless we are successful in creating facilities that will give us larger markets for the manufactured products of this country, we are going to reach the limit of the demand in this country for those manufactured products in a very few years, and then a period of stagnation must come unless we can provide means for reaching the outside countries whose trade we are entitled to.

Now, my colleague [Mr. TOWNSEND] says that he might be inclined to vote for a subsidy for a line to South America; but he says nobody knows anything about this bill. He believes it is a poor bill. He thinks that sufficient consideration has not been given to the preparation of it. I agree with him that perhaps the bill is not a perfect one, but if we are to wait here until we can theorize and bring in a perfect bill, we never will agree upon a bill at all. If that theory were to be carried out here in this Congress, we would enact very little legislation. If the principle is wrong, if it is wrong to grant a subsidy to a line to South America, it is wrong to grant a subsidy to a line going anywhere. But, as a matter of fact, our Democratic friends on the other side, who are crying out against subsidies, have been voting for years for a subsidy, only in another shape. They

have voted freely here for millions every year to deepen our harbors and rivers, and thereby they have created such facilities that they have enabled us to build up one of the largest and best internal merchant marines existing anywhere on the face of this globe, and they ought to be proud of it. That is one of the instances in which they have been consistent in their votes in this House in so doing.

I want to say to my Democratic friends that there are some other instances where they have been consistent in their votes. When they voted for the Philippine tariff they were consistent in their theory of free trade, while many of my colleagues on this side were inconsistent in the doctrine that they have preached for many years, viz, the doctrine of protection to every American interest.

I am not one of those American citizens who favor neglecting any American interest, no matter how small, in favor of any foreign country or any uncivilized nation. I believe that the theory of reciprocal trade with foreign countries is wrong where it involves competition with any American product. I heard the remark made here that the American farmer is not protected—that this is taking money from the farmer. Now, as a matter of fact, it is one of the best measures ever brought forward in an American Congress, in my judgment, in aid of the American farmer.

The American farmer is interested in home markets; he is interested in having manufacturing interests built up in his locality, and every manufacturing industry that is built up in the vicinity of the American farmer creates a home market for his product and enables him to get a better price at home rather than to ship the product abroad in competition with the cheap labor of foreign countries.

I believe that in my district, which is an agricultural district, the farmers are in favor of any measure that will build up the industry in which they are engaged. I believe that every manufacturing industry in the country can not help but favor this measure. It is one of the most beneficient, truest, American principles that I have ever heard of since I have been in politics.

Take our lake marine; it is a fact that years ago ships of a thousand or fifteen hundred tons were considered enormous craft, and when they reached port it took from three to four days to unload them. What is the result? To-day, as a result of the appropriation by this Government of some eighty to one hundred millions biennially to deepen the rivers and harbors, we have been enabled to build ships of ten to twelve to fourteen thousand tons capacity, and have created facilities for the unloading in our lake ports, where we are able at the present time to have a ship enter a port in the morning with 12,000 tons of ore and be unloaded and reloaded with coal and leave on her return voyage before 6 o'clock in the evening. Where is there a country on the face of this globe that can show a record like that? And it is all the result of what might be called a subsidy, which has been voted for almost en masse by our friends on the Democratic side.

It is a mystery to me how any member of the Republican party can cast his vote in any other way except for the building up of the American merchant marine. In my judgment the bill does not go far enough. If I had my way, I would have inserted in this bill that the seamen on these ships should be American citizens and that the ships should be sailed by American seamen, and if it was necessary to subsidize them to a greater extent I would vote to do it rather than have them manned by the races of the Orient. I am not in favor of subsidizing ships, if I had my way, to be manned by Asiatic labor. I want to see everything in this country that is subsidized manned by American labor.

I am very sorry indeed that the gentleman from Michigan [Mr. TOWNSEND] takes the position that he does on this bill. I am satisfied that in his discussion here to-day he has discussed it more from an academic standpoint than from a practical and business standpoint. The gentleman is usually on the right side of every question, but I regret to say that he is on the wrong side of the ship-subsidy bill. [Applause.]

Again, my colleague from Michigan [Mr. TOWNSEND] asks the question, How can we justify a vote for a bill of this character with our constituents? I am pleased to say to the gentleman that I believe the constituents of every Member of Congress from the State of Michigan will favor a vote for any bill that will increase the facilities for providing greater trade for American interests. Has any Member of Congress from the State of Michigan ever been criticised for casting his vote in favor of rural free delivery to the extent of some twenty-odd million per year. On the contrary, have not the farmers almost universally commended the action of their Members in creating the law that furnished them the facilities for a daily mail, providing a luxury which they never before enjoyed, that of having the mail daily at their door, and all as the result of the doctrine of the Republican party of protection to every American interest?

Mr. GAINES of Tennessee. Mr. Chairman, I am very much surprised—indeed, I am astonished—with the record standing open as it does before my eyes and the public at large, that the gentleman from California [Mr. KAHN], a few moments ago, disputed my statement, which was, in substance, that the gentleman, in the last session of Congress, had argued that the bill giving relief to the California sufferers by giving them drawbacks on building material actually used in putting up their ruined homes and buildings was unconstitutional.

Mr. KAHN. Mr. Chairman——

Mr. GAINES of Tennessee. Mr. Chairman, I decline to be interrupted now until I state my case.

Mr. KAHN. Mr. Chairman, I rise to a point of order.

Mr. GAINES of Tennessee. Mr. Chairman, I decline to be interrupted until I state my case. I will then yield to the gentleman, but not until then.

The CHAIRMAN. Both gentlemen will be silent long enough for the Chair to say that the gentleman from California rises to a point of order, which the gentleman will state.

Mr. KAHN. Mr. Chairman, the gentleman is not in order. He is not speaking upon a case which is germane to this bill. Ordinarily I would not make this point at this time, because I should like to reply to the gentleman. But I insist——

Mr. GAINES of Tennessee. Mr. Chairman, my time is not to be consumed by the gentleman who argued this very question a moment ago and refused to permit me to reply in his time, and now when I undertake to reply he runs from my attack. [Applause on the Democratic side.]

The CHAIRMAN. The Chair will call the attention of the gentleman from Tennessee to the rule under which the Committee is acting, that discussions are to be confined to the bill; but the Chair thinks that the gentleman from Tennessee should have an opportunity to answer any statement which was made. [Applause.] The Chair relies upon the gentleman from Tennessee to confine his speech as much as possible to the bill in question.

Mr. GAINES of Tennessee. Mr. Chairman, I was trying my best and intended to discuss the bill, but it seems that the gentleman has undertaken to take up my time and make points of order, and bar me from replying to a direct denial of a statement that I made here, and his personal allusions to me. Now, Mr. Chairman, I have lying before me the speech of the gentleman touching upon the matter that we alluded to a few moments ago, this "unconstitutional" question, in which are five or six columns in the CONGRESSIONAL RECORD, where the gentleman not only argued that the proposition to permit free imported articles for the relief of this stricken California was unconstitutional——

Mr. KAHN. I deny that I ever argued—I simply stated the facts.

Mr. GAINES of Tennessee. Mr. Chairman, if the Chair does not protect me from the offensive conduct of the gentleman, I shall do it myself. [Applause.]

The CHAIRMAN. The gentleman declines to be interrupted.

Mr. GAINES of Tennessee. The gentleman ought at least to be courteous while he is here in this House.

Mr. KAHN. I can not expect courtesy from the gentleman from Tennessee.

Mr. GAINES of Tennessee. The gentleman has not only treated me discourteously but offensively, and I denounce his conduct as cowardly and ungentlemanly in the extreme.

The CHAIRMAN. The gentleman from Tennessee is transgressing the rule.

Mr. GAINES of Tennessee. I am perfectly willing to come back in order, if the gentleman will keep his seat and not get out of order.

The CHAIRMAN. The Chair will protect the gentleman against interruptions.

Mr. GAINES of Tennessee. Now, Mr. Chairman, since the point of order is made against the gentleman from Tennessee by the gentleman from California that I can not reply to his speech with a direct reply to a statement that I made in his speech, I of course must retreat from the proposition.

Mr. JAMES. Mr. Chairman, I understood the Chair to rule that he might reply.

The CHAIRMAN. The Chair stated that the gentleman might answer any statement that was made regarding this matter. The Chair calls the attention of the gentleman from Tennessee to the rule adopted by the House and relies upon the gentleman from Tennessee to observe it.

Mr. GAINES of Tennessee. I will proceed to do that, and I

hope the Chair will protect me from being interrupted by the gentleman from California.

The CHAIRMAN. The Chair will try to do so.

Mr. GAINES of Tennessee. Mr. Chairman, here is [counting] one, two, three, four, five columns of original argument of the gentleman from California against the proposition that it was constitutional to pass the bill in question, and, in addition to that, the gentleman from California went and dug up an old report of twenty or twenty-five years ago, made by the members of the Senate, containing [counting] one, two, three, four columns in the CONGRESSIONAL RECORD, arguing that the proposition was unconstitutional. And when I reminded the gentleman that there was a dissenting report filed in the matter, the gentleman uses this language:

As far as that goes, the committee passing upon the question at that time considered the very proposition of the gentleman from Tennessee *and held that it was unconstitutional. I commend him to the report of the debates in the Senate at that time, and also to a reading of the committee report. They will prove instructive to him.*

Mr. KAHN. I said that.

Mr. GAINES of Tennessee. He asked me to read this long report. [Laughter.] And we argued the unconstitutionality of the proposition, and he said that when he came back from California and he found that the proposition of its unconstitutionality was being argued he wrote back to his people that nothing could be done, and, in addition to that, so strongly did he believe it was unconstitutional, so greatly was he impressed with the arguments of his colleagues and the Carpenter report, that he even went so far as to say:

*Now, I want to say in conclusion, there is no need to hold out false promises to the people of California—*

For the reason it was unconstitutional——

Mr. KAHN. No, sir; that is a deduction of the gentleman.

Mr. GAINES of Tennessee. It is a deduction of a gentleman and a good lawyer. [Applause.]

The *California* delegation in this House has *discussed* this matter *repeatedly. They are not chasing rainbows.*

[Applause.]

He says here "they are not chasing rainbows." What else, Mr. Chairman? In addition to that, Mr. Chairman, it was so very unconstitutional that the Republican party in convention in the State of California on September last, following that speech—

*Resolved*, That we favor an enactment by Congress of an amendment to the existing tariff law providing, as a measure of relief in San Francisco, that for a period of three years all building material be admitted into the port of San Francisco free of duty.

That was September the 8th. That was the party convention of the distinguished gentleman from California, and I assume he was elected under the promise that when he came back here he would find the proposition *was* constitutional, for we find on *February 21, 1907*, that the gentleman from California introduced a bill in Congress to put *building material on the free list for a period of five years.*

Mr. KAHN. Will the gentleman yield?

Mr. GAINES of Tennessee. I will not yield. The gentleman has taken up my time now.

Mr. KAHN. Mr. Chairman——

Mr. GAINES of Tennessee. Mr. Chairman, I decline to yield. The gentleman has taken too much of my time as it is. Now, Mr. Chairman, the gentleman said I did not consult him about my bill. Mr. Chairman, I never consult anybody in this House in doing what I think is right. I introduced my bill to help the earthquake sufferers. I helped the delegation all I could, and the first news I had that the proposition was unconstitutional came from Members of the California delegation. The first news that was stated on the floor of this House that it was unconstitutional came from the lips of the gentleman from California [Mr. KAHN].

The CHAIRMAN. The time for general debate for the evening has expired, and, under the order of the House, the committee will rise.

The CHAIRMAN. The time for general debate for the evening has expired, and under the order of the House the committee will rise.

Accordingly the committee rose; and Mr. DALZELL, as Speaker pro tempore, having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 529, and had directed him to report that it had come to no resolution thereon.

Mr. GROSVENOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 11 o'clock and 1 minute) the House adjourned to meet to-morrow at 11 o'clock a. m.

## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for operating and care of Rock Island bridges and viaduct—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of Commerce and Labor, transmitting report of Charles M. Pepper on trade conditions in India—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of Agriculture, transmitting a statement of the persons employed under the meat-inspection law and the contingent expenses thereof—to the Committee on Expenditures in the Department of Agriculture, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriation for additional aids for navigation—to the Committee on Appropriations, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CRUMPACKER, from the Committee on Insular Affairs, to which was referred the bill of the Senate (S. 6249) to provide for the establishment of an agricultural bank in the Philippine Islands, reported the same with amendment, accompanied by a report (No. 8115); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 8128) granting to the St. Johns Light and Power Company a right of way for street railroad purposes through the United States military reservation of Fort Marion, in St. Augustine, Fla., and through other Government property in said city, reported the same without amendment, accompanied by a report (No. 8117); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 8299) to confer certain civic rights on the Metlakahtla Indians of Alaska, reported the same without amendment, accompanied by a report (No. 8116) which said bill and report were referred to the House Calendar.

Mr. PARSONS, from the Committee on Insular Affairs, to which was referred the bill of the House (H. R. 23568) to secure a better system of report and accountability by the governments of the insular possessions of the United States, reported the same with amendment, accompanied by a report (No. 8118); which said bill and report were referred to the House Calendar.

Mr. MEYER, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 25788) repealing part of section 8 of the act approved March 3, 1899, entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," reported the same without amendment, accompanied by a report (No. 8119); which said bill and report were referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRONNA, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 6134) providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society, reported the same without amendment, accompanied by a report (No. 8114); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 21091) authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First

Oregon Mounted Volunteers, the name of Hezekiah Davis, reported the same without amendment, accompanied by a report (No. 8120); which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred as follows:

By Mr. HAMILTON: A bill (H. R. 25832) to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River, near the village of Mottville, St. Joseph County, Mich.—to the Committee on Interstate and Foreign Commerce.

By Mr. FREDERICK LANDIS: A bill (H. R. 25833) to incorporate the National Hay Association, of the District of Columbia—to the Committee on Agriculture.

By Mr. WEBBER: A bill (H. R. 25834) to repeal all United States laws that provide for the payment by any person, company, or corporation of internal or other revenue for the right to manufacture or sell intoxicating liquors, whether spirituous, malt, or vinous—to the Committee on Ways and Means.

By Mr. BURLESON: A bill (H. R. 25835) directing the fixing of a standard of cotton classification—to the Committee on Agriculture.

By Mr. COCKS: A bill (H. R. 25836) providing for the regulation, identification, and registration of motor vehicles engaged in interstate travel—to the Committee on the Judiciary.

By Mr. LACEY: A bill (H. R. 25845) to authorize the Secretary of the Interior to investigate the status of the Indian reserves set aside under the Choctaw treaty of 1830 and the Creek and Chickasaw treaties of 1832, for which no patents have been issued and the ownership of which is in question, and appropriating money therefor—to the Committee on the Public Lands.

By Mr. AIKEN: A bill (H. R. 25846) permitting the building of a dam across the Savannah River at Calhoun Falls—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 25847) permitting the building of a dam across the Savannah River at Hattons Ford—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 25848) permitting the building of a dam across the Savannah River at Andersonville Shoals—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 25849) permitting the building of a dam across the Savannah River at Cherokee Shoals—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 25850) permitting the building of a dam across the Savannah River at Trotters Shoals—to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. CALDERHEAD: A bill (H. R. 25837) granting a pension to Margaret E. Dunlap—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 25838) granting an increase of pension to John E. Phelps—to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 25839) granting a pension to John Metler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25840) granting a pension to Catherine Hartly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25841) granting an increase of pension to James Shelby—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 25842) granting a pension to Olive J. Stacy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25843) granting an increase of pension to Robert T. Warren—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 25844) for the relief of Asa Townsend—to the Committee on Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of various organizations, protesting against passage of bill H. R. 13655, known as the Littlefield bill—to the Committee on the Judiciary.

By Mr. ACHESON: Petition of the Trades League of Philadelphia, for bill S. 6923 as a first step toward 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of Washington Court, No. 23, Tribe of Ben Hur, against the bill to codify and classify the statutes relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of Camp La Loma, Army of the Philippines, for bill H. R. 18276, for campaign badges by General Orders, No. 4, to all who served honorably in the United States Army, Navy, or Marine Corps—to the Committee on Military Affairs.

Also, petition of the Peace Association of Friends, of Philadelphia, for an international congress of arbitration and peace court at The Hague—to the Committee on Foreign Affairs.

By Mr. BANKHEAD: Paper to accompany bill for relief of the heirs of William M. Crump—to the Committee on War Claims.

By Mr. BATES: Petitions of National Protective Legion, No. 1289, of Titusville, Pa.; National Protective Legion, No. 381, of Erie, Pa., and Court No. 17, Order of Ben Hur, of Meadville, Pa., against passage of bill H. R. 608 (codification of the statutes relative to the classification of second-class mail matter)—to the Committee on the Post-Office and Post-Roads.

Also, petition of L. V. Thayer, of Atlantic, Pa., for bill H. R. 24282 (eight hours a day for telegraphers)—to the Committee on Labor.

By Mr. BEALL of Texas: Papers to accompany bill to make Dallas, Tex., a port of delivery—to the Committee on Ways and Means.

By Mr. BELL of Georgia: Paper to accompany bill for relief of Ruth E. Anderson—to the Committee on Pensions.

By Mr. BURKE of Pennsylvania: Petition of the Chamber of Commerce of Pittsburg, Pa., against any legislation to establish a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Trade League of Philadelphia, for bill S. 6923, as a step toward 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. BURTON of Delaware: Petition of the National Protective Legion, against an amendment to codify and classify second-class matter and rates of postage thereon, as per report of the Postal Commission, designated House Document No. 608—to the Committee on the Post-Office and Post-Roads.

By Mr. CLARK of Florida: Paper to accompany bill for relief of Horace O. Balch—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: Petition of Camp La Loma, Army of the Philippines, for bill H. R. 18276, to extend the foreign campaign badges to all who have honorably served in the Army of the United States—to the Committee on Military Affairs.

Also, petition of Uniontown Legion, No. 1749, Order of the National Protective Legion, against the bill to codify the statutes relating to classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. DAWSON: Petition of the Trades League of Philadelphia, favoring bill S. 6923, as a first step looking to 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. DENBY: Petition of the Shipmasters' Association of Detroit, for legislation for relief of the Life-Saving Service by pension or otherwise—to the Committee on Appropriations.

By Mr. DRAPER: Petition of the Trades League of Philadelphia, for bill S. 6923, as a first step toward 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of Whitehall Legion, No. 664, Order of the National Protective Legion, against the bill to codify and classify the statutes relative to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Petition of the Trades League of Philadelphia, for bill S. 6923, as a first step toward the adoption of a general 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. FOSTER of Indiana: Petitions of Isthmian Court, No. 17; Poseyville Court, No. 223, and Yankeetown Court, No. 146, Tribe of Ben Hur, against the bill to codify or classify the statutes relative to second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. GARBER: Petition of dealers and shippers of freight at Lima, Ohio, for the Madden bill (H. R. 23558) and the Culberson bill (S. 7887)—to the Committee on Interstate and Foreign Commerce.

By Mr. GOLDFOGLE: Petition of Trades League of Philadelphia, for bill S. 6923, as a first step toward 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petition of the Chamber of Commerce of Pittsburg, against any legislation to establish a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Trade League of Philadelphia, for bill S. 6923, as a first step toward 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Peace Association of Friends, of Philadelphia, for an international congress of arbitration and peace court at The Hague—to the Committee on Foreign Affairs.

By Mr. GRONNA: Petition of citizens of North Dakota, for an amendment to the free-alcohol law—to the Committee on Ways and Means.

By Mr. HALE: Paper to accompany bill for relief of John Metler—to the Committee on Invalid Pensions.

By Mr. HUFF: Petition of Trevyline Court, No. 12, Tribe of Ben Hur, against the bill to codify the statutes relating to classification of second-class mail matter (House Doc. No. 608)—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Peace Association of Friends, of Philadelphia, for an international congress and permanent court at The Hague—to the Committee on Foreign Affairs.

By Mr. KENNEDY of Nebraska: Paper to accompany bill for relief of William H. Gray—to the Committee on Invalid Pensions.

By Mr. KNAPP: Petition of Glenfield Legion, No. 319, and Fulton Legion, No. 318, against passage of a bill to amend and codify the statutes relating to classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. LAMAR: Petition of the Journal, of Pensacola, Fla., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. LITTAUER: Petition of Fonda Legion, No. 1090, against the bill to amend and codify the statutes relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. LORIMER: Petition of N. D. Connelly, for legislation making eight hours a day's work for telegraphers—to the Committee on Labor.

By Mr. McCALL: Paper to accompany bill for relief of Gardner W. Perkins—to the Committee on Invalid Pensions.

By Mr. McKINLEY of Illinois: Petition of Simonides Court, No. 62, of Moline, Ill., Tribe of Ben Hur, against the bill to codify the statutes relating to second-class mail matter (House Doc. No. 608)—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Mail, of Moline, Ill., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. OVERSTREET of Indiana: Petition of Goethe Lodge, No. 13, Independent Order Knights of Pythias, of Indianapolis, Ind., against the Littlefield bill—to the Committee on the Judiciary.

By Mr. REYBURN: Petition of the Peace Association of Friends, of Philadelphia, for an international congress and court at The Hague—to the Committee on Foreign Affairs.

By Mr. SAMUEL: Petition of citizens of Columbia County, Pa., asking an appropriation of $20,000 to present a sword of honor to Admiral W. S. Schley, and to cause to be struck bronze medals commemorating the battle of Santiago, and to distribute such medals to the officers and men of the American squadron under command of Commodore W. S. Schley on July 3, 1898—to the Committee on Appropriations.

By Mr. SHERMAN: Petition of Rome Legion, No. 844, against the passage of the bill to amend and codify the statutes relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN WINKLE: Resolution of citizens in public meeting in Jersey City, N. J., protesting against the arrest and deportation of Moyer, Haywood, and Pettibone—to the Committee on the Judiciary.

## SENATE.

THURSDAY, *February 28, 1907.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### CLAIMS OF CONFEDERATE OFFICERS AND SOLDIERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an additional estimate of appropriation ($40,000) for the payment of claims for property taken from Confederate officers and soldiers after surrender, under the act of February 27, 1902; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### SPECIAL EMPLOYEES IN DEPARTMENT OF COMMERCE AND LABOR.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to resolutions of the 8th instant and 14th instant, certain information relative to employees of the Department of Commerce and Labor; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9767) granting a pension to William J. Crane.

The message further announced that the House had passed the bill (S. 8535) for the relief of certain white persons who intermarried with Cherokee citizens, with amendments; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution of the Senate authorizing a correction to be made in the enrollment of the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message further announced that the House has passed a concurrent resolution requesting the President to return to the House the bill (H. R. 21606) granting an increase of pension to Felix G. Morrison; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution accepting the invitation of the Jamestown Exposition Company to attend the opening of the exposition, and providing for the appointment of a joint committee of the two Houses of Congress; in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 925. An act authorizing the construction of four steam vessels for the Revenue-Cutter Service of the United States;

H. R. 1561. An act authorizing the Secretary of the Navy to grant a discharge to Peter O'Neil;

H. R. 4586. An act for the relief of Mrs. R. E. Miller;

H. R. 8894. An act granting an increase of pension to James C. Strong;

H. R. 10574. An act granting a pension to Edward W. Hoban;

H. R. 11279. An act to remove the charge of absence without leave from the military record of Oscar O. Bowen;

H. R. 12021. An act granting a pension to James M. Wood;

H. R. 14322. An act granting a pension to Abbie L. Hanford;

H. R. 15027. An act to remove the charge of desertion against Cornelius O'Callaghan;

H. R. 15779. An act granting a pension to Margaret A. Jordan;

H. R. 19239. An act granting a pension to Salome Jane Marland;

H. R. 19589. An act granting an increase of pension to Aaron Davis;

H. R. 19932. An act for the relief of John Lavine;

H. R. 21910. An act granting a pension to Emil S. Weisse;

H. R. 22041. An act granting a pension to John P. Walker;

H. R. 22086. An act granting a pension to Amelia Schmidtke;

H. R. 22392. An act granting an increase of pension to Eugene W. Rolfe;

H. R. 22395. An act granting a pension to Edward Miller;

H. R. 22599. An act to grant certain lands to the city of Boulder, Colo.;

H. R. 22696. An act granting a pension to Charles F. Ellingwood;

H. R. 22709. An act granting a pension to Martha E. Muhlenfeld;

H. R. 23391. An act to change the time of holding the United States district and circuit courts in the eastern district of North Carolina, and to provide for the appointment of a clerk of the courts of Washington, N. C.;

H. R. 23440. An act granting a pension to Carrie May Allen;

H. R. 23612. An act granting an increase of pension to Thomas H. Adams;

H. R. 23821. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

H. R. 23855. An act granting a pension to Sarah E. Selders;

H. R. 23974. An act granting an increase of pension to John P. Bennett;

H. R. 24134. An act providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation, in Colorado;

H. R. 24223. An act granting a pension to Martha A. L. Stephens;

H. R. 24300. An act granting a pension to Sadie E. Hawthorn;

H. R. 24355. An act granting a pension to Mary O. Learned;

H. R. 24404. An act granting a pension to Lauraette La Fleur;

H. R. 24414. An act granting a pension to Van C. Wilson;

H. R. 24419. An act granting a pension to Belle M. Ocker;

H. R. 24483. An act granting a pension to Clarence W. Thomas;

H. R. 24635. An act granting a pension to Elizabeth Stuessi;

H. R. 24838. An act granting an increase of pension to Henry H. A. Walker;

H. R. 24845. An act granting an increase of pension to Andrew J. Price;

H. R. 24846. An act granting an increase of pension to Robert M. Wolf;

H. R. 24851. An act granting an increase of pension to Oren S. Rouse;

H. R. 24855. An act granting a pension to George W. Robins;

H. R. 24861. An act granting an increase of pension to Otho E. D. Culbertson;

H. R. 24868. An act granting an increase of pension to John M. Stevens;

H. R. 24899. An act granting an increase of pension to Mary W. Lusk;

H. R. 24902. An act granting an increase of pension to John W. Rawlings;

H. R. 24905. An act granting an increase of pension to Susan E. Davis;

H. R. 24907. An act granting an increase of pension to Lloyd Roberts;

H. R. 24910. An act granting an increase of pension to William H. Churchill;

H. R. 24911. An act granting an increase of pension to James C. Cosgro;

H. R. 24921. An act granting an increase of pension to Patrick F. Shevlin, alias Patrick Burns;

H. R. 24924. An act granting an increase of pension to William V. Monroe;

H. R. 24940. An act granting an increase of pension to Timothy H. Gibson;

H. R. 24946. An act granting a pension to Phebe Wright;

H. R. 24947. An act granting an increase of pension to Edward Mailey;

H. R. 24957. An act granting an increase of pension to Francis H. Ferry;

H. R. 24958. An act granting an increase of pension to Henry Kanline;

H. R. 24965. An act granting an increase of pension to Jacob Gilbrech;

H. R. 24968. An act granting an increase of pension to John Burke;

H. R. 24969. An act granting an increase of pension to Charles N. Stafford;

H. R. 24971. An act granting an increase of pension to Elijah Devore;

H. R. 24984. An act granting an increase of pension to Lauranah J. Hedgepeth;

H. R. 25016. An act granting an increase of pension to Frederick G. Ackerman;

H. R. 25020. An act granting an increase of pension to Cinderella B. McClure;

H. R. 25023. An act granting an increase of pension to Virginia C. Galloway;

H. R. 25025. An act granting an increase of pension to John Ham;

H. R. 25069. An act granting an increase of pension to William A. Decker;

H. R. 25097. An act granting an increase of pension to Edmund P. Weatherby;

H. R. 25101. An act granting an increase of pension to Nancy A. Meredith;

H. R. 25106. An act granting an increase of pension to Francis A. Biffar;

H. R. 25108. An act granting an increase of pension to William H. Brown;

H. R. 25112. An act granting an increase of pension to William Turner;

H. R. 25113. An act granting an increase of pension to John H. Hayes;

H. R. 25120. An act granting an increase of pension to Charles B. Spring;

H. R. 25143. An act granting an increase of pension to Elizabeth Wolfe;

H. R. 25145. An act granting an increase of pension to Charles Henry Weatherwax;

H. R. 25149. An act granting an increase of pension to Joshua L. Hayes;

H. R. 25172. An act granting an increase of pension to Burgess N. Isaacs;

H. R. 25174. An act granting an increase of pension to Henry W. Casey;

H. R. 25176. An act granting an increase of pension to Gottfried Haferstein;

H. R. 25211. An act granting an increase of pension to Alphonso Brown;

H. R. 25214. An act granting an increase of pension to Robert H. Douglas;

H. R. 25224. An act granting an increase of pension to David C. Smith;

H. R. 25229. An act granting an increase of pension to James T. Blair;

H. R. 25247. An act granting an increase of pension to Warren Onan;

H. R. 25248. An act granting an increase of pension to Knute Thompson;

H. R. 25254. An act granting an increase of pension to George W. Warfel;

H. R. 25255. An act granting an increase of pension to Samuel Loy;

H. R. 25256. An act granting an increase of pension to Cyrus W. Scott;

H. R. 25257. An act granting an increase of pension to James H. Phillips;

H. R. 25260. An act granting an increase of pension to Thomas J. Richie;

H. R. 25261. An act granting an increase of pension to William M. Helvy;

H. R. 25263. An act granting an increase of pension to Thomas McDermott;

H. R. 25288. An act granting an increase of pension to Minna Y. Field;

H. R. 25303. An act granting an increase of pension to Adeline Brown;

H. R. 25305. An act granting an increase of pension to Edgar A. Stevens;

H. R. 25309. An act granting an increase of pension to Joseph Casavaw;

H. R. 25325. An act granting an increase of pension to Polly Ann Bowman;

H. R. 25328. An act granting an increase of pension to James W. Barr;

H. R. 25354. An act granting a pension to Alice House;

H. R. 25355. An act granting a pension to William McCraney;

H. R. 25391. An act granting an increase of pension to Richard Gogin;

H. R. 25445. An act granting an increase of pension to William E. Webster;

H. R. 25451. An act granting an increase of pension to William H. Maxwell;

H. R. 25455. An act granting an increase of pension to Emma Hempler; and

H. R. 25511. An act granting an increase of pension to Hiram Filkins.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented resolutions adopted at the reunion of the Fifth Cavalry, Cameron Dragoons, of Philadelphia, Pa., extending their thanks to the President of the United States for his approval, on February 6, 1907, of the service-pension law; which were ordered to lie on the table.

He also presented a petition of the National Association of Cement Users, praying for the continuance of the annual appropriation for the investigation by the Geological Survey of cement, mortar, and concrete; which was ordered to lie on the table.

Mr. BURROWS. I have received several dispatches, in the nature of petitions, praying for the passage of the so-called "Murphy bill." I shall read only one:

OXFORD, MICH., *February 27, 1907.*

For the protection of traveling public and railroad operators we ask your support of Murphy bill.

I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From G. C. Gillespie, M. J. Shop, and Claude Helfrich, of Oxford, Mich.; from L. Ueberhorst, Berry and Berry, operators, of the Michigan Central Railroad, of Bay City, Mich.; from Glass and Bowlby, operators, of Fabius, Mich.; from H. N. Marsh and J. R. Seavitt, operators, of Warren, Mich.; from C. A. Anderson, operator, of Vermontville, Mich.; from E. F. Slowey, of Albion, Mich.; from J. T. Northrup, of Van Horn, Mich.; from J. C. Culkins, general chairman, of Albion, Mich.; from J. P. Rourke, of Van Horn, Mich.; from O. D. Campbell, of Mason, Mich.; from H. V. Healy and C. Marshall, operators, of Nashville, Mich.; from M. F. Ryan, of Marshall, Mich.; from K. H. Brenard, of Doster, Mich.; from G. A. Needham, C. E. Carpenter, and H. M. Sargeant, telegraph operators, of Owosso Junction, Mich.; from M. J. Granger and C. R. Cady, of Lansing, Mich.; from F. W. Knapp and N. D. Vanauker, of Rives Junction, Mich.; from O. D. Campbell, H. D. Powers, and K. J. Mattison, telegraph operators, of Saginaw, Mich.; from C. H. Keefe, of Kalamazoo, Mich.; from W. R. Moore and G. H. Rose, operators, of Roscommon, Mich.; from R. D. Williamson, of Oakley, Mich.; from G. H. Stokes and J. E. Anstett, of Gaylord, Mich.; from M. K. Campbell, of Mason, Mich.; from G. M. Smith, operator, of Eden, Mich.; from A. O. Bourass and W. H. M. Creine, of West Branch, Mich.; from D. W. Barr and W. C. Erther, of Utica, Mich.; from L. Ruppert and C. H. Kaiser, of Pinconning, Mich.; from O. F. Foster, of Otter Lake, Mich.; from S. F. J. Stephenson and Murray Taylor, operators, of Metamora, Mich.; from White and Ketchum, Michigan Central operators, of Cassopolis, Mich.; from C. E. Honey and D. C. Honey, operators, of Standish, Mich.; from Frank M. Fangbomer, of Rochester, Mich.; from W. J. Shaw and E. G. Shaw, operators, of Grayling, Mich.; from H. L. Schell and R. C. Phillips, operators, of Dowagiac, Mich.; from Lewis and McIntyre, operators, of Eaton Rapids, Mich.; from O. K. Renner, F. A. Barrett, F. J. Wicks, G. H. Moulton, L. G. McMurray, G. E. Emmons, V. C. Vest, M. S. Hatch, and E. J. Bennett, of Niles, Mich.; from W. H. Weeks, of Monroe, Mich.; from J. Phibbs, W. Ellsworth, F. Avery, W. Beebe, F. Schoonmaker, D. Fuller, O. Edgett, and H. Hessmer, of Three Rivers, Mich.; from F. E. Schram, operator, of Kawkawlin, Mich.; from H. J. Keen and H. D. Trattles, operators, of Vandalia, Mich.; from Lewis and Wilson, of Middleville, Mich.; from E. H. Spencer, of Joma, Mich.; from J. L. Lacrone, W. V. Oconner, C. R. South, and C. W. Berry, operators, of New Buffalo, Mich.; from F. Fitch, E. J. Phillips, P. C. Johnson, A. R. Graham, B. Burlington, and C. L. Dine, of Decatur, Mich.; from McDonald, Ells, Martin, Rice, and Thomas, of Charlotte, Mich.; from John Wilkinson, of Parma, Mich.; from Daniel Odehu, of Rochester, Mich.; from W. E. Ames, of Monroe, Mich.; from E. B. Greenfield, of South Haven, Mich.; from C. M. Selby, Jefferson Kendalls, H. W. Phillips, T. F. Enright Williams, D. L. Stuart, and L. A. Culver, of Lacota, Mich., and from Isaac F. Boyer, operator, of Lawton, Mich.

Mr. PLATT presented petitions of sundry labor organizations of New York, Port Jervis, Buffalo, Albany, and Brooklyn, all in the State of New York, praying for the enactment of legislation providing for the protection of labor and industry from competition with convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of West Exeter, N. Y., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry telegraph operators of Rochester, Blasdell, Shortsville, Salem, Randolph, Cayuga, Hoosick, and Akron, all in the State of New York, praying for the adoption of a certain amendment to the bill (S. 5133) limiting the hours of employment of railroad telegraph operators; which were ordered to lie on the table.

Mr. BURNHAM presented petitions of sundry citizens of Portsmouth and Lakeport, in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 125, International Brotherhood of Blacksmiths, of Portsmouth; of Local Union No. 179, United Garment Workers of America, of Whitefield; of Loom Fixers' Union No. 548, of Lebanon; of Local Union No. 442, International Brotherhood of Blacksmiths and Helpers, of Concord; of Boot and Shoe Workers-Lasters Union No. 51, of Manchester; of Local Union No. 132, United Garment Workers of America, of Keene, and of the Manchester Mule Spinners' Union, of Manchester, all in the State of New Hampshire, praying for the enactment of legislation providing for the protection of labor and industry from competition with convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Littleton, Lisbon, Bath, East Tilton, Gorham, Weirs, Winona, Ashland, Rumney Depot, Laconia, Plymouth, Wing Road, and Tilton, all in the State of New Hampshire, praying for the adoption of a certain amendment to the so-called "sixteen-hour bill," relating to railroad employees and telegraph operators; which were ordered to lie on the table.

Mr. SCOTT presented a memorial of sundry citizens of St. Marys, W. Va., remonstrating against the enactment of legislation to amend the law relating to the classification of second-class mail matter; which was ordered to lie on the table.

Mr. STONE presented a memorial of the Retail Merchants' Association of Springfield, Mo., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Westphalia, Mo., praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

He also presented petitions of Local Union No. 166, of St. Louis; of Local Union No. 168, of Joplin; of Local Union No. 86, of Jefferson City, all of the United Garment Workers of America; of Local Lodge No. 113, of Sedalia; of Local Union No. 230, of Joplin, all of the International Brotherhood of Boiler Makers and Iron Shipbuilders and Helpers of America; of Local Union No. 2, International Brotherhood of Blacksmiths and Helpers, of De Soto, and of Iron Mountain Lodge, No. 6, Brotherhood of Railway Clerks, of St. Louis, all in the State of Missouri, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. HANSBROUGH. I present concurrent resolutions of the legislature of the State of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The concurrent resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Concurrent resolution offered by Mr. Cashel.

*Be it resolved by the senate (the house of representatives concurring)*:

Whereas the valley of the Red River of the North is by nature one of the best, if not the best, of the river valleys of the American continent from an agricultural standpoint, but is at times from a combination of conditions so flooded, both by the overflow of the Red River and its tributaries and by the run-off of the higher lands lying adjacent to and on both sides thereof, and the raising of crops adjacent to the river is to a certain extent uncertain and hazardous; and

Whereas the people residing in the said valley are in the most urgent need of aid for the drainage of their lands in order that crop raising may be assured, and also of the regulation of the flow of the Red River for the purpose of insuring and improving its navigability and the prevention of overflow which results in great damage to life and property; and

Whereas numerous surveys and investigations of portions of this valley have been prosecuted in the past, both in the United States and in Manitoba; and

Whereas the officers of the United States Agricultural Department, in cooperation with the proper officers of the various States affected, are at the present time engaged in making a detailed study of the said valley in the United States, and the engineers of the public works department of Manitoba are also engaged in the study of the drainage conditions prevailing in the said valley in that province, all of which investigations and study are being carried on with the greatest possible speed consistent with careful study and the funds available; and

Whereas there still remains much to be done before there can be a full and complete understanding of the situation: Therefore, be it

*Resolved*, That liberal appropriations be made for the prosecution of these surveys by the departments of the Government having the same in charge, to the end that the data required for the proper drainage of the Red River Valley and the regulation of the flow of the Red River may be secured. Be it further

*Resolved*, That we earnestly and urgently request the government of Canada and the Congress of the United States to secure the appointment of an international commission as early as possible for the purpose of making a thorough investigation of the Red River and its tributaries, with a view of regulating the flood flow thereof, so as to prevent its overflow in the times of flood and improve navigation in periods of low water. Be it further

*Resolved*, That the extensive drainage projects now being carried on throughout the valley, and which will materially affect the volume of water in said river in the flood period, make it imperative that the flow of this river be regulated as far as possible, with a view to meeting the conditions created by these improvements. Be it further

*Resolved*, From estimates made by the Government engineers and local engineers it is apparent that the waters of the Red River can be controlled by the construction of a canal connecting Lake Traverse with the Big Stone Lake, thereby lowering the water level of said Lake Traverse and turning the flow from its basin into the Minnesota River in flood time, and by the construction of a reservoir dam at Otter Tail Lake, a reservoir dam at the foot of Red Lake, a reservoir dam on the Sheyenne River at some feasible point, to retain the waters of its basin during flood periods, and a dam on the Pembina River, suitably located to control the floods of that stream, which drains from a large area in Manitoba and North Dakota. By the construction of these dams and reservoirs the damage from overflow of the Red River would be averted and navigation materially improved in low stages of water. From investigations and estimates made by competent engineers the proposed improvements can be constructed at a cost not to exceed $500,000. Be it further

*Resolved*, That the Senators and Representatives from the States of Minnesota, North and South Dakota be requested to use all earnest endeavors to have a joint commission appointed, and that an appropriation be made sufficient to defray the expenses thereof; and that

the government of Canada be requested to cooperate in the appointment of such joint commission. Be it further

*Resolved*, That the legislative assembly of the States of Minnesota and South Dakota, the legislature of Manitoba, and the parliament of the Dominion of Canada be respectfully requested to consider these resolutions and to cooperate, through their representatives in their respective lawmaking bodies, in carrying out the object sought in these resolutions; and be it further

*Resolved*, That the secretary of state be instructed to forward certified copies of these resolutions, one each to the Senators and Representatives in Congress of the three States named, the speaker of the legislature of Manitoba, the presiding officer of the Dominion parliament at Ottawa, Canada, and the Secretary of War, Washington, D. C.

R. S. LEWIS, *President of the Senate.*
JAMES W. FOLEY, *Secretary of the Senate.*
TREADWELL TWICHELL, *Speaker of the House.*
P. D. NORTON, *Chief Clerk of the House.*

I, James W. Foley, secretary of the senate, do hereby certify that the foregoing concurrent resolution originated in and was adopted by the senate of the tenth legislative assembly of the State of North Dakota, and was concurred in by the house of representatives.

JAMES W. FOLEY, *Secretary of the Senate.*

Mr. GALLINGER presented a petition of sundry citizens of Somersworth, N. H., and a petition of sundry citizens of Rindge, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BULKELEY presented petitions of sundry citizens of New Milford, Derby, and Middletown, all in the State of Connecticut, praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

Mr. CULLOM presented petitions of sundry telegraph operators, in the State of Illinois, praying for the adoption of a certain amendment to the bill (S. 5133) to limit the hours of employment of railroad telegraph operators; which were ordered to lie on the table.

He also presented petitions of sundry citizens of the State of Illinois, praying for the adoption of a certain amendment to the service-pension law of February 6, 1907, relating to attorney's fees, etc.; which were referred to the Committee on Pensions.

Mr. DEPEW presented petitions of sundry citizens of New York, Portville, and Brooklyn, all in the State of New York, praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Syracuse, N. Y., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented petitions of sundry telegraph operators of Shortsville, Eagle Bridge, Randolph, Phelps, Poughquag, Chili Station, and Salem, all in the State of New York, praying for the adoption of a certain amendment to the bill (S. 5133) to limit the hours of employment of railroad telegraph operators; which were ordered to lie on the table.

He also presented a petition of the Art Metal Work Class, Pratt Institute, Brooklyn, N. Y., praying for the removal of the duty on works of art; which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Utica, N. Y., praying for the enactment of legislation to provide for the separate development of surface lands for agricultural purposes and extraction of minerals; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Tottenville, Lyons, Farmington, Otto, Minaville, Root, Lee Center, and New York City, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were ordered to lie on the table.

He also presented memorials of Dwight Post, No. 109, Department of New York, Grand Army of the Republic, of Sodus; of the executive committee of the Grand Army of the Republic of Brooklyn, and of the executive committee of the Grand Army of the Republic of Buffalo, all in the State of New York, remonstrating against the enactment of legislation abolishing the pension agencies throughout the country; which were ordered to lie on the table.

Mr. LODGE presented a petition of the Carter's Ink Company, of Boston, Mass., praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Maynard and Readville, all in the State of Massachusetts, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FRYE presented a petition of sundry citizens of Yarmouthville, Me., praying for the enactment of legislation providing that no railroad trainman shall work for more than sixteen hours in twenty-four and a telegraph operator for more than nine hours in twenty-four; which was ordered to lie on the table.

Mr. KNOX presented a memorial of the German Club of Pittsburg, Pa., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 44, International Broom and Whisk Makers' Union, of Pittsburg; Local Union No. 156, International Brotherhood of Blacksmiths and Helpers, of Altoona; Lodge No. 2, Amalgamated Association of Iron, Steel, and Tin Workers, of Newcastle; Local Union No. 5, National Print Cutters' Association, of York; Messrs. Balbirnie & Johnson, of Philadelphia; Local Union No. 382, Boot and Shoe Workers' Union, of Allentown, all in the State of Pennsylvania, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and manufactures; which were referred to the Committee on Education and Labor.

He also presented petitions of C. B. Dudley, of Altoona; Parker Boiler Company, of Philadelphia; Baldwin Locomotive Works, of Philadelphia; A. D. Granger Company, of Pittsburg; Frank Miles Day, of Philadelphia; Vulcanite Portland Cement Company, of Philadelphia; James L. Lyons and sundry structural engineers, of Ambridge; William White, of Pittsburg; Elton D. Walker, of State College; Thomas J. Brerton, of Chambersburg; Fred N. Loher, of Harrisburg; Emil Swensson, of Pittsburg; J. A. Atwood, of Pittsburg; George T. Barnesly, of Pittsburg; T. D. Lynch, of Pittsburg, all in the State of Pennsylvania, and D. Robert Yarnall, of Newark, N. J., praying for the enactment of legislation providing for appropriations for the continuation of the investigations of fuel substances and structural materials; which were referred to the Committee on Appropriations.

Mr. HOPKINS presented petitions of sundry citizens of Blue Island, Evanston, Sullivan, Matteson, Melrose Park, and Riverside, all in the State of Illinois, and 107 petitions of sundry citizens of Chicago, Ill., praying for the repeal of section 3 of the service-pension law of February 6, 1907; which were referred to the Committee on Pensions.

Mr. OVERMAN (for Mr. SIMMONS) presented a petition of sundry citizens of North Carolina, praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

Mr. PENROSE presented memorials of sundry citizens of Lancaster, Sunbury, and Lehigh counties, all in the State of Pennsylvania, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Brookville and Bradford County, in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented memorials of District Lodge, No. 46, German Beneficial Union, of Tarentum; of the Deutscher Landwehr Unterstuetzungs Verein, of Philadelphia; of the Deutscher Club, of Philadelphia, and of the Deutscher Krieger Verein, of Philadelphia, all in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FULTON. I present a joint memorial of the legislature of the State of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Pensions.

The joint memorial was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 7.

*The honorable Senate and House of Representatives,*
*Congress of the United States.*

GENTLEMEN: Your memorialists of the legislative assembly of the State of Oregon would respectfully and earnestly represent to your honorable body that the citizens and early settlers of what is known as "eastern Oregon" were subject to an invasion by hostile Indians in what is known as the "Bannock war," in 1878, and that it became necessary for the actual residents to take up arms against these hostile Indians; that in spite of the fact that they rallied to the defense of their families and their country, they were subject to great loss of property and loss of life, and that during this war there was fought by the volunteers in that locality what was known as the "Willow Springs battle," and that at this place a number of people lost their lives; that there are a few at the present time living; that the volunteers who resisted the Indians at this place were made up of two companies, one from western Oregon and the other from Pendleton, Oreg., and that they were under the command of one Capt. W. W. Oglesby, an officer duly commissioned by the governor of the State of

Oregon, and that we believe that these people are as justly entitled to a pension as a great many of the Indian-war veterans: Therefore,

We urge your honorable body to take up the early passage of a bill granting them a pension on a par with other Indian-war veterans. It is hereby directed that a copy of this memorial, after being duly signed by the president of the senate and the speaker of the house of representatives and attested by the chief clerks of the two houses, be forwarded to each of Oregon's Senators and Representatives in Congress.

Adopted by the house February 20, 1907.

FRANK DAVEY, *Speaker.*

Attested by the chief clerk of the house of representatives.

W. LAIR THOMPSON, *Chief Clerk.*

Adopted by the senate February 19, 1907.

E. W. HAINES, *President.*

Attested by the chief clerk of the senate.

FRANK S. GRANT, *Chief Clerk.*

Mr. FULTON. I present a joint memorial of the legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

The joint memorial was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that the annexed page contains a full, true, and complete copy of house joint memorial No. 4, adopted by the house of representatives of the State of Oregon February 12, 1907, and by the senate of the State of Oregon February 18, 1907, original of which memorial was filed in this office February 18, 1907.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 19th day of February, A. D. 1907.

[SEAL.] F. W. BENSON, *Secretary of State.*

House joint memorial No. 4.

*To the honorable Senate and House of Representatives of the United States of America:*

Your memorialists, the legislative assembly of the State of Oregon, most respectfully represent that—

Whereas Congress in its wisdom has granted large forest reserves within the boundaries of the State of Oregon; and

Whereas many public highways traverse through said reserves; and

Whereas the lands embraced in said reserves are withdrawn from public sale or entry by settlers and are not and can not be subject to taxation; and

Whereas the construction and maintenance of such highways is a great burden and expense to the several counties of the State bordering upon such reserves:

Therefore, the legislative assembly of the State of Oregon memorialize and pray the Congress of the United States to appropriate and pay to the county court of each county containing such highways traversing such reserves a sum equal to $10 per mile annually, to be expended under the supervision of the county courts of the respective counties, for the purpose of keeping in repair such highways where the same traverse such reservation, and your memorialists will ever pray.

*Resolved*, That the secretary of state of the State of Oregon be, and he is hereby, instructed to forward a copy of this memorial to the Oregon Senators and Representatives in Congress with the request that they use every honorable means to secure the appropriation herein asked.

Adopted by the house February 12, 1907.

FRANK DAVEY,
*Speaker of the House.*

Adopted by the senate February 18, 1907.

E. W. HAINES,
*President of the Senate.*
W. LAIR THOMPSON,
*Chief Clerk.*

Filed February 16, 1907.

F. W. BENSON, *Secretary of State.*

Mr. FULTON. I present a joint memorial of the legislature of the State of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Post-Offices and Post-Roads.

The joint memorial was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, Secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that the annexed page contains a full, true, and complete copy of house joint memorial No. 3, adopted by the house of representatives of the legislature of the State of Oregon February 1, 1907, and concurred in by the senate of the State of Oregon February 4, 1907, original of which memorial was filed in this office February 5, 1907.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 6th day of February, A. D. 1907.

[SEAL.] F. W. BENSON, *Secretary of State.*

House joint memorial introduced by Mr. Holt.

Whereas since the establishment of the systems of rural free delivery of mail in Oregon the State has become more populous and the labors of rural mail carriers have increased in proportion; and

Whereas the compensation paid carriers on the rural delivery routes has always been inadequate and is not commensurate with the labors performed: Therefore, be it

*Resolved by the house of representatives of the State of Oregon (the senate concurring)*, That the compensation of rural mail carriers should be increased by Congress to at least $1,000 per annum, and that the Congress of the United States is hereby memorialized to provide a compensation of at least $1,000 per annum for rural mail carriers: Be it

*Further resolved*, That a copy of this memorial be sent to the Oregon delegation in Congress.

Adopted by the house February 1, 1907.

FRANK DAVEY,
*Speaker of the House.*

Concurred in by the senate February 4, 1907.

E. W. HAINES,
*President of the Senate.*

Filed February 5, 1907.

F. W. BENSON,
*Secretary of State.*

Mr. FULTON presented a petition of sundry citizens of Plainview, Oreg., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Quarterly Meeting of Friends, of Salem, Oreg., praying for the enactment of legislation providing for some general plan for the reduction of armaments among the nations of the world; which was referred to the Committee on Naval Affairs.

Mr. TELLER. I present a joint memorial of the legislature of the State of Colorado, which I ask may be printed in the RECORD, and referred to the Committee on Post-Offices and Post-Roads.

The joint resolution was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed in the RECORD, as follows:

[Certificate.]

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Colorado, ss:*

I, Timothy O'Connor, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of senate joint resolution No. 3, passed by the sixteenth general assembly of the State of Colorado, which was filed in this office the 20th day of February, A. D. 1907, at 10.50 o'clock a. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado at the city of Denver this 20th day of February, A. D. 1907.

[SEAL.] TIMOTHY O'CONNOR,
*Secretary of State.*

Senate joint resolution No. 3.

Whereas the House of Representatives of the United States is about to consider proposed reductions in the appropriation of moneys for the carriage of the United States mails aggregating about 30 per cent; and

Whereas any reduction from the usual appropriation for that purpose would seriously impair and cripple the mail service throughout the Western States to the great damage and injury of the business interests thereof, and would to a large extent destroy the efficiency of the present mail service, upon which the business interests of the Western States are largely dependent; and

Whereas the business interests of the Western States have had no opportunity for a hearing before the Congress in relation to the matter: Now, therefore, be it

*Resolved by the senate of the sixteenth general assembly of the State of Colorado (the house concurring)*, That Senators and Representatives in Congress from the State of Colorado be, and they are hereby, urged and requested to use every honorable effort to prevent a reduction in the appropriations for carrying the United States mails until a full hearing can be had before the committees of the Congress and ample opportunity afforded to the people and commercial bodies of the Western States to be heard in relation thereto; and be it

*Further resolved*, That a copy of this joint resolution be sent at once by the secretary of state of the State of Colorado to each of the Senators and Representatives in the Congress from this State.

E. H. HARPER,
*President of the Senate.*
R. G. BRECKENRIDGE,
*Speaker of the House of Representatives.*
HENRY A. BUCHTEL,
*Governor of the State of Colorado.*

February 20, 1907.

Filed in the office of the secretary of state of the State of Colorado on the 20th day of February, A. D. 1907, at 10.50 o'clock a. m.

TIMOTHY O'CONNOR,
*Secretary of State.*
By JOHN E. RAMER, *Deputy.*

Mr. TELLER. I present a joint memorial of the legislature of the State of Colorado, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

The joint memorial was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

[Certificate.]

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Colorado, ss:*

I, Timothy O'Connor, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 2, passed by the sixteenth general assembly of the State of Colorado, approved February 19, 1907, and filed in this office the 19th day of February, A. D. 1907, at 11 o'clock a. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado at the city of Denver this 20th day of February, A. D. 1907.

[SEAL.] TIMOTHY O'CONNOR,
*Secretary of State.*

Senate joint memorial No. 2.

*To the honorable Senate and House of Representatives of the United States of America in Congress assembled:*

Your memorialists, the general assembly of the State of Colorado, would respectfully represent that there are many thousands of acres

of arid lands in the former Southern Ute Indian Reservation, in this State, which are so located and at such a distance from any permanent water supply for irrigation that individual settlers are practically prohibited from reclaiming such lands; and on account of the great expense necessary to construct canals and reservoirs for irrigating the same private capital for such enterprises can not be obtained without some reasonable security for the investment, and for these reasons, although this land has now been open to settlement for eight years, this portion of Colorado remains in its original state.

Your memorialists desire to call the attention of your honorable body to the so-called "Carey Act," which was enacted by Congress in 1894 for the purpose of meeting just such conditions as now exist in the former Southern Ute Reservation, in this State, by attracting capital sufficient to furnish a permanent water supply at a reasonable cost on easy payments to the home seeker.

Your memorialists desire to state further that while Colorado accepted the provisions of the Carey Act in 1895, yet when the State, in accordance with the provisions of such act, made application to the Commissioner of the General Land Office for the segregation of a tract of approximately 16,000 acres, for the complete irrigation and reclamation of which a system of canals and reservoirs was partially completed, financed by a company which was amply able to and did guarantee its immediate completion, and a permanent water supply for every acre thereof, such segregation was refused on account of a former law enacted by your honorable body, providing that the moneys derived from the sale of these lands should constitute a trust fund for the benefit of the Southern Ute Indians.

Your memorialists further represent that notwithstanding the latter law Congress passed an act in 1901 exempting from the provisions thereof all homesteads and provided therein that all sums of money that might be lost to such trust funds thereby should be paid by the United States Government.

Your memorialists therefore urgently request that your honorable body pass an act donating, granting, and patenting to the State of Colorado, free of price or cost of survey, such desert lands, upon compliance by this State with the provisions of section 4 of the so-called "Carey Act," and that the United States shall pay into such trust fund for the benefit of the Ute Indians all moneys which might be lost to them by such law, to the end that this vast territory may no longer remain uninhabited and in its natural state, but may be fully reclaimed, settled upon, and peopled.

E. R. HARPER,
*President of the Senate.*
R. C. BRECKENRIDGE,
*Speaker of the House of Representatives.*
HENRY A. BUCHTEL,
*Governor of the State of Colorado.*

February 19, 1907, 11 a. m.

Filed in the office of the secretary of state of the State of Colorado on the 19th day of February, A. D. 1907, at 11 o'clock a. m.

TIMOTHY O'CONNOR,
*Secretary of State.*
By JOHN E. RAMER,
*Deputy.*

Mr. TELLER presented petitions of sundry citizens of Pueblo and Denver, in the State of Colorado, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Grand River Stock Growers' Association, the Roaring Fork and Eagle River Stock Growers' Association, and the Colorado Cattle and Horse Growers' Association, all in the State of Colorado, praying the enactment of legislation to protect their rights to grazing upon the forest reserves, etc.; which was ordered to lie on the table.

He also presented a memorial of the United States Monetary League, of Denver, Colo., remonstrating against the recommendation of the President in his annual message relative to the betterment of the money system of the country; which was referred to the Committee on Finance.

He also presented a petition of the Printing Pressmen's Union of Denver, Colo., and a petition of the Musical Protective Association of Denver, Colo., praying for the enactment of legislation to amend the Chinese-exclusion law so as to include Japanese and Koreans; which were ordered to lie on the table.

He also presented a petition of the Commercial Club of Greeley, Colo., praying for the enactment of legislation authorizing the Interstate Commerce Commission to make investigation into the cause of all railroad wrecks; which was referred to the Committee on Interstate Commerce.

Mr. SPOONER presented petitions of sundry citizens of Ellsworth, Wis., praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Fish Creek, Wis., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

### MILITARY ACADEMY APPROPRIATION BILL.

Mr. SCOTT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24537) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 18, and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 19, and 21, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "twenty-six thousand nine;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed in said amendment insert: "The members of the Senate and House of Representatives appointed to serve on the Board of Visitors to the Military Academy at West Point for the year nineteen hundred and seven are directed to investigate as to the advisability of maintaining a children's school at Government expense at said academy, and to report their findings to the next session of Congress;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "fifty-four thousand nine hundred and thirty-five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "forty-three thousand and twenty-five;" and the Senate agree to the same.

N. B. SCOTT,
J. A. HEMENWAY,
JO. C. S. BLACKBURN,
*Managers on the part of the Senate.*
J. A. T. HULL,
A. B. CAPRON,
JAMES L. SLAYDEN,
*Managers on the part of the House.*

The report was agreed to.

### REPORTS OF COMMITTEES.

Mr. BURROWS, from the Committee on Finance, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 8727) for the relief of James W. Kenney and the Union Brewing Company; and

A bill (H. R. 19275) for the relief of T. E. Boyt.

Mr. HOPKINS, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 6104) to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 8585) for the relief of Charles W. Spalding, reported it with an amendment, and submitted a report thereon.

Mr. CURTIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 8540) to ratify a certain lease with the Seneca Nation of Indians, reported it without amendment, and submitted a report thereon.

Mr. DICK, from the Committee on Naval Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 8230) for the relief of Harold D. Childs; and

A bill (S. 8009) to correct the naval record of Charles H. Haswell.

Mr. PETTUS, from the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, submitted a report relative to useless papers in the Post-Office Department; which was ordered to be printed.

### THE METROPOLITAN POLICE.

Mr. GALLINGER. I have favorable reports to make from the Committee on the District of Columbia on two House bills, and it is quite important that they should be passed.

I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 25630) to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906, to report it favorably with an amendment, and I venture to ask unanimous consent that it may be considered at this time.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was, to add at the end of the bill the following:

And any unexpended balance of the appropriation providing for salaries of members of classes 2 and 3 during the fiscal year in which said appointments are made is hereby made available for the payment of the salaries of the additional privates of class 1 provided for herein.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia to report back adversely the bill (S. 8442) to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906. I move that the bill be indefinitely postponed.

The motion was agreed to.

FIRE ESCAPES IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I report back favorably without amendment, from the Committee on the District of Columbia, the bill (H. R. 19524) to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. HALE. There was so much noise in the Chamber I could not well hear the reading of the bill. Let me ask the Senator who reports it whether it is directory or permissive?

Mr. GALLINGER. It is absolutely directory. I will say to the Senator that during the last session a bill was passed providing for fire escapes on all buildings three stories in height except private residences. That was made mandatory. The Commissioners have recommended that in fireproof buildings occupied as offices that might be waived if proper stairways are built, as provided for in the bill, two stairways 3 or more feet wide and at least 30 feet apart, one of them reaching to the roof. That is the only change made. It is a well-guarded bill, and it takes care, I think, absolutely of life and property in the District.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA JOHNSON.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 8580) granting land to Anna Johnson, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Interior to issue to Anna Johnson, wife of Ging Sing, alias Jim Johnson, a patent to the following-described land, to wit: The southwest quarter of section 29, in township 13 south, range 3 east of the New Mexico principal meridian.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PETER PARSCH.

Mr. FORAKER. I am directed by the Committee on Military Affairs to report back favorably without amendment the bill (H. R. 15320) to remove charge of desertion standing against Peter Parsch, and I ask for its immediate consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to remove the charge of desertion standing against Peter Parsch, late a member of Company E, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and issue him an honorable discharge. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of the act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NORFOLK AND PORTSMOUTH TRACTION COMPANY.

Mr. TALIAFERRO. I report back favorably from the Committee on Military Affairs, without amendment, the bill (H. R. 24605) granting to the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va., and I ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUILDING OF DAMS ACROSS MISSISSIPPI RIVER.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25716) to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906, to report it favorably without amendment, and I ask for its consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25717) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUILDING OF DAMS ACROSS SAVANNAH RIVER.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (S. 8583) permitting the building of a dam across the Savannah River at Calhoun Falls to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (S. 8581) permitting the building of a dam across the Savannah River at Trotters Shoals to report it favorably without amendment, and I ask that it be put on its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25776) permitting the building of a dam across the Savannah River at Middleton Shoals to report it favorably without amendment, and I ask that it may be put on its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25774) permitting the building of a dam across the Savannah River at Turner Shoals, to report it favorably without amendment, and I ask that it be put on its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25773) permitting the building of a dam across the Savannah River at McDaniel Shoals, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce,

to whom was referred the bill (S. 8572) permitting the building of a dam across the Savannah River at Andersonville Shoals, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (S. 8584) permitting the building of a dam across the Savannah River at Hattons Ford, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONDEMNED GUNS AND CANNON BALLS.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 25401) to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls, to report it favorably without amendment. It is a short bill and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MORRIS H. WALKER.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 24022) to correct the military record of Morris H. Walker, to report it favorably without amendment, and I submit a report thereon. I ask that the bill be put upon its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to correct the record of Morris H. Walker, late a private of Company K, Sixty-fifth Illinois Volunteers, by considering him absent with leave from October 12, 1862, to November 20, 1862. But no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

CHARLES H. KELLEN.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 24390) to correct the military record of Charles H. Kellen, to report it favorably without amendment, and I submit a report thereon. I ask that the bill be put upon its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that Charles H. Kellen, late sergeant, Company F, Seventh Regiment Rhode Island Volunteer Infantry, shall hereafter be held and considered to have been mustered into the military service of the United States as a second lieutenant of the Seventh Regiment Rhode Island Volunteer Infantry on December 8, 1862, and to have continued in service as second lieutenant of the regiment until the date of his death, to wit, the 28th day of December, 1862, but no pay, compensation, or remuneration of any kind or nature whatsoever shall accrue or become due or payable to any person or persons whatsoever by reason or on account of the passage of the act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB ROCKWELL.

Mr. HEMENWAY. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 21857) to correct the military record of Jacob Rockwell, to report it favorably without amendment, and I submit a report thereon. I ask for the immediate consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of War to review the military record of Jacob Rockwell, late of Battery L, Fourth United States Artillery, and grant him an honorable discharge, but no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of the act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROPOSED INVESTIGATION BY FINANCE COMMITTEE.

Mr. ALDRICH, from the Committee on Finance, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Finance be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make an investigation of internal revenue, customs, currency, and coinage matters, and to report from time to time to the Senate the result thereof; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

ESCAMBIA RIVER BRIDGE IN FLORIDA.

Mr. MALLORY. From the Committee on Commerce I report back without amendment the bill (H. R. 25795) to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida, and I ask for its immediate consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. MALLORY. Yesterday the Senate passed identically the same bill, the bill (S. 8556) to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River, between the counties of Santa Rosa and Escambia, in the State of Florida. I suppose the bill has been sent to the House, and I ask unanimous consent that the House be requested to return the bill, with a view to its indefinite postponement.

The VICE-PRESIDENT. Without objection, the bill will be recalled from the House of Representatives, and a motion to reconsider will be entered.

RETIREMENT OF ARMY OFFICERS.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 91) adjusting the status of certain officers of the Army as to their period of service required by the act of Congress approved June 30, 1882, to entitle an Army officer to retirement on his own application, to report it favorably without amendment, and I submit a report thereon. I ask for the present consideration of the joint resolution.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that the period of service entitling an Army officer to retirement on his own application, as required by act of Congress approved June 30, 1882, shall include all service rendered by such officers as cadets at the United States Naval Academy, Annapolis, Md., or subsequent to graduation therefrom, or to service as commissioned officers of the Navy, or to both.

Mr. HALE. Has the joint resolution ever been before the Committee on Naval Affairs?

Mr. WARREN. I do not think it has been there. It is merely to count the naval service in an Army officer's service in computing the time for retirement.

Mr. HALE. I thought it applied to the Navy.

Mr. WARREN. Only that the service in the Navy may be counted as in the Army in the matter of retirement. The law now provides that the time of service at West Point as a cadet is counted, but if the officer has served in the Navy or at the Naval Academy it does not count on the Army side. This is merely to count that time.

Mr. HALE. His service in any branch of the Navy would count for a naval officer at present, and this gives the Army officer the benefit of any naval service he rendered.

Mr. WARREN. I do not know that I made myself clear. In a case where the officer's life has been with the Army except possibly one, two, or three years that formerly may have been spent in the Navy, the time spent in the Navy is to be counted.

Mr. HALE. I think I am stating it correctly. It gives the Army officer the benefit of any service he has rendered in the naval establishment——

Mr. WARREN. Yes; for the purpose of computing the time of retirement.

Mr. HALE. For the purpose of computing his Army service, but it applies only to Army officers.

Mr. WARREN. It applies only to Army officers.

Mr. HALE. The object of the joint resolution is not to affect the retirement of officers now in the Navy, but it applies only to Army officers.

Mr. WARREN. That is all.

Mr. HALE. That is the main point.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PHILIP HAGUE.

Mr. PLATT. I ask for the consideration of the bill (S. 5878) for the relief of Philip Hague, administrator of the estate of Joseph Hague, deceased.

Mr. CULLOM. Let the bill be read.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

Mr. CULBERSON. The bill is on the Calendar under Rule IX?

The VICE-PRESIDENT. It is on the Calendar under Rule IX. The Senator from New York asks unanimous consent for its present consideration.

Mr. CULBERSON. I understand that it requires a motion.

Mr. PLATT. I move to proceed to the consideration of the bill.

The VICE-PRESIDENT. The Senator from New York moves to proceed to the consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill.

Mr. CULBERSON. From what committee does the bill come?

The VICE-PRESIDENT. It was reported from the Committee on Claims, and the committee has reported an amendment reducing the sum to $1,740.

Mr. CULLOM. Is there any report?

Mr. CULBERSON. Is there a report accompanying the bill?

The VICE-PRESIDENT. A report accompanies the bill.

Mr. HALE. Where is the bill now?

The VICE-PRESIDENT. It is on the Calendar under Rule IX.

Mr. HALE. Then, of course, a motion is required to take it up.

The VICE-PRESIDENT. It is. The question is on agreeing to the motion of the Senator from New York to proceed to the consideration of the bill.

The motion was not agreed to.

Mr. SCOTT. I ask unanimous consent to call up——

The VICE-PRESIDENT. The morning business is not concluded. Reports of committees are still in order.

Mr. HALE. Let us have the regular order.

REFUND OF MONEY TO LAND OFFICERS.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 11044) authorizing and directing the Secretary of the Treasury, in certain contingencies, to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds, to report it favorably without amendment. This is a short bill, asked for by the Department, and it is very necessary, I think, that it should be passed. I ask that it may be considered at this time.

The Secretary read the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HEYBURN. I should like to know more of the bill. I did not catch the first part of it when read. I should like to have a chance to examine it. From what committee was it reported?

The VICE-PRESIDENT. The bill was reported from the Committee on Public Lands.

Mr. HEYBURN. Let it go over until I can examine it.

Mr. HANSBROUGH. The bill was drawn by the Department, and they are very anxious to have it passed in order to relieve a peculiar situation. It does not involve more than two or three hundred dollars.

Mr. HEYBURN. Does it affect land titles at all?

Mr. HANSBROUGH. Not at all. It provides for the repayment to receivers of general land offices who have paid out money as disbursing agents from their own private pockets.

Mr. HEYBURN. I withdraw my objection.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FOREST RESERVATION LANDS.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was recommitted the bill (H. R. 8970) authorizing the Commissioner of the General Land Office to quitclaim the title conveyed to the United States for land in forest reservations, under certain conditions, to report it favorably with an amendment, and I submit a report thereon. I ask for the consideration of the bill at this time.

The VICE-PRESIDENT. The bill will be read for the information of the Senate. The amendment of the committee is to strike out all after the enacting clause and to insert a substitute. The amendment of the committee will be read.

The SECRETARY. Strike out all after the enacting clause and insert:

That any person or corporation who, prior to March 3, 1905, in good faith, conveyed title in fee simple to the United States to land in any forest reservation and duly recorded such conveyance in the proper county prior to such date, and who thereafter filed proof of such conveyance and recording in the General Land Office, as required by the Secretary of the Interior under Senate resolution of March 19, 1906, as shown by the reports made by the Secretary of the Interior, dated November 21, 1906, December 3, 1906, February 20, 1907, February 21, 1907, February 25, 1907, and February 26, 1907, and printed as Senate Documents No. 18; No. 18, part 2; No. 332, No. 337, No. 350, and No. 352, respectively, Fifty-ninth Congress, second session, shall be permitted to make selections in lieu of the lands thus conveyed to the United States for an equal quantity of the surveyed unoccupied and unappropriated public lands of the United States, not mineral or timbered, and patents shall issue for lands thus selected: *Provided*, That no part of this act shall be held to apply to any land or conveyance other than those filed in the General Land Office and specified in the report of the Secretary of the Interior, contained in the documents aforesaid.

Mr. HEYBURN. I should like to know to what particular class of lands the bill refers. We have not had an opportunity to examine it at all.

Mr. HANSBROUGH. Mr. President, this refers to lands that were quitclaimed to the Government in forest reserves prior to the time that the "lieu-land scrip repeal bill," so called, was passed, which occurred before the owners of the land or the owners of the right had an opportunity to make selections.

Mr. HEYBURN. Am I correct in understanding that this would affect about 40,000 acres of railroad lands that were caught between the perfection of their surrender and exchange by the passage of this act?

Mr. HANSBROUGH. I do not know whether the lands affected are railroad lands or whether they are homestead lands, or otherwise. They comprise about 40,000 acres. I will say to the Senator that an officer of the Government, the Attorney-General for the Interior Department, who was before the Committee on Public Lands, stated that this was a measure of equity and justice and that the bill should be passed.

Mr. HEYBURN. I should like the bill to go over, as I should like an opportunity to examine it.

The VICE-PRESIDENT. The bill will go over.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 8609) to amend section 3 of an act entitled "An act to amend and further extend the benefits of the act approved February 8, 1887, entitled 'An act to provide for the allotment of land in severalty to Indians on the various reservations,'" and so forth, approved February 28, 1891; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BURROWS introduced a bill (S. 8610) to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. OVERMAN (for Mr. SIMMONS) introduced a bill (S. 8611) granting an increase of pension to Annie B. Berry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 8612) for the relief of the estate of John W. Hill; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 8613) for the relief of George Washington Turner; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. PENROSE submitted an amendment proposing to appropriate $350 for the preparation of a table of contents and index to the final report of the Louisiana Purchase Exposition Commission, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BURNHAM submitted an amendment proposing to appropriate $7,500 to pay L. K. Scott in full for royalty upon telescopic sights, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to appro-

priate $291.37 to pay the claim of Capt. George Van Orden, United States Marine Corps, for credit on account of loss resulting from the larceny and embezzlement by a clerk, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. FRYE submitted an amendment proposing to appropriate $8,000 to reimburse John Bassett Moore for expenses incurred by him in the preparation of the Digest of International Law, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BLACKBURN submitted an amendment proposing to appropriate $1,140 to pay Sandy Wallace, a laborer on the rolls of the Senate, for extra labor performed by him for the six years and three months from December 1, 1893, to March 4, 1900, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LA FOLLETTE submitted an amendment relative to the labor performed in excess of eight hours per day by all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SUTHERLAND submitted an amendment proposing to appropriate $15,000 to reimburse REED SMOOT for expenses incurred by him in the matter of the protest against his right to retain his seat in the Senate, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WARNER submitted an amendment proposing to appropriate $25,000 to enable the Government of the United States to accept the invitation of the French Government to participate in the International Maritime Exposition to be held at Bordeaux, France, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BACON submitted an amendment giving the Court of Claims jurisdiction of claims for captured and abandoned property which was sold and the proceeds thereof placed in the Treasury of the United States, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to pay H. P. Huddleson, clerk in Public Health and Marine-Hospital Service, $58.50 out of the unexpended balance of the appropriation for the Public Health and Marine-Hospital Service, 1906, in reimbursement for actual expenses under Department approval while on duty at the St. Louis Exposition, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

### WITHDRAWAL OF PAPERS—MARTHA E. DOEBLER.

On motion of Mr. PENROSE, it was

*Ordered*, That leave be granted to withdraw from the files of the Senate the papers in the case of Martha E. Doebler, accompanying Senate bill 8205, Fifty-ninth Congress, second session, subject to the provision of clause 2 of Rule XXX.

### WITHDRAWAL OF PAPERS—JOHN C. WEBB.

On motion of Mr. PENROSE, it was

*Ordered*, That leave be granted to withdraw from the files of the Senate the papers in the case of John C. Webb, accompanying Senate bill 2173, Fifty-ninth Congress, first session, subject to the provision of clause 2 of Rule XXX.

### WITHDRAWAL OF PAPERS—MILTON A. ROMIG.

On motion of Mr. FORAKER, it was

*Ordered*, That there may be withdrawn from the files of the Senate all papers relating to the bill (S. 2258, 59th Cong.) to remove the charge of desertion from the military record of Milton A. Romig, there having been no adverse report thereon.

### WITHDRAWAL OF PAPERS—ANNA K. CARPENTER.

On motion of Mr. MCCREARY, it was

*Ordered*, That the papers in the case of Anna K. Carpenter or her heirs at law be withdrawn from the files of the Senate, there having been no adverse report thereon.

### REPORT OF COMMISSIONER OF EDUCATION.

Mr. PENROSE submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That 20,000 copies of the report of the Commissioner of Education for the year 1906 be printed, 1,000 for the Senate, 4,000 for the House, and 15,000 for distribution by the Commissioner of Education.

### HOSPITALS AND CHARITABLE INSTITUTIONS.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on the District of Columbia be, and hereby is, authorized and directed, by subcommittee or otherwise, to make an inquiry into all matters relating to the hospitals and other charitable institutions in the District of Columbia and to report from time to time to the Senate the result thereof; and for this purpose is authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, to send for persons and papers, to administer oaths, and to employ such stenographic and other assistance as may be necessary, the expense of such inquiry to be paid from the contingent fund of the Senate.

### THE PANAMA CANAL.

Mr. MILLARD submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the testimony taken before the Senate Committee on Interoceanic Canals, pursuant to a resolution of the Senate under date of January 9, 1906, be printed as a Senate document.

### INDIAN AND FREEDMEN ENROLLMENT CASES.

Mr. TELLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate the following information:

1. The number of Indian and freedmen enrollment cases pending before the Commissioner to the Five Civilized Tribes on the 25th day of February, 1907, involving the rights of persons to enrollment as citizens and freedmen in the Choctaw, Chickasaw, Cherokee, Creek, and Seminole tribes, and the aggregate number of persons included in said cases.

2. The number of Indian and freedmen enrollment cases pending in the office of the Commissioner of Indian Affairs on review from the Commissioner to the Five Civilized Tribes on said date, and the number of persons included in said cases.

3. The number of such Indian and freedmen enrollment cases pending before the Office of the Secretary on review on said date and the number of persons included in such cases.

### WILLIAM O. BEALL.

Mr. CLAPP. A few days ago the Secretary of the Interior transmitted to the Senate, in compliance with a resolution of the 18th instant, certain papers in connection with the investigation of the official conduct of William O. Beall, recently secretary of the Commissioner to the Five Civilized Tribes. I move that the papers be printed as a document.

The motion was agreed to.

### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following acts:

On February 25:

S. 8288. An act authorizing and empowering the Secretary of War to locate a right of way for and granting the same and a right to operate and maintain a line of railroad through the Fort Wright Military Reservation, in the State of Washington, to the Portland and Seattle Railway Company, its successors and assigns; and

S. 1160. An act to correct the naval record of John McKinnon, alias John Mack.

On February 27:

S. 8182. An act authorizing the Twin City Power Company to build two dams across the Savannah River above the city of Augusta, in the State of Georgia; and

S. 2769. An act to divide the judicial district of Nebraska into divisions and to provide for an additional district judge in said district.

On February 28:

S. 5119. An act authorizing the extension of W and Adams streets NW.

### RULES AND REGULATIONS OF DEPARTMENT OF STATE.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, ordered to lie on the table and be printed:

*To the Senate:*

I transmit herewith a report by the Acting Secretary of State, with accompanying papers, in response to the resolution adopted by the Senate on February 1, 1907, requesting to be furnished with a copy of all rules and regulations governing the Department of State in its various branches.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 28, 1907.*

Mr. HEYBURN. I ask that the report be printed as a Senate document. I think it is included within the resolution of a few days ago.

The VICE-PRESIDENT. Without objection, it is so ordered.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 7994. An act authorizing the State of North Dakota to

select other lands in lieu of lands erroneously entered in sections 16 and 36 within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations in said State;

S. 8063. An act to amend an act entitled "An act to amend an act approved August 3, 1894, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June 4, 1906; and

S. 8128. An act granting to the St. Johns Light and Power Company the right of way for street railroad purposes through the United States military reservation of Fort Marion in St. Augustine, Fla., and through other Government property in said city.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11040) to authorize the appraisers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24537) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 24122) in reference to the expatriation of citizens and their protection abroad.

The message further announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 31) recognizing the change of name of the Regular Army and Navy Union of the United States to the Army and Navy Union of the United States of America.

The message also requested the Senate to furnish the House with a duplicate engrossed copy of the bill (S. 1462) to establish one or more fish-cultural stations on Puget Sound, State of Washington, the original having been lost.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 5888. An act authorizing the President to appoint James Carroll a surgeon, with the rank of major, in the United States Army;

S. 6229. An act to authorize the sale of public lands for cemetery purposes;

S. 7017. An act extending the time for making settlement and final proof and payment on public land in certain cases;

S. 7684. An act to provide and maintain for the port of Galveston, Tex., a customs boarding boat;

S. 8400. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904;

S. 8435. An act granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs;

S. 8446. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk and Southern Railway Company; and

S. 8534. An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof.

ALASKA-YUKON-PACIFIC EXPOSITION.

Mr. PILES obtained the floor.

Mr. HANSBROUGH. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota rise to morning business?

Mr. HANSBROUGH. I rise for an order of the Senate, Mr. President. I desire to have the Senate take up a bill on the Calendar.

The VICE-PRESIDENT. The Senator from Washington [Mr. PILES] was first recognized.

Mr. PILES. I move that the Senate proceed to the consideration of the bill (S. 7382) to encourage the holding of an Alaska-Yukon-Pacific Exposition at the city of Seattle, State of Washington, in the year 1909.

Mr. ALDRICH. Is a motion of that kind in order at this hour, Mr. President, except by unanimous consent?

The VICE-PRESIDENT. It is, as the morning business has closed.

Mr. ALDRICH. I would suggest that, under the rule, it is not in order at this time, except by unanimous consent, to move to proceed to the consideration of a bill.

The VICE-PRESIDENT. The Chair is of the opinion that the motion is in order, morning business having closed. The question is on the motion of the Senator from Washington [Mr. PILES] to proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. DUBOIS. I think that bill has been read, Mr. President, though I may be mistaken as to that.

Mr. PILES. It has been read.

Mr. ALDRICH. I am sure the Chair will be glad to have his attention called to the first paragraph of Rule VII——

Mr. PILES. I rise to a question of order, Mr. President.

Mr. LODGE. The Senator from Rhode Island [Mr. ALDRICH] has risen to a question of order.

The VICE-PRESIDENT. The Senator from Rhode Island has risen to a question of order.

Mr. ALDRICH. The Chair was so prompt in his decision that I did not have an opportunity to read the rule to which I refer.

The VICE-PRESIDENT. The Chair will be pleased to hear the Senator.

Mr. ALDRICH. I refer to the second paragraph of Rule VII, which provides:

Or until the hour of 1 o'clock has arrived.

The VICE-PRESIDENT. The rule provides that—

Until the morning business shall have been concluded, and so announced by the Chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill * * * upon the Calendar shall be entertained by the Presiding Officer unless by unanimous consent.

Mr. ALDRICH. Yes; "or until the hour of 1 o'clock has arrived." But the hour of 1 o'clock has not been reached.

The VICE-PRESIDENT. But the morning business has been concluded, as has been announced by the Chair.

Mr. ALDRICH. The rule says that one of these things must occur.

The VICE-PRESIDENT. That is true. One of these things has occurred—that is, the conclusion of the morning business—and upon the conclusion of the morning business the Chair entertained the motion of the Senator from Washington [Mr. PILES]. The rule is in the alternative. It does not say——

Mr. ALDRICH. The rule of the Senate, or the practice of the Senate, has been just to the contrary effect. I shall not appeal from the decision of the Chair now, because I think the Chair, upon an examination of the precedents, will find that he is mistaken in his ruling.

The VICE-PRESIDENT. The Chair is informed that the bill has heretofore been read.

Mr. SPOONER. Mr. President, I think Rule VIII has something to do with this subject. That rule provides that—

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock.

Mr. ALDRICH. And it continues:

And bills and resolutions that are not objected to shall be taken up in their order.

Mr. SPOONER. Yes.

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order.

The VICE-PRESIDENT. The Senate has just otherwise ordered by a vote, and the Chair is clearly of the opinion that the bill is before the Senate under the rules and uniform practice of the Senate. There are several committee amendments reported to the bill, which will be stated.

Mr. HALE. Let the bill be read, Mr. President. It is a very important bill.

The VICE-PRESIDENT. The Secretary will read the bill, at the request of the Senator from Maine.

The Secretary read the bill.

Mr. HALE. Mr. President, I will not at present call for the reading of the report, because I am called into conference on an appropriation bill, but I desire to say a few words, with which I shall occupy the time of the Senate now.

This, Mr. President, is a very elaborate scheme for another national exposition. Everything that we have done in connection with national expositions in the last few years must be fresh in the minds of Senators. I do not, I think, need to say that one rule applies to all, and that when we begin to launch an exposition and commit the Government in any way to it, as we do to all of these, we have only just embarked on the sea of expenditure that we will be called upon to make.

I think, Mr. President—other Senators may not agree with me—that we have had enough of these national expositions.

We have had a sorry experience with them, and time and again it has been said here upon the floor of the Senate that we would have no more of them. But notwithstanding that, the project for each exposition has been brought to us and urged upon us by the personal solicitation of Senators who are interested. That, Mr. President, they have an entire right to do. There is nothing whatever in the rules or in good practice or in good manners that should forbid a Senator from a State, or the Senators from a State, who desire one of these expositions within the borders of their State, urging it in season and out of season; but I should hope that in embarking upon so vast a project as this is Senators would look at the subject aside from the solicitation of Senators who are interested in it.

This bill, which has been read, is most elaborate. It commits the Government in a hundred different ways. It starts in, as I have looked it over, in connection with the amendments offered, with an appropriation of seven hundred and twenty-five or seven hundred and seventy-five thousand dollars. The nations of the world are to be invited. We are to erect buildings for Territories and outlying dependencies, and we are, I notice, in a clause that is as wide as space, directed to show to the world such matters as will demonstrate to all the people attending the world power of the United States. Under that proposition you may have the most elaborate of military displays; you may have all the panoply that surrounds fleets and armies and the operations of the Navy and War Departments, and Senators who vote for this bill will, I hope, bear in mind how far they are going.

As I say, I am called away and do not desire to take up further time of the Senate. I wish to make my protest and to call Senators' attention to it, and I hope Senators will read the bill and will read the report, the reading of which will be called for, and that the subject may be, as its importance demands, considered and debated here; and then if the Senate on a yea-and-nay vote determines to embark in this enterprise, there is nothing for us who are opposed to it but to submit to the action of the Senate. I am only asking for due consideration and that this measure shall not be put through precipitately without due consideration. I urge Senators to give their attention to it, because unless some day we shut down and end these expositions every locality that desires one will be pushing and importuning for it.

Let the report be read, Mr. President.

The VICE-PRESIDENT. The Secretary, without objection, will read the report.

The report submitted by Mr. WARNER on the 8th instant was read, as follows:

The Select Committee on Industrial Expositions, to whom was referred the bill (S. 7382) to encourage the holding of an Alaska-Yukon-Pacific Exposition at the city of Seattle, State of Washington, in the year of 1909, having had the same under consideration, begs to report back the same with the following amendments:

On page 3, line 15, strike out the word "five" and insert the word "two;" so that it will read "$250,000."

On page 3, line 21, strike out the word "seventy;" and on page 3, line 22, strike out the word "five" and insert the word "fifty."

On page 4, line 12, strike out the words "one hundred" and insert the word "seventy-five."

On page 5, line 4, strike out the word "five;" and on page 5, line 5, strike out the word "hundred" and insert in lieu thereof "three hundred and twenty-five."

On page 5, line 8, strike out the word "three" and insert the word "two."

On page 5, line 9, strike out the word "fifty" and insert the word "twenty-five."

On page 5, line 11, strike out the words "one hundred" and insert the word "fifty."

So that the bill when amended shall read as follows:

"A bill to encourage the holding of an Alaska-Yukon-Pacific Exposition at the city of Seattle, State of Washington, in the year 1909.

"Whereas it is desirable to encourage the holding of an Alaska-Yukon-Pacific Exposition at the city of Seattle, in the State of Washington, in the year 1909, to fittingly illustrate the vast and constantly increasing importance of the commerce of the Pacific Ocean countries in North America, South America, Asia, and Oceania, the resources and potentialities of the Alaska and Yukon territories of the United States and the Dominion of Canada, and the marvelous development of the western part of the United States, by a display of the arts, industries, manufactures, and products of the soil, mines, and sea; and

"Whereas many of the States of the Union have signified their intention of enacting laws and appropriating money to enable them to participate in said exposition, and satisfactory assurances have been given by representatives of foreign governments that their governments will make interesting and instructive exhibits at said exposition illustrative of their material progress during the past century, and it is believed that the commerce of the United States in the countries bordering upon the Pacific Ocean will be materially aided and developed by such exposition; and

"Whereas no exposition has ever been held in the United States having for one of its main objects the promotion of Pacific commerce and the advancement of the trade of the United States with Pacific Ocean countries; and

"Whereas Alaska-Yukon-Pacific Exposition, a corporation organized and existing under the laws of the State of Washington, has undertaken to hold such an exposition beginning on the 1st day of June, 1909, and closing on the 15th day of October, 1909; and

"Whereas the collection of exhibits in the Territory of Alaska is exceedingly slow, difficult, and costly, on account of the vast extent of the Territory and the lack of transportation facilities, and it is necessary that, if a satisfactory display of the resources of Alaska shall be made, all exhibits must be collected in 1907 and 1908, and be at tide water in Alaskan ports ready for shipment to Seattle by the early fall of 1908, and it is also desirable that ample time shall be given for the assembling of the exhibits of the Territory of Hawaii and the Philippine Islands: Now, therefore, for the purpose of contributing to the success of said exposition, and enabling Alaska and our insular possessions and also oriental and oceanic countries to exhibit their products and resources at said exposition: Therefore

"*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and directed to aid the inhabitants of the Territory of Alaska and of the Territory of Hawaii in providing and maintaining appropriate and creditable exhibits of the products and resources of said Territories at the said Alaska-Yukon-Pacific Exposition, and for that purpose he is authorized to appoint one or more persons to supervise the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles as may be exhibited from said Territories at said exposition: *Provided*, That the cost of said exhibit of said Territory of Alaska, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited shall not exceed the sum of $250,000, which sum is hereby appropriated out any money in the Treasury not otherwise appropriated: *And provided further*, That the cost of said exhibit of said Territory of Hawaii, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited shall not exceed the sum of $50,000, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"SEC. 2. That the Secretary of War is hereby authorized and directed to aid the inhabitants of the Philippine Islands in providing and maintaining an appropriate and creditable exhibit of the products and resources of the Philippine Islands at the said Alaska-Yukon-Pacific Exposition, and for that purpose he is authorized to appoint one or more persons to supervise the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles as may be exhibited from said Philippine Islands at said exposition: *Provided*, That the cost of said exhibit of said Philippine Islands, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited shall not exceed the sum of $75,000, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 3. That the Secretary of the Treasury shall cause a suitable building or buildings to be erected on the site selected for the Alaska-Yukon-Pacific Exposition for the use of the Territory of Alaska, the Territory of Hawaii, and the Philippine Islands, and also oriental and oceanic countries, and for the exhibition therein of the products and resources of said Territories and countries. Said buildings shall be erected from plans prepared by the Supervising Architect of the Treasury, to be approved by the United States Government board herein created, and the Secretary of the Treasury is hereby authorized and directed to contract for said buildings in the same manner and under the same regulations as for other public buildings of the United States, but the contract for said buildings and the preparation of grounds therefor and the lighting thereof, inclusive, shall not exceed the sum of $325,000, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated, and apportioned as follows: For the cost of the Territory of Alaska building, $250,000, and for the cost of the Territory of Hawaii building, $25,000, and for the cost of the Philippine Islands building, $50,000. The Secretary of the Treasury is authorized and required to dispose of said buildings, or the materials composing the same, at the close of the exposition, giving preference to the State of Washington or to the Alaska-Yukon-Pacific Exposition corporation or to the city of Seattle to purchase the same at an appraised value to be ascertained in such manner as the Secretary of the Treasury may determine.

"SEC. 4. That to secure a complete and harmonious arrangement of the exhibits authorized by this act, and such other exhibits as may hereafter be authorized by act of Congress, a United States Government board shall be created. Such Government board shall be composed of the secretary, the Secretary of War, and the Secretary of the Interior. The President shall name one of said persons as chairman, and the board itself shall appoint its secretary, disbursing officer, and such other officers as it may deem necessary. The officers and employees of said Government board, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board. Officers of the Army and Navy shall receive said allowance in lieu of the subsistence and mileage now allowed by law, and the Secretary of War and the Secretary of the Navy may, in their discretion, detail retired Army or Navy officers for such duty. Any provision of the law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with said Alaska-Yukon-Pacific Exposition. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine, and such employees may be selected and appointed by said board. The disbursing officer shall give bond in such sum as the Secretary of the Treasury may determine for the faithful performance of his duties, said bond to be approved by said Secretary. The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money from the appropriation for the exhibits herein authorized, not exceeding at any one time three-fourths the penalty of his bond, to enable him to pay the expenses of said exhibits as authorized by the United States, and said Government board shall report to the session of Congress which shall meet in December, 1907, what further exhibits, in its judgment, the Government of the United States should make at said exposition as will illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaption to wants of the people.

"SEC. 5. That the allotment of space for exhibitors in the building or buildings erected under authority of this act for the use of the Territory of Alaska, the Territory of Hawaii, the Philippine Islands, and also for the use of oriental and oceanic countries, shall be done and performed without charge to exhibitors by the Government board authorized by this act.

"SEC. 6. That the United States shall not be liable on account of said exposition for any expenses incident to or growing out of the same, except for the construction of the building or buildings hereinbefore authorized and for the purpose of paying the expense incident to the selection, preparation, purchase, installation, transportation, care, custody, and safe return of the exhibits made by the Government and for the employment of proper persons as officers and assistants by the Government board created by this act, and for other expenses, and for the maintenance of said building or buildings and other contingent expense to be approved by the chairman of the Government board, or, in the event of his absence or disability, by such officer as the board may designate, and the Secretary of the Treasury, upon itemized accounts and vouchers: *Provided*, That no liability against the Government shall be incurred and no expenditure of money appropriated by this act shall be made until the officers of said exposition shall have furnished to the satisfaction of the Secretary of the Treasury proof that there has been obtained for the purpose of completing and opening said exposition bona fide subscriptions to the stock of the Alaska-Yukon-Pacific Exposition (a corporation), by responsible parties, contributions, donations, and appropriations, from all sources, aggregating a sum not less than $1,000,000.

"SEC. 7. That the United States shall not in any manner or under any circumstances be liable for any of the acts, doings, or representations of said Alaska-Yukon-Pacific Exposition (a corporation), its officers, agents, servants, or employees, of any of them, or for service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any stock certificates, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind or nature whatever attending such exposition corporation, or accruing by reason of the same.

"SEC. 8. That nothing in this act shall be construed so as to create any liability upon the part of the United States, direct or indirect, for any debt or obligation incurred or for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said United States Government board in excess of appropriations hereafter made by Congress therefor.

"SEC. 9. That this act shall take effect from and after its passage and approval."

As amended the committee respectfully recommends that the bill do pass.

The proposed Alaska-Yukon-Pacific Exposition deals not merely with the rising young States of the Pacific slope, but with Alaska, Yukon Territory, British Columbia, Hawaii, and the Philippines. Its object is to commemorate the purchase of Alaska, to celebrate the progress of the entire region of the Pacific, and to forecast as completely as may be done the possibilities of oriental trade. In this aspect the Alaska-Yukon-Pacific Exposition is broadly international, and it is unique among enterprises of that character in that it deals with the resources of our own Territory of Alaska and the Canadian territory of Yukon, affording the unusual spectacle of two territories under different flags joining forces and uniting interests in the city of Seattle, nearly 1,000 miles away. Yukon territory and British Columbia, both of them under the Dominion government, are to be as much a part of this exposition as is Alaska, under the Government of the United States, a situation expressive of harmony, good will, and international comity and augurring a continuance of the amicable relations between us and our English-speaking neighbors. It is estimated that 7,500,000 persons live in the section of country in the United States and Canada within a radius of 1,000 miles of Seattle who are directly interested in the Alaska-Yukon-Pacific Exposition as a true index of their material wealth and development.

The Alaska-Yukon-Pacific Exposition is incorporated under the laws of the State of Washington. The people of Seattle were asked to subscribe $500,000 toward the enterprise. In a single day they subscribed $654,000, or $154,000 more than was asked of them.

The legislature of the State of Washington has appropriated $1,000,000 for the exposition.

In the message at the beginning of the second session of the Fifty-ninth Congress, the President of the United States, referring to the needs of Alaska and the scope of the Alaska-Yukon-Pacific Exposition, said:

"Our fellow-citizens who dwell on the shores of Puget Sound with characteristic energy are arranging to hold in Seattle the Alaska-Yukon-Pacific Exposition. Its special aims include the upbuilding of Alaska and the development of American commerce on the Pacific Ocean. This exposition, in its purposes and scope, should appeal not only to the people of the Pacific slope, but to the people of the United States at large. Alaska since it was bought has yielded to the Government $11,000,000 of revenue and has produced nearly $300,000,000 in gold, furs, and fish. When properly developed it will become in large degree a land of homes. The countries bordering the Pacific ocean have a population more numerous than that of all the countries of Europe; their annual foreign commerce amounts to over $3,000,000,000, of which the share of the United States is some $700,000,000. If this trade were thoroughly understood and pushed by our manufacturers and producers, the industries not only of the Pacific slope, but of all our country, and particularly of our cotton-growing States, would be greatly benefited. Of course, in order to get these benefits, we must treat fairly the countries with which we trade."

Alaska, which has an area of 586,400 square miles and a population of about 90,000, has all the elements ultimately to sustain a population of millions. Not only is it an empire in expanse, but in climate, that prime factor in civilization, it presents no obstacle to a numerous citizenship; and in natural resources it bids fair to eclipse all our other domains—it has inexhaustible stores of the precious metals, and coal of the best quality yet discovered in any country bordering on the Pacific; it has fish, it has furs, it has timber, it has agricultural lands of vast extent and incomparable fertility, and on its Pacific shore line it has a score of harbors open, like those of the Atlantic, the year round. We paid for Alaska $7,200,000, and its returns to this Government, as emphasized by the President in his message quoted in the foregoing lines, have approximated $300,000,000. The commerce between Alaska and United States already exceeds that between Great Britain and her American colonies just before the war of the Revolution. For the calendar year 1906 exports from Alaska into the United States proper were $31,534,392, and the imports were $18,368,145, a grand total of trade between us and our northern territory of $49,902,537.

Yukon has an area of about 197,000 square miles and a population of 7,000. That territory has produced $135,000,000 in placer gold, and it is estimated that the Klondike alone will yield as much more. Yukon Territory, like its neighbor, Alaska, is destined ultimately to support an agricultural population.

British Columbia is south of Alaska and Yukon Territory. It has an area of about 380,000 square miles. It is the province of Canada which fronts the Pacific and affords the Dominion an unrestricted route from ocean to ocean. Its minerals, timber, and agricultural lands contribute to resources that are practically inexhaustible.

The State of Washington has an area of a little less than 70,000 square miles and a population of about 1,000,000. In its two grand divisions—the inland empire, lying east of the Cascade Mountains, and the Puget Sound region, lying to the westward of that range—are immense wheat belts, almost unlimited grazing lands, valuable minerals, measures of coal and iron, inexhaustible forests, invaluable agricultural regions, and an inland sea stocked with fish. Within the past five years the population of Washington has almost doubled.

The prime object of the Alaska-Yukon-Pacific Exposition is to stimulate trans-Pacific trade, a phase of the enterprise of direct interest to all the people of the United States. The foreign exhibits at the exposition will be confined strictly to the products of nations bordering upon the Pacific Ocean. Those countries cover an area of 17,096,060 square miles and have a population exceeding 904,000,000. Their annual commerce with the United States is nearly $718,000,000, of which $396,000,000 is imports and $322,000,000 exports.

It is believed that the exposition will not only illustrate to a wonderful degree the mineral resources of Alaska, which have as yet been barely touched, notwithstanding the enormous amount of gold already taken from the placer diggings of the interior and quartz regions in southeast Alaska, but will demonstrate to the thousands looking for homes out of the public domain that such can be found in Alaska. It is believed further that it will enable us to enter into closer trade relations with Asia and to increase materially the volume of our commerce with the most populous nations on earth.

Mr. LODGE. Mr. President, it is always a very thankless task to offer opposition to a bill of this character. I have offered similar opposition to similar bills before, because it seemed to me, as I have said before, that the getting up of expositions was becoming an industry of the country, one which was likely to be of enormous expense to the Government of the United States.

I have no special opposition to this exposition, but before the bill passes the Senate I should like for my own satisfaction to call attention to what seems to me the danger of the policy upon which we are entering in regard to these expositions. Hitherto they have had a historical excuse. We are now passing beyond that slight limitation, and we are getting on to the ground that expositions are to be given to every locality that desires one. There is no reason why one locality should have it more than another. If one locality has it, all the others ought to have it.

The eastern part of the country from which I come is peculiarly rich in historical events, having been the first part of the country to be settled, and it is very easy to multiply anniversaries of great significance and crown them with expositions. We have had so many already that foreign nations, I think, have ceased to take much interest in them, and they really come down to an expenditure of money by the State, the locality, and the Government for the benefit chiefly of the locality where the exposition is held. That may be a wise policy to enter upon, but if we do enter upon it we must make up our minds that we can not discriminate. We can not select one State or one region and give it an exposition and refuse an exposition to another.

It is only two years, I think, since we had the exposition in Oregon to celebrate the Lewis and Clark expedition. Now we have one proposed in the adjoining State. I understand that one is proposed for San Francisco, with an initial appropriation of $5,000,000. I do not know precisely what historical anniversary that is to commemorate, but some, I have no doubt. Behind that comes one for New York, to commemorate the voyage of Henry Hudson, I believe. There is $5,000,000 asked there as a preliminary. I understand there is to be one at Tampa. I do not know precisely why. We are to have one, a second, I have been told, at Atlanta.

Mr. President, as was once said by a Senator in this Chamber, human nature is very widely diffused in this country, and each State, each city, and each locality as they see these expositions going on in different parts of the country will feel that they must not be neglected, and their Senators and Representatives will be bound to take charge of their desires and to have them fulfilled, if possible.

I think what we are coming to is that we shall very soon have every year or every two years, as we have a public-building bill, as we have a river and harbor bill, an exposition bill, and we shall distribute expositions over the country. I am not prepared to say whether that is a wise policy or an unwise one. It may be very valuable to the business of the country, just as this exposition may open up our eastern trade. I do not think the expositions hitherto held have had any very marked effect on our commerce anywhere. But it will involve us in a large expenditure of money. It is a very great policy to enter upon. And as we multiply the expositions we must remember that with

each one we pass we make it more difficult to refuse the next. In fact, we can not refuse it. It is not fair to give it to one State and refuse it to another, and each State or each city that asks for it comes with a stronger case. I would be as glad to see an exposition in the State of Washington as anywhere; I have no opposition whatever to the locality; but I do think that as we pass beyond the line of historical commemoration and enter upon the new policy of an exposition to anyone who wants it and can present a good prima facie case, we ought to realize just what policy we are entering upon and that it is one which will involve the United States in a new branch of heavy expenditure.

The expenditures of the Government this year are enormous. I have never opposed reasonable expenditures in any direction. I believe that the expenditures of the Government are necessarily large, and I have always resisted what has seemed to me any disposition toward a niggardly or parsimonious policy in any proper direction of public expenditure. But I think we can not overlook the fact that the expenditures in all directions this year have reached a point never reached before and that before opening up and confirming a new policy of expenditure we ought to consider the subject very carefully.

It is very easy and very pleasant to vote money for these expositions. We all like to oblige our friends who are interested in them. I should like to do it. It is disagreeable to say anything against it; and yet, Mr. President, I should not be satisfied with myself if I did not at least call the attention of the Senate to what I think is a very important precedent that is being set here and ask them to consider before they enter finally on the policy of aiding expositions and spending anywhere from one or two to five or ten millions of the Government's money for the purpose of industrial expositions.

Mr. DEPEW. Mr. President, I can hardly agree with the Senator from Maine [Mr. HALE] or the Senator from Massachusetts [Mr. LODGE] on this question. I was early brought in contact with these expositions, and from study on the ground I have become impressed with their value and usefulness. It is not a new departure for us, nor is the policy one upon which no experiment has been made.

It must be remembered that we commenced these expositions in 1876, and that we have had a great many of them since, every one to commemorate something which appealed to all of the United States as well as to the Congresses which made liberal appropriations. In each of these expositions the city and the State within whose boundaries it was held became necessarily the largest contributors, and in every one of them both the city and the State have felt that the money which they advanced and which was not returned, because the Government as a creditor comes in first, was not lost, but was well invested.

Now, I became familiar with these expositions because I delivered the address at the opening of the exposition at Chicago and also at the one in Omaha, and I think one other. That of 1876, commemorating the Declaration of Independence, was educational to a degree to a generation which knew nothing of what had led to the formation of our Government and of the deeds of our forefathers, except as they had read them in histories; and I am sorry to say that in our material progress, both in the schools and on the platform, 1876, and all that its events meant, had largely ceased to be taught or discussed, but the exposition of 1876 revived patriotic feeling in the country, and not only that, it revived a study of the source and origin of our Government and the principles upon which it was founded.

So the exposition of 1893 at Chicago, celebrating the four hundredth anniversary of the discovery of America by Columbus, led to the distribution of an immense amount of literature and information in regard to the discovery of this continent and what had followed from it in its influence upon humanity and the world. So the exposition at St. Louis, which I attended, similarly called to mind the early French voyagers and all that followed from the development of the southwestern country and the Mississippi, and the one at Portland recalled that wonderful trip of Lewis and Clark across the continent which gave to us our territory on the Pacific coast. All of these, without enumerating any more, have been educational in the first place and immensely valuable in the second in two ways. One in bringing together the inventors and the manufacturers of our own country, and the other in bringing from abroad the inventors, manufacturers, and producers to exhibit their wares.

We have done more to educate the people of Europe as to what we had to sell and what we could produce in these expositions than we could possibly have done in any other way by agents or prospectuses or literature. After each one of them there has been a distinct and recognizable advance in every department of American industry and energy. They have inspired our merchants and manufacturers to seek foreign markets, and not only to go beyond the seas to Europe, but to South America, Mexico, and Canada, for the purpose of exploiting and expanding our commerce in the things which we can produce and whose exportation will be beneficial to the country in its productions and labor.

Now, I know of no exposition, having been familiar with them all and attended many of them, which appeals to me more than this, which celebrates the purchase of Alaska. I remember very well when Mr. Seward purchased Alaska. I remember the howl that went up all over the country against the Administration, and especially against that distinguished citizen of New York. I remember how it was denounced in Congress and upon the platform and in the newspapers as throwing away for an idle dream by a dreamer $7,200,000 for ice and snow. I remember how Russia was congratulated and her foreign minister received the highest praise from the opposition press because in dealing with the Yankee he had outwitted him to such a marvelous extent, because that Yankee did not represent the commercial instinct of the country, but had always lived in the clouds and was a dreamer upon most questions.

I can not recall it now, because it is many years since I saw it, but it would be instructive to read what Mr. Seward said would be the benefit of that purchase, the prophecy which he made as to the results of the annexation of Alaska to the United States, both for our protection in extending our coast line on the Pacific coast and for the products and development which would ultimately come from it, and then compare those criticisms with the realization of to-day. Here before us is the message of the President of the United States and the report which has just been read, showing what has been the result within the few years which elapsed since this dreamer, who was more than a dreamer, sir, because he was one of the greatest statesmen this country ever produced and one of the most farsighted, bought for the United States the Territory of Alaska for $7,200,000. According to this report the Government has received in revenues $11,000,000, and the country has been enriched $300,000,000 by the products of a land whose territory has not yet been scratched and whose interior has not yet been explored.

I believe, sir, that this exposition will lead to capital going to Alaska for the building of railways and settlers going there when it is known what that Territory has of resources of every kind in agriculture and minerals and possibility for manufactures. Not only the Pacific coast but the whole country will benefit by this exposition. It will demonstrate in a remarkable way the wisdom of the purchase by Mr. Seward and the realization of his prophecy.

Mr. PILES. Mr. President, I have been advised not to take up the time of the Senate at this late day in making anything of a speech concerning this bill, and I shall accept that advice. I wish, however, to occupy two or three minutes in a brief explanation to the Senate of some of the features connected with this proposed exposition. The people of Alaska proposed the holding of such an exposition in the city of Seattle, and the people of the Canadian Yukon concurred with the Alaska people as to the place of holding it, as Seattle is the gateway not only to Alaska, but to the Canadian Yukon. The Canadian government, as I understand it, is willing to aid the enterprise in view of the interest the Canadian Yukon territory has taken in it, if the United States shall see fit to lend a helping hand toward its successful consummation.

The State of Washington, in which it is proposed that this exposition shall be held, has since its admission into the sisterhood of States, contributed generously to every great exposition that has been held in this country. The people of the Pacific coast, without exception, have upon every occasion not only donated their money, through their legislative bodies, but they have erected buildings and have participated with their capital and with their enterprise in all the great expositions that have been held upon the American continent. Of the more than $28,000,000 that have been appropriated by the Federal Government toward the holding of expositions both in this and in foreign countries, we of the West have contributed our just share, and we have made our contributions in a liberal and generous spirit and have been much gratified at the success of these undertakings, to which we, in common with other States and with the Government, have been glad to contribute.

Now, sir, with the expenditure of more than $28,000,000 behind us for exhibitions of this character, it would seem unjust to that country which lies yonder beyond the Rocky Mountains, and which has contributed so generously to that sum, and which has done so much to make a success of similar undertakings, that we should be cut off with the paltry sum of $485,000,

which was appropriated in aid of the Lewis and Clark Exposition, recently held at the city of Portland.

Mr. President, there is Alaska, as the Senator from New York [Mr. DEPEW] has well said with her wonderful production of fish, fur, and gold; but who knows anything about it from a practical point of view except the people of the West, who have fought and struggled to make something of it. It was my good fortune, Mr. President, to be in Alaska in 1883, before that great expanse of country which lies in the interior was known to civilized man. When I stood in 1883 upon the shores of southeastern Alaska there was but a little settlement along the coast. The interior was practically unexplored. The Fairbanks country, named in honor of our worthy presiding officer, was then unknown to man or to fame. In the last year that region alone enriched our Government by more than $7,000,000 in gold, dug from its placers, and this year it will yield more than $10,000,000 in gold.

It is safe to say that if anyone unacquainted with that section of the country were to ask me as I stand here now a question as to the climate of Alaska he would have in his mind in so asking some picture, more or less clearly defined, of icebergs and snow-swept wastes; and if I should answer that upon the southeastern coast of Alaska to-day has probably been as beautiful and as warm a day as we have just passed here in the city of Washington, it is quite possible that you would scoff at the statement. We of the West want to show to the people of this and other countries what there really is in Alaska.

Alaska, with its more than 500,000 square miles of area, and which was in 1867, when purchased by the United States, thought to be an iceberg, is worthy of having its resources displayed where all the world may see them. It has done enough for this Government to deserve to have the Government take an interest of this character in it, in order that the world may know what it has done and what it is capable of doing in producing great mineral and agricultural wealth. It has produced since 1880 nearly $100,000,000 in gold. It has a wealth of fur, of fish, of timber, and of mineral riches which I believe to be unsurpassed on the habitable globe, and we of the West want to exhibit to the world some of the products of that country. We want to show what the pioneers of the placer diggings of Alaska have accomplished since the great discoveries in the Klondike in 1897. We want to show that the region opened by those pioneers, who in 1897 went up to Skagway, carried their provisions and blankets across the mountains, went down to the shores of the lakes and with their own hands hewed down the trees and fashioned therefrom their boats and then floated down that mighty river—the Yukon—to the Klondike country, and went on from the Canadian Yukon into Alaska, has since that time added to the material wealth of this country millions and millions of dollars and has contributed almost incalculably to the prosperity of the whole people of the United States.

The State of Washington has appropriated $1,000,000 toward this exposition. The city of Seattle, in which it is to be held, contributed within the space of ten hours $654,000, although its citizens were only asked to contribute $500,000 toward the enterprise.

Other States of the Union have, through their legislative bodies, recognized the exposition, and have made liberal arrangements for participating therein. Exhibitions of this character, Mr. President, are expensive. They are a great expense to the people of the communities in which they are held, and therefore I think that the Senator from Massachusetts [Mr. LODGE] need not worry over the possible introduction each year of a bill in Congress providing for expositions of this character, for they will never, on account of the expense which they will entail upon the community in which they are held, be undertaken save to commemorate some great event or to display the resources and products of some great section like Alaska and the islands of the Pacific.

Mr. President, I wish I had time—and I shall take occasion at some future day—to discuss in detail the salient features of this exposition and the countries whose resources, accomplishments, and possibilities it is intended to set forth; but I have been warned against taking up the time of the Senate, and inasmuch as I have been endeavoring for several weeks to get a vote upon this bill, I feel that I have already trespassed upon the time of the Senate more than I should, and I therefore leave it to the vote of the Senate, feeling confident that the Senate will recognize the merits of the cause which I have briefly urged.

Mr. SPOONER. Mr. President, I listened with great pleasure to the observations of the Senator from Massachusetts [Mr. LODGE] in opposition to expositions. I always have listened with great pleasure to that speech. I have been convinced more than once by the speech, and have solemnly resolved that I would not vote for any more expositions, and I have, with great inconsistency but uniform regularity, voted for all of them, I believe.

Whether the exposition policy, Mr. President, is a good one or not, I think no man is in a position definitely to say. What good has come to the country in the interchange of commodities between the States and the association of the peoples from different States and the bringing of the products of manufacture and otherwise from other countries for exhibition in our own, whether the coming of peoples from other lands who become acquainted with our own has been of advantage to this country, of course I can not say, nor can any Senator say with authority.

The Senator from Massachusetts, in his succinct and admirably stated argument, seemed to me to be a little illogical, if I may say so, with great deference to him. He denominated this as an industry. Well, it is almost getting to be that, but it can not have become almost an industry and be also a novelty and an innovation. Yet the Senator suggested that he thought this a bad precedent for the Congress to establish. There are many precedents and that is the burden of the argument against this measure.

Mr. LODGE. If the Senator will allow me, I only meant by that that this was broadening the ground very much. Hitherto it has been ostensibly to commemorate some great historical event. This is avowedly simply for the benefit of a certain section of the country.

Mr. SPOONER. Now, Mr. President, I deny the accuracy of the Senator's proposition last uttered. I want to say, in all the votes I have cast for expositions, I have never known one which appealed to me more strongly as based upon broad grounds in the general public interest than this Alaska-Yukon-Pacific Exposition. I think the notion of the Senator from Massachusetts that the motive of this exposition is to exploit a city or to advantage it by the expenditure which comes about from the assemblage of large numbers in a city is entirely away from the fact.

There is no broader-minded people on this continent than the cosmopolitan people who inhabit the State of Washington, and who are working out the magnificent destiny of the city of Seattle. There is no people in this country with a clearer view of the importance of or a closer interest in the development of our oriental commerce than the people of the North Pacific.

Mr. President, after resolving that I would not vote for any more expositions, I voted for Omaha, I voted for St. Louis, I voted for Buffalo; then came the Charleston Exposition. I voted for that for several reasons, mainly because I was not willing to draw the line on a southern city, and for another reason, Mr. President, peculiarly applicable to the city of Charleston, mainly because of its relation in history to the beginning of the struggle between the North and the South. I felt that at a time when we were absolutely united, of all southern cities against which I would not vote to draw the line was Charleston. So when the proposition for the Jamestown Exposition came up I could not find it in my heart, or any justification in my mind, in view of the policy upon which the Government had entered, to vote against that.

Now, Mr. President, a few words only about these expositions. This proposition, so far as merit is concerned, from the standpoint of the general public interests, is to my mind unique. There is "historical incident" connected with it (but the exploitation of that might not and probably would not justify this expenditure, which is very small relatively), and that is the acquisition of Alaska.

You remember and I remember with what doubt perhaps a majority of the people of this country looked upon the acquisition of Alaska. You remember the fight made upon it in both Houses of Congress. The Senator from New York [Mr. DEPEW] states correctly that, while at that time it was of very doubtful wisdom in the general judgment, it turned out to be one of the wisest acquisitions of territory known, almost, to our history.

Alaska, Mr. President, ought to be helped by the Government of the United States to exploit her wealth at the Seattle exposition, or in any other city in this counry where an exposition is held. First, it is in the general public interest that the people of the United States shall be made fully to understand the resources of Alaska as to agriculture, as to timber, as to fisheries, and as to gold, copper, tin—all of its resources. It is for the interest, in a broad way, that we shall speedily people Alaska with American citizens, the hardy people who will go there. I hope to see railroads rapidly constructed into Alaska. It has immense agricultural and other resources.

It is an outpost, Mr. President. Its relation to us geographically is peculiar. Without going into detail, I believe it to be

in the interest of the United States that as rapidly as possible Alaska shall be filled by hardy men who love the flag—brave men who will fight for it should occasion require.

Alaska can not afford to make exhibit of her resources. We have collected more money from Alaska into the Treasury of the United States than this Government has ever expended in Alaska in public improvements or for the benefit of the people who have gone there. Alaska is not in a position to appropriate money to pay the expense of this exhibit. Will anyone say that it is not a good thing to have, somewhere in this country, a searching and complete exhibit of the resources of Alaska? Will anyone say that it is not in the large public interest that the attention of the whole country shall be invited to the possibilities of Alaska? And to refuse to aid Alaska in contributing an exhibit to this exposition, for which the city of Seattle and the State of Washington have made such splendid provision, is to forget our own people of Alaska, and to forget the fact that Alaska, whose development has hardly begun, has already contributed over $300,000,000 of gold to the channels of commerce and trade in the United States.

Now, Mr. President, how about Hawaii? Should not the Government of the United States be willing to pay the expense—and it is not much—of an exhibit from Hawaii, an island Territory far out in the Pacific? There are reasons peculiarly applicable to Hawaii just at this time why, in my opinion, this ought to be done.

And the Philippines. A great many people feel that we have not done our duty to the Philippines in this Congress. I do not stop to discuss that, but the 7,000,000 people in the Philippines sustain a peculiar relation to the people of the United States. Everyone knows that the Philippine government is in no position to facilitate, by the payment of the expense of it, a complete exhibit of the resources of the archipelago at any exposition held in this country.

Is it said by anyone that such an exhibit ought not to be at this exposition? Mr. President, our people can not become too quickly familiar with the resources and capabilities of that archipelago, and our people can not come too quickly and closely into touch with that people and the best representatives of that people. Outside of the mere question of dollars it will make for good in every way.

On broad grounds, Mr. President, it has seemed to me that having the recommendation of the President in his message for aid to this exposition, in a characteristically broad way advocating it, we ought to support it. It is not a large sum.

We had an exposition at Buffalo. No one will ever forget that McKinley died there. We spent a great deal of money on it. That was to exploit the South American products and to bring about a commingling of the business men of the southern republics with the business people of our own land. Is it any less important that we should bring our own peoples far distant from our immediate shore—the continental shore—into touch with those who live in the States?

Mr. President, there is another thing about it. Perhaps the policy ought to be abandoned. I think perhaps the Senator from Massachusetts is right that it ought to be abandoned; I am not sure as to that. I know no way to abandon it without a constitutional amendment limiting the appropriations by Congress for any such purpose or prohibiting them. I know all danger can be very much minimized if the Congress, not as a mere matter of complaisance and because some one asks for it, will consider each proposition carefully upon its merits and have the courage rightly to decide it.

The Senator from Massachusetts said that where we grant to one State we must grant to others; that we can not draw a line on one State and grant to others. I feel the weight of that suggestion, and on the merits I shall cast my vote for this bill with the utmost pleasure, believing that I am serving a general public interest by so doing. I think it will be a great thing to have the products of the Orient, to which we are looking in the future for an immense enhancement of our trade, exhibited on the Pacific coast.

That is all I care to say, Mr. President.

Mr. LODGE. I am quite conscious, Mr. President, that what I said before on this subject had been said on previous occasions, and I am glad that it met, so far as it did meet, with the approval of the Senator from Wisconsin. I think the speech has improved as it has been repeated.

Mr. SPOONER. Oh, well, that is always so with the Senator from Massachusetts.

Mr. LODGE. I have no doubt that when the next exposition measure is brought in I shall make one that will satisfy the Senator from Wisconsin still more. The constant consideration of the subject enables me, I think, to add and improve.

But what I desire to free myself from, Mr. President, and that is the only reason why I took the floor again, is the suggestion that I have any opposition to this particular bill. That is made, I think, too much of in this Senate as to a great many bills to which a Senator is called upon to object or to inquire into. There is too ready a disposition to suppose and to suggest that we are doing something personally to the Senator who is interested in a particular bill or to the locality which it is to benefit. We are all here to represent primarily the United States, and we all desire to do what is primarily for the interest of the entire United States.

In this case, Mr. President, nothing could be further from my mind than any suggestion, not of hostility, but of opposition in the slightest way to the locality where it is proposed to hold this exposition. The State of Washington is now one of the greatest States of the Union and is going to be, in my opinion, a very great State indeed. That State and the State of Oregon, I think, occupy positions unequaled almost in the United States, and I think they have before them a most splendid future. Many people from my own State and from my own part of the country have gone to the States of Washington and Oregon, and no one can feel a greater interest in both those States than I do.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Oregon?

Mr. LODGE. Yes.

Mr. FULTON. I wish to ask the Senator from Massachusetts if it is not greatly to the advantage of his friends to go to those States, and does he not think that by holding this exposition it will call the attention of other good people who will go there to their advantage?

Mr. LODGE. Well, as an advertisement I have no doubt such expositions are good things; but whether it is the business of the Government of the United States to advertise one part of this country as against any other part I doubt very much.

Mr. FULTON. When the United States has a good thing it ought to advertise it.

Mr. LODGE. I do not think it ought to advertise one State and take the money of the people of the other States to do the advertising. Let each State advertise itself. But I was merely expressing what I honestly feel—a great admiration for both those States and a profound interest in them.

As to our possessions elsewhere, in the same way I do not want to be supposed to be adverse to the interests which have been enumerated and for which appropriations are made in this bill. Ever since we have had the Philippine Islands I have been chairman of the committee charged with the legislation for them; and whether successful or unsuccessful in the legislation that has been enacted, certainly I have labored faithfully for them, and nobody, I venture to say, takes a deeper interest in the welfare of the people of those islands than I, or is any more ready to see the Government do everything in its power, with a liberal hand, to aid them and to aid our trade with the islands.

Only two years ago we brought an entire regiment from the Philippine Islands to the St. Louis Exposition, and expended an immense sum of money to have them properly represented there, and I entirely approved of it. Now it has been suggested that we should do it again, and do it so soon after that exposition. Certainly those islands have not been neglected.

I have the same interest in Hawaii. I was certainly one of the most ardent in preventing what I thought was a mistake at the time of the second Cleveland Administration, and in urging in 1898 the acquisition of the islands to be a Territory of the United States. I have always taken the profoundest interest in those islands.

As to Alaska, whose cause has been argued here with so much energy, I have taken great interest in Alaska also; and it is not merely an interest of words. I had charge of the treaty by which the tribunal was established which settled the Alaskan boundary. I had the honor to serve on that tribunal; and the decision of that tribunal removed forever from the boundary of Alaska the cloud which had been raised against her title. It put forever within the control of Alaska the Lynn Canal and the approaches to it. It gave her forever that strip of coast which I thought, and still think, was of vast importance to that Territory. That led me to give very great attention to the interests of the Territory of Alaska, and if there is to be any exposition of this sort, the National Government ought to expend the money in order to have her resources exhibited there.

I mention these things, Mr. President, simply to relieve myself of the suggestion that what I say arises from hostility to this exposition. I tried to make it clear in what I said at first, that

I think we are getting ourselves committed more and more to a settled policy of establishing industrial expositions everywhere and holding them more and more frequently in all parts of the Union. We began with Philadelphia. Nothing could have been more appropriate, nothing could have been more proper, than to have had a great industrial exposition to celebrate the independence of the United States—the greatest event in our national history. That was the first one, and I have no doubt it did good, both at home and abroad.

Then we had the great exposition at Chicago to celebrate the Columbian discovery—another enormous event of world-wide importance. That exposition, by the character of its buildings and by the interest taken by foreign governments, I have not any question, did a great deal of good, and was a very valuable exposition to have held.

Then we began to multiply expositions everywhere until we have reached a point now when foreign governments are no longer interested in sending exhibits to them. It is an enormous expense for them to send such exhibits. Such expositions have been held so frequently that interest in them at home and abroad is failing. Expositions are valuable to a country largely in proportion to their rarity or to the care with which they are held at suitable intervals of time. But if we have a national exposition, a world's fair, every year or two, of course we can not expect foreign nations to go to the expense of sending great exhibits. The States themselves will become tired of making appropriations, and we shall find such expositions degenerating into merely a large expenditure of money from the treasury of the State where the exposition is held and from the Treasury of the United States.

Mr. SPOONER. But there will probably be others that will follow this.

Mr. LODGE. Why, Mr. President, there are five or six behind this, and it opens out an indefinite line. Every time we hold one it encourages the holding of others.

Mr. SPOONER. The first one established the precedent.

Mr. LODGE. No; I do not think the first one established a precedent for all these numerous expositions. That was held in commemoration of the greatest event in our national life.

Mr. SPOONER. Yes; but it formed a precedent for all the rest.

Mr. LODGE. Well, it may have formed a precedent for all the rest. Expositions have been held abroad. The great city of expositions has been Paris; and I think the French have come to the conclusion that they have been multiplied and multiplied until they have lost their value to a large extent by their frequency. To hold them in every quarter of this country, as I say, I think will lead to the expenditure of the money of the States and of the money of the United States.

I see the force of the reasons the Senator from Wisconsin has stated in regard to this particular exposition; and I think I have shown reasonably the interest which I have taken, and manifested by my acts here, in the Philippines, in Hawaii, and in the fortunes of Alaska. I have made the statement, I repeat, to show that my opposition is not to the place or the subject of the exposition itself, but to the policy to which we are becoming more and more committed with each one of these expositions that we establish.

I shall not take the time of the Senate any further. I have only spoken now because I wished to relieve myself of the suggestion that I was opposing this exposition because I was not interested in the State or the Territory or in our outlying possessions. It so happens that I have a particular interest in all of them.

Mr. SPOONER. The Senator does not understand that that applies to any criticism I made.

Mr. LODGE. Oh, not in the least.

Mr. SPOONER. I did not mean anything of that sort.

Mr. LODGE. No; but it was only the suggestion that ran through many of the speeches which have been made in regard to my position.

Mr. GALLINGER. I recall, Mr. President, very distinctly that when an appropriation was sought for the great exposition in Chicago several Senators occupying seats in this portion of the Chamber resolved that that was the last exposition for which they would vote an appropriation, and I was one of the number; but I have voted for every one of such appropriations since, and I am going to vote for this one, and I presume I shall vote for a good many that are to follow it. When the Senator from Massachusetts [Mr. LODGE], as he doubtless will after a little while, conclude that the landing of the Pilgrims on Plymouth Rock is worthy of a national celebration of some kind or other, I will vote for that, and possibly, after we have had that exposition, I will call the attention of the Senate, if I shall be privileged to be here, to the fact that the first overt act of the Revolution was committed on New Hampshire soil, in the city of Portsmouth, and that we ought to celebrate that great event. [Laughter.]

Mr. SPOONER. And the treaty between Russia and Japan followed.

Mr. GALLINGER. Yes; the treaty between Russia and Japan followed, and we might celebrate that great historic fact at the same time.

Now, Mr. President, as I have said, I am going to vote for this appropriation; but I want to ask the Senator from Washington [Mr. PILES] two or three questions about matters in the bill, and I shall abide entirely by what he thinks is right and proper. I notice that the appropriation for buildings as amended in the bill aggregates $325,000. Of that amount the Alaska building is to take $250,000; the small pittance of $25,000 is to be given to the Hawaiian building, and $50,000 to the Philippine Islands building. I will ask the Senator if he thinks that is a fair division so far as these buildings are concerned?

Mr. PILES. In response to the inquiry of the Senator from New Hampshire, I will say that was the conclusion in committee where the matter was discussed. The Senator will see that the bill as introduced provides for a larger sum in each case.

Mr. GALLINGER. Yes; and relatively more for Alaska.

Mr. PILES. Yes; but it was thought better to allow the matter to stand as the bill had been reported by the committee, it being thought that it would thereby have a better chance to pass the other House.

Mr. GALLINGER. Undoubtedly. Mr. President, I have been in Alaska, and I have had the privilege to be in the great city of Seattle at three different times. I have a great admiration for that city and also for the Territory of Alaska.

But it does seem to me that the products of Alaska at the present time, as compared with those of Hawaii and the Philippine Islands, do not warrant us in constructing a quarter of a million dollar building for Alaska and a $25,000 building for Hawaii, and a $50,000 building for the Philippine Islands. I apprehend that the products of the Philippine Islands that will be exhibited in Seattle will surpass those of the Territory of Alaska. That is my judgment.

Mr. PILES. The Senator is mistaken about that.

Mr. GALLINGER. I may be mistaken. What will Alaska exhibit?

Mr. PILES. That is a matter, as I said, which we submitted to the committee, and they took the Portland fair as a sort of guide on that point, and fixed the amounts as they are stated in the amended bill.

Mr. GALLINGER. Will the Senator object to making a division that will give $200,000 to Alaska, $50,000 to Hawaii, and $75,000 to the Philippine Islands?

Mr. PILES. I would make no objection to that at all.

Mr. GALLINGER. Then, I move to amend the amendment, on page 5, line 14, by striking out "$250,000" and inserting "$200,000;" in line 15, to strike out "twenty-five" and insert "fifty;" and in line 17, to strike out "fifty" and insert "seventy-five."

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 5, line 14, before the word "thousand," it is proposed to amend the committee amendment by striking out "and fifty;" in line 15, before the word "thousand," by striking out "twenty-five" and inserting "fifty;" and in line 17, before the word "thousand," by striking out "fifty" and inserting "seventy-five;" so as to read:

For the cost of the Territory of Alaska building, $200,000, and for the cost of the Territory of Hawaii building, $50,000, and for the cost of the Philippine Islands building, $75,000.

The amendment to the amendment was agreed to.

Mr. GALLINGER. Mr. President, there is one other suggestion I am going to make to the Senator from Washington, and I will entirely abide by his wishes in the matter. On page 7, lines 15, 16, 17, 18, and 19, this language occurs—I will read the context, so that it will appear in proper form:

The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money from the appropriation for the exhibits herein authorized, not exceeding at any one time three-fourths of the penalty of his bond, to enable him to pay the expenses of said exhibits as authorized by the United States, and said Government board shall report to the session of Congress which shall meet in December, 1907, what further exhibits, in its judgment, the Government of the United States should make at said exposition as will illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to wants of the people.

I ask the Senator if he would have any objection to striking out the language after the word "exposition," in line 15?

Mr. PILES. Under the existing conditions, I would not have any objection.

Mr. GALLINGER. Then I move that amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 7, line 15, after the word "exposition," it is proposed to strike out:

As will illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to wants of the people.

The amendment was agreed to.

Mr. GALLINGER. I thank the Senator for his courtesy. That is all I care to say on this bill, Mr. President.

Mr. DUBOIS. Mr. President, I am very much in favor of the passage of this bill for a number of reasons. I have always opposed the acquisition of outlying provinces, commencing with Hawaii; but we have them, and apparently we intend to keep them. Therefore I think we ought to familiarize our people with the possibilities of those countries and especially with those of the Philippines. It does not do any good to bring a thousand Filipinos here, as we did at St. Louis, because when our people look upon the Filipino people they are disgusted with the fact that we are in possession of those islands; but I recall that when I visited the Portland exposition I saw some of the products of the Philippine Islands, especially their wood and timber. I think if we had an exhibit of their copra and their hemps and their different hard woods—the most magnificent in the world, though I think they are rather limited in quantity—but if we had an exposition of the possibilities of those islands, it might induce white men from the United States to go there, which is a thing greatly to be desired.

So far as Hawaii is concerned, there would be no particular benefit accruing from an exhibition of her products, because there is nothing in Hawaii except the sugar lands, and they are owned by a few individuals. But Alaska has great possibilities, and our people ought to become familiarized with the resources of that country. These expositions tend to familiarize them with those possibilities.

In addition to that, these expositions in the Northwest relieve the Senators from that section of a great deal of hard work. Our mail is congested by inquiries from New England and the Middle West as to the lands of our country. The people of the United States are land hungry. Within a few years Seattle has grown almost from a village to be a town of 250,000 people. Spokane, in that State, is a town of 75,000 people and growing rapidly, while a few years ago there were but 25,000 people there. My own State is growing in every direction. So are Oregon, Montana, and Wyoming. These expositions give the people of the United States an excuse to go out there and see what there is in the Northwest. It helps the Middle Western States and their Senators. It helps the New England people.

For these reasons, and because we ought to know the possibilities of our possessions and to familiarize the people of our own country with the resources of the Northwest, I think we ought to encourage an exposition of this kind, and Seattle, apparently, is the proper place to hold such an exposition.

Mr. CLAY. Mr. President, I am not going to make any speech against the pending bill, although I have said two or three times that I would never vote for another appropriation for an exposition. Mr. President, if our appropriations continue to grow in the next ten years as they have grown during the last ten years, we can not tell where they will reach. I want to call attention to a provision in the legislative appropriation bill that was passed during the last session of Congress:

Hereafter the heads of the several Executive Departments and all other officers authorized or required to make estimates for the public service shall include in their annual estimates furnished the Secretary of the Treasury for inclusion in the Book of Estimates all estimates of appropriations required for the service of the fiscal year for which they are prepared and submitted, and special or additional estimates for that fiscal year shall only be submitted to carry out laws subsequently enacted, or when deemed imperatively necessary for the public service by the Department in which they shall originate, in which case such special or additional estimate shall be accompanied by a full statement of its imperative necessity and reasons for its omission in the annual estimates.

Mr. President, the appropriation bills that have passed the House and Senate during the present session carry $922,963,667.67. I want to call attention to the fact—and I do not mention it in a partisan way, for one Senator is probably as much responsible for it as another—the estimates for the agricultural bill for 1908 were $7,954,680, and we appropriated $9,457,810, nearly $3,000,000 more than the estimates. Take the Army appropriation bill. The estimates made for the Army expenses were $79,301,303.82, and the appropriation bill which we have passed carries $81,787,610.54. Take the Indian appropriation bill. The estimates made with regard to that bill were $7,970,168.23, and the bill as passed the Senate carries $12,876,110.76. Take the post-office appropriation bill. The estimates were $206,662,190, and the appropriation bill carries $212,234,393, which has been increased by reason of the increase of salaries. Take the sundry civil bill. The estimates amounted to $101,288,131.60, and the appropriation bill carries $115,416,161.30. You will find that the appropriation bills which have already passed through the House and Senate carry about $29,000,000 more than the estimates. It is true that special estimates have been made during the session of Congress and during the time the committees were in session.

Congress clearly intended when this provision was inserted in the legislative bill that these estimates should be made and placed in the Book of Estimates in order that Congress and the Appropriation Committees of the House and the Senate might critically and carefully examine these expenditures.

Mr. President, I desire to have inserted in the RECORD the table which I have prepared, giving the estimates for 1908 and the amounts contained in each appropriation bill. I will ask that the table be inserted at the close of my remarks.

Mr. ALLISON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. CLAY. Certainly.

Mr. ALLISON. I will say to the Senator from Georgia that it is not easy to make an accurate table as to amounts of appropriations in these several bills until the bills are finally passed.

Mr. CLAY. I will simply say to the Senator that many of the bills are now in conference, and it is just to say that some of the items may be stricken out. I am not specially criticising any appropriation bill or any particular act, but we have arrived at that point, in my humble judgment, in the history of our appropriations where it is very necessary to be extremely careful to keep them from swelling to an unreasonable extent, and the Senator, I know, will agree with me in that proposition.

Mr. ALLISON. I thoroughly agree with the Senator as to that; but I want the statement that the Senator inserts to show the status of these bills at the time the table is inserted.

Mr. CLAY. That is true. I think five or six of the appropriation bills are now in conference, and no one can tell what will be the result in regard to some of the items when the conference committee shall act. Behind these bills there is still one pending in the House—the general deficiency appropriation bill—which will carry, I understand, several million dollars.

I also, Mr. President, hold in my hand the estimates for the year 1898 and the amounts appropriated in each appropriation bill for the year 1898. I will ask also, Mr. President, to have this table inserted at the close of my remarks.

I find that we appropriated for the total expenses of this Government in the year 1898 $528,735,079.30. The bills that we have passed in the House and Senate, some of them now being in conference, carry $922,963,667.66. Our expenditures in a period of ten years have very nearly doubled.

Mr. President, the bill that we now have before us carries only a very small item, and I know of no Senator on the floor of this Chamber for whom I have a higher personal regard than the Senator from Washington [Mr. PILES], and he has set forth in many respects a meritorious claim.

He has set forth in many respects a meritorious proposition. But, Mr. President, I have said heretofore that I did not intend to vote for any more of these appropriations. I have said that we have spent $28,000,000 for the purpose of these expositions, and I am frank to say that my section of the country has been as anxious to secure them as any other section of the country.

I desire to say another thing. Our constituents, to a large extent, have formed incorrect ideas in regard to the public service. We have reached a point in many of our States where we judge of the capacity of a Senator or Representative to serve his people by the amount of appropriations he secures for his State. However, we frequently forget that while we are subserving a special interest in a State we are taxing the entire people of that State and the entire American people for the purpose of carrying out these special favors.

It is true that necessary improvements and necessary governmental expenditures must be made, but it becomes the duty of every Senator and it becomes the duty of Congress to scan and criticise every expenditure and try to keep the expenditures within reason. I ask that these tables may be inserted as a part of my remarks.

The VICE-PRESIDENT. Without objection, permission is granted.

The tables referred to are as follows:

*Appropriation bills, 1908.*

| Title of bill. | Estimates, 1908. | As passed Senate. |
|---|---|---|
| Agriculture | $7,954,680.00 | $9,457,810.00 |
| Army | 79,301,303.82 | 81,787,610.54 |
| Diplomatic and consular | 3,254,077.72 | 3,071,277.72 |
| District of Columbia | 11,598,222.00 | 10,766,562.63 |
| Fortifications | 15,068,559.00 | 7,453,589.00 |
| Indian | 7,970,168.23 | 12,876,110.76 |
| Legislative, etc | 31,215,525.80 | 30,847,533.80 |
| Military Academy | 2,389,283.42 | 1,947,383.42 |
| Navy | 115,444,950.33 | 101,108,007.50 |
| Pensions | 138,243,000.00 | 145,987,000.00 |
| Post-office | 206,662,190.00 | 212,234,393.00 |
| Rivers and harbors | 25,414,231.76 | 40,123,908.00 |
| Sundry civil | 101,288,131.60 | 115,416,161.30 |
| Total | 745,804,323.68 | 773,077,347.67 |
| Supplemental estimates | 29,700,000.00 | |
| Grand total | 775,504,323.68 | 773,077,347.67 |
| Permanent appropriations, deficiencies, miscellaneous | | 149,886,320.00 |
| | | 922,963,667.67 |

| Title. | Estimates, 1898. | Law, 1898. |
|---|---|---|
| Agriculture | $2,385,742.00 | $3,182,902.00 |
| Army | 23,892,307.65 | 23,129,344.30 |
| Diplomatic and consular | 2,082,728.76 | 1,695,308.76 |
| District of Columbia | 8,686,616.38 | 6,186,991.06 |
| Fortifications | 15,815,256.00 | 9,517,141.00 |
| Indian | 7,279,525.87 | 7,674,120.89 |
| Legislative, etc | 22,767,150.80 | 21,690,766.90 |
| Military Academy | 521,812.83 | 479,572.83 |
| Navy | 34,215,936.19 | 33,003,234.19 |
| Pensions | 141,328,580.00 | 141,263,880.00 |
| Post-Office | 97,515,411.15 | 95,665,338.75 |
| Rivers and harbors | 100,000.00 | |
| Sundry civil | 41,276,759.65 | 53,611,783.38 |
| Total | 397,867,827.28 | 397,100,384.06 |
| Permanent annual appropriations | 120,078,220.00 | 120,078,220.00 |
| Total | 517,946,047.28 | 517,178,604.06 |
| Deficiencies | 15,500,000.00 | 10,557,417.34 |
| Miscellaneous | 2,000,000.00 | 999,057.90 |
| Grand total, regular and permanent annual appropriations | 535,446,047.28 | 528,735,079.30 |

The VICE-PRESIDENT. The amendments reported by the Select Committee on Industrial Expositions will be stated.

The first amendment of the Select Committee on Industrial Expositions was, in section 1, on page 3, line 17, before the word "hundred," to strike out "five" and insert "two;" so as to read:

*Provided,* That the cost of said exhibit of said Territory of Alaska, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited shall not exceed the sum of $250,000, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was, in the same section, on page 3, line 23, after the words "sum of," to strike out "seventy-five" and insert "fifty;" so as to read:

*And provided further,* That the cost of said exhibit of said Territory of Hawaii, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited shall not exceed the sum of $50,000.

The amendment was agreed to.

The next amendment was, in section 2, on page 4, line 16, after the words "sum of," to strike out "one hundred" and insert "seventy-five;" so as to read:

*Provided,* That the cost of said exhibit of said Philippine Islands, including such selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of the articles so exhibited shall not exceed the sum of $75,000.

The amendment was agreed to.

The next amendment was, in section 3, on page 5, line 9, after the words "sum of," to strike out "five hundred" and insert "three hundred and twenty-five;" so as to read:

Said buildings shall be erected from plans prepared by the Supervising Architect of the Treasury, to be approved by the United States Government board herein created, and the Secretary of the Treasury is hereby authorized and directed to contract for said buildings in the same manner and under the same regulations as for other public buildings of the United States, but the contract for said buildings and the preparation of grounds therefor and the lighting thereof, inclusive, shall not exceed the sum of $325,000.

The amendment was agreed to.

Mr. GALLINGER. The amendments that were amended on my motion, I think, have not been agreed to.

The VICE-PRESIDENT. They were agreed to.

Mr. SPOONER. They were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

COPIAH COUNTY, MISS.

During the reading of the report on the bill (S. 7382) to encourage the holding of an Alaska-Yukon-Pacific Exposition at the city of Seattle, State of Washington, in the year 1909.

Mr. FULTON. I ask permission to interrupt the reading of the report in order to enter a motion to reconsider the vote whereby the bill (H. R. 3518) for the relief of Copiah County, Miss., was passed yesterday. I must have been out of the Chamber, I think, when the bill was passed, because it is one reported from the Committee on Claims which I gave notice at the time I should oppose, because I think it is wrong in principle. I move that the bill be recalled from the House of Representatives.

Mr. KEAN. What bill is it?

Mr. McLAURIN. Mr. President——

Mr. FULTON. The Senator from Mississippi [Mr. McLAURIN] reported it.

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. FULTON. In just a second. It is a bill providing for the reimbursement of Copiah County, Miss., for the costs of a lawsuit instituted by the Government to remove an obstruction on a stream. My objection is that it is contrary to public policy for the Government to pay costs in a case of that characer. If it pays costs in one case, it must pay in all. I move that the bill be recalled from the House of Representatives, in order that I may——

Mr. McLAURIN. I wish to say, in reference to the statement of the Senator from Oregon that he was absent, that I saw him in the Senate Chamber when I rose to address the Chair, and if he left, he left after I rose to address the Chair yesterday evening and ask unanimous consent for the present consideration of the bill.

There was no meeting of the Committee on Claims last Tuesday because of the nonattendance of members. There was a meeting called by the chairman, but as there were only three members present, the committee meeting was called off by the chairman. I then asked the consent of the chairman of the committee to poll the committee on this bill. He stated to me that it was not necessary to get his consent, but I stated to him that I would not poll the committee unless I had his consent. He stated to me that he gave his consent to poll the committee, but that he would oppose the bill; that he did oppose the bill; that he would not vote for a favorable report of the bill. I then——

Mr. FULTON. The Senator from Mississippi will allow me. I trust he did not infer from my remarks that I was criticising his conduct in bringing up the bill. I may have been in the Chamber and not have observed that the bill was called up.

Mr. McLAURIN. There was a good deal of confusion in the Chamber when it was called up, but I remember seeing the Senator from Oregon on the floor when I rose and addressed the Chair.

I wish to say with reference to the bill that I did poll the committee and that every member of the committee, except the chairman, signed the bill for a favorable report.

The VICE-PRESIDENT. The Senator from Oregon enters a motion to reconsider the vote by which the bill mentioned by him was passed, and moves that the bill be recalled from the House of Representatives.

Mr. McLAURIN. Before the vote is taken I wish to say that the bill carries only $164.50. The bill passed the House of Representatives. It is a case where the Government sued out an injunction against Copiah County and the Virginia Bridge and Iron Company, that was contracted with to construct a bridge across Pearl River, and after some litigation the injunction was dissolved. An appeal was taken by the Government to the circuit court of appeals at New Orleans. Before the circuit court of appeals passed upon the bill——

Mr. FULTON. If the Senator will permit me, I suggest that we do not take up further time of the Senate in discussing this motion. I will simply enter the motion. I will not press the motion to reconsider, but ask simply that the bill may be recalled in order that I may call it up later. I will call it up and give the Senator from Mississippi an opportunity to present his views.

Mr. McLAURIN. Will not that have the effect, if the bill is

recalled from the House, to kill the bill unless the motion to reconsider is called up and acted upon? If so, I can not consent to that.

Mr. SPOONER. Mr. President, I call for the regular order.

The VICE-PRESIDENT. The Secretary will continue the reading of the report.

Mr. FULTON. My motion to reconsider will be entered, I suppose.

The VICE-PRESIDENT. The Secretary will continue the reading of the report.

FELIX G. MORRISON.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which, on motion of Mr. MCCUMBER, was considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring)*, That the President be requested to return the bill (H. R. 21606) entitled "An act granting an increase of pension to Felix G. Morrison."

WHITE PERSONS WHO INTERMARRIED WITH CHEROKEE CITIZENS.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 8535) for the relief of certain white persons who intermarried with Cherokee citizens, which were, on page 1, line 3, to strike out "after the approval of this act" and insert "after allotment, but in no case less than sixty days after the approval of this act;" and on page 2, line 4, after "jurisdiction," insert:

*Provided*, That where citizens of the Cherokee Nation entitled to allotments have heretofore applied for lands on which intermarried white persons own improvements, such citizens entitled to allotments shall have the prior right to purchase said improvements as herein provided.

Mr. CURTIS. I move that the Senate concur in the amendments of the House of Representatives.

The amendments were concurred in.

INDIANS OF LA POINTE OR BAD RIVER RESERVATION.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2787) to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation, in the State of Wisconsin," which was, in line 9, after "reservation," to insert "whether born before or after the passage of said act."

Mr. CLAPP. I move that the Senate concur in the House amendment.

The amendment was concurred in.

MISSISSIPPI RIVER DAM.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 8377) to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906, which was, on page 3, line 15, after "thereafter," to insert:

And that except so far as may be otherwise provided in this act, the provision of the act of Congress entitled "An act to regulate the construction of dams over navigable waters," approved on the 21st day of June, 1906, shall be applicable to the construction of the dam provided in this act.

Mr. CLAPP. I move that the Senate concur in the House amendment.

The amendment was concurred in.

JAMESTOWN TERCENTENNIAL EXPOSITION.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives:

*Resolved by the House of Representatives (the Senate concurring)*, That the invitation extended to the Congress of the United States by the Jamestown Tercentennial Exposition to attend the opening ceremonies of said exposition, to be held April 26, 1907, is hereby accepted.

That the Speaker of the House of Representatives and the President of the Senate be, and are hereby, authorized and directed to appoint a committee to consist of ten Senators and fifteen Representatives of the Fifty-ninth Congress to attend the formal opening of the ceremonies referred to and to represent the Congress of the United States on that occasion.

Mr. WARNER. I ask for the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

DENATURED ALCOHOL.

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

Mr. HANSBROUGH. The bill has been read, Mr. President.

Mr. CARTER. I understand the bill now before the Senate has been read, and the question is on the Senate committee amendments.

Mr. President, I desire at this time to enter a motion that the Senate disagree to the amendment of the committee on page 4, beginning in line 5, and I desire briefly to state that I am of the opinion that if this amendment should be adopted it would practically nullify the purposes of this bill.

When the original bill was passed, it was understood that the farmers of this country might through the means of that act be permitted to utilize waste material, either vegetables or grains, in the manufacture upon their premises of alcohol which, being properly denatured, would be free from internal-revenue taxation. It has been found that the provisions of the act do not admit of the development of this industry except upon a large scale at central points. The purpose, as I understand, of the pending bill is to permit the individual farmer to manufacture on his own premises, without onerous or needless restriction, this alcoholic product, which, when properly denatured, may be utilized without the payment of internal-revenue taxes.

The amendment to which I have referred proposes to import into the operations of this bill section 3284 of the Revised Statutes, which reads as follows:

Every distiller or person employed in any distillery who, in the absence of the storekeeper, or person designated to act as storekeeper, uses, or causes or permits to be used, any material for the purpose of making mash, wort, or beer, or for the production of spirits, or removes any spirits, shall forfeit and pay double the amount of taxes on the spirits so produced, distilled, or removed, and in addition thereto be liable to a penalty of $1,000.

This section of the statute obviously contemplates the presence at each one of these distilleries of an agent of the Government known as "gauger" or "storekeeper."

It is very clear that if that provision is incorporated in the bill the expense necessarily involved in maintaining a storekeeper at the ranch or farm of every man who desires to manufacture alcohol will be prohibitive. The purpose of the bill in other sections is to facilitate the manufacture by the individual farmer of the waste products of the farm into alcohol for sale and use in the arts, to be so denatured as to be unfit for use except in the arts.

I imagine that the Treasury Department can make appropriate regulations whereby the individual farmer, desiring to establish a plant of a hundred gallons daily capacity, wherein to utilize the waste products of the farm, to be transformed into alcohol, can be cast about with such restrictions as will prevent any possible injury to or fraud upon the revenue of the Government. For these reasons, and believing that the proposed amendment would nullify all the other provisions of the bill and leave the law where the law now is—inoperative and useless, except at central points and in large distilleries—I think the amendment should be disagreed to.

Mr. MCCUMBER. Mr. President, I have not been as optimistic in respect of the great benefits which were to be derived by the farming public by reason of the bill known as the "denatured-alcohol bill" as the press would give us to believe would result from its enactment. However, I am certain that if it is properly guarded and if the farmers of the country get into the habit of using their refuse vegetables, potatoes, etc., in the manufacture of alcohol, they can accomplish something at those times of the year when their labor would not otherwise be employed at all. While they may not reap the benefits that the press has given us to understand would probably be reaped from its enactment, I do want to see them have the fullest benefit that can possibly be derived from this legislation.

The bill as it was drawn and passed two years ago was supposed to be of a character which would allow every farmer without hindrance to proceed to manufacture alcohol and to sell it. The bill as it passed the House contained this provision:

Such denaturing to be done in denaturing bonded warehouses specially designated or set apart for denaturing purposes only, and under conditions prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

I believe that was amended in the Senate by adding, after the word "done," the following words:

Upon application of any registered distillery.

So that it would read:

Such denaturing to be done upon application of any registered distillery.

Now, under that provision as it has been construed the farmer is practically prevented from entering into this business at all.

To modify this and to get back to the proposition as we understood it in the beginning, we have section 4 of the bill as it comes from the House. In order to prevent any possibility of

loss to the Government, it is provided that the farmer may manufacture not exceeding a hundred gallons at a time; that the tank used for the alcohol shall be locked and under the supervision of the proper agents; that the proper agent can be called upon at any time, when the fluid will be taken from the tank, and that the farmer can manufacture it in the meantime without supervision.

Then the bill is proposed to be amended again, so as to provide that section 3284 of the Revised Statutes shall govern in the matter of the manufacture of this product. And this section provides:

Every distiller or person employed in any distillery who, in the absence of the storekeeper—

Which I have denominated the "agent"—

or person designated to act as storekeeper, uses, or causes or permits to be used, any material for the purpose of making mash, wort, or beer, or for the production of spirits, or removes any spirits, shall forfeit and pay double the amount of taxes on the spirits so produced, distilled, or removed, and in addition thereto be liable to a penalty of $1,000.

The effect of this amendment, as has been suggested by the Senator from Montana [Mr. CARTER], is absolutely to prohibit in any profitable manner the manufacture of alcohol in a small way upon the farms throughout the United States. When will the farmer manufacture denatured alcohol, if at all? The only time he can possibly afford to do it will be during a portion, possibly, of the winter months, when he can do nothing else, or perhaps the long winter evenings, or in such inclement weather that he can not perform his general labors upon the farm. Suppose in the fall of the year, when he is unable to plow on account of its being too wet, he would want to turn his attention and that of his family and men, if he had them hired, for a day or two to this enterprise. He could not do anything unless he would first send and get an agent to come there and remain there during the time he was manufacturing the denatured alcohol. The result would be that he could do nothing at all, because, as I say, it can not, in my opinion, be manufactured profitably except by the farmer and his family.

I have read the reports where it is said we can raise potatoes in this country for 10 and 15 cents a bushel which can be used at a profit in this industry. In my own State you could not hire them picked up for that amount per bushel. We have had a little experience in the matter of attempting to run starch factories. The factories could not utilize the potatoes at a cost of more than 20 cents a bushel. When they were not more than 20 cents a bushel they could not get the farmers to bring them in, and when they were above 20 cents a bushel the starch factories could not use them.

So I repeat that the only way the farmer is to make anything in the manufacture of denatured alcohol is at the odd times when he can give it his attention and with the help of his family in attending to it. I do not believe there is a farmer in the United States who to-day could profitably manufacture alcohol in quantities of less than a hundred gallons at a time. I further do not believe that with the present price of labor it could be made to pay upon any farm in the United States where labor must be employed. Therefore, if we are to get any benefit whatever it must be in cases where the farmer and his family put their labor against the profit that would be derived from it, and not where hired labor is used; and to utilize it they must utilize it whenever they have the opportunity to do so and not when they may secure the attendance of a special agent.

This bill also, in order to protect the Government, provides, first, for steel tanks, which shall be under lock and key and which can only be opened and discharged of their contents at such times as the agent can be present; and when the tank has once been filled, whether it takes one month or six weeks or six months, the farmer can then call for the agent and he can either denature it upon the premises or it may be conveyed to a central denaturizing plant under the direction and auspices of the agent. This is provided for. It guards the Government against fraud of any character.

Mr. President, I have not yet heard of any great loss to the Government on account of the fruit-brandy establishments in the United States. I understand there are about 450 of them. I do not understand that every time they make a gallon of brandy they have to call in a special agent to see it manufactured or to see that it is not improperly used. They are allowed to make it all over the United States. The receptacle in which it is manufactured is not locked; the key is not held in the possession of the agent as is proposed in this bill, and I have yet to hear that any great complaint has been lodged of any fraud against the Government in the manufacture of this brandy. Much less, therefore, in my opinion, would there be danger of fraud in the manufacture of alcohol upon the farm. For the first reason, that alcohol is not used for drinking purposes alone. Secondly, from the material from which it would naturally be manufactured it would hardly be fit for anything but mechanical uses.

The Commissioner, I understand, who certainly has as clear an understanding of what is necessary to protect the Government against fraud as anyone, has practically drawn this bill. Taking the two or several bills in the House, he has remodeled them in such manner as to meet the objections that were made against the old bill, that it precluded the small manufacturer. This bill meets his approval, he having drawn it and having reported on it favorably before it passed the House.

Mr. President, who is opposing the measure as it was adopted by the House? Whence the opposition? If I am informed correctly, the only opposition comes from those great distilleries which are opposed to competition. I understand the statement has been made openly by them that they can not stand the farmer competition. The farmer competition is just exactly what the public is demanding, and this gives us the only competition that we may hope to receive. I sincerely hope that this amendment, for that reason, will be defeated, and that the bill will pass in such form as will allow every farmer in the United States, who desires to go to the expense of purchasing a still for the purpose of manufacturing denatured alcohol, to manufacture it in as small quantities as he sees fit and at such times as he sees fit, without the intervention of a Government agent. This amendment as it comes to us, in my opinion, absolutely prohibits the farmer from taking any part in the manufacture of this product in such a manner as to return him any profit.

Mr. FULTON. Mr. President, I trust this amendment will not be adopted. It may be as contended, and unquestionably in all sincerity by those who advocate it, that the result will not be to interfere with the manufacture of alcohol by the small factories, but I can not believe that it will not have that effect. It seems to me it is wholly unnecessary to impose the regulations of section 3284 on these small distillers. If these regulations shall be imposed on them, it is going to add so much to the cost and hamper them in prosecuting the work to such a degree that the benefits that were supposed to come to the farming communities by reason of denatured-alcohol legislation will fail to materialize.

We hoped and believed at the last session of Congress that we had enacted such legislation as would enable the farmers to convert a large amount of their products that now they fail to realize any particular profit on into alcohol that would go into commercial use, and thereby they would make a profit on its product. But when we came to scrutinize the law carefully as enacted, we discovered that we had practically fenced them off and rendered it impossible for them to get any benefit from it. The only way the farmers can secure any benefit under this character of legislation is by making it just as cheap as possibly can be done and protect the interests of the Government.

I am very much like the Senator from North Dakota in this respect, that I have always doubted whether the benefits would come quite up to the expectations of the people through this legislation, but I believe in giving it a fair trial, and we can not give it a fair trial unless we remove every restriction that can be dispensed with and yet not imperil the interest of the Government.

Mr. HANSBROUGH rose.

Mr. FULTON. Does the Senator wish to ask me a question?

Mr. HANSBROUGH. Let me call the attention of the Senator from Oregon to the fact that even the most ardent advocates of the bill do not expect that the producers of agriculture in the United States are going into this business to any great extent right away. It is going to come by degrees. It will be a slow process at first. That was the case in all the European countries. It came slowly, but it came surely; so that to-day, as I am advised, they have in operation in Germany about 6,000 distilleries. The most of them are what we would term here farmers' distilleries; and last year, I believe, they manufactured there something like $70,000,000 worth of alcohol, which was denaturized and used for light, heat, and power in that country. So I think when we once enter upon this policy it will grow here as rapidly as it has grown elsewhere.

Mr. FULTON. I hope the Senator's prophecy will prove to be correct. I have had no doubt but that the farming communities would derive a great deal of benefit from this legislation. I merely meant to say that I have not taken as rosy a view of the results to be derived through this legislation as some, although I have hoped that I was underestimating the benefits which would result. I believe that very great benefit will result.

Mr. FRYE. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Oregon yield to the Senator from Maine?

Mr. FULTON. Certainly.

Mr. FRYE. The Senator from North Dakota did not inform the Senator from Oregon that if this particular amendment had been applied in Germany there would not have been a single farmer in Germany now manufacturing alcohol.

Mr. HANSBROUGH. In reply to that I want to say that I entirely agree with the Senator from Maine. While I am on my feet, I wish to say further that although I reported this bill as a member of the Committee on Finance, I was opposed to the amendment from the beginning, and I do not believe it ought to be inserted in the bill.

Mr. FULTON. Certainly the Senator from Maine——

Mr. ALDRICH. I hope this concurrence of Senators upon a proposition will not prompt the Senate to accept those statements as true.

Mr. FULTON. Certainly the statement of the Senator from Maine furnishes all the argument that is necessary to be advanced for the defeat of the amendment. I understood the Senator from Maine to state that under this amendment the farmers of Germany would not have engaged in the production of alcohol. If that be true——

Mr. ALDRICH. The Senator from Maine is very familiar with certain subjects; there is no doubt about that. I will admit that he is an authority upon these matters, but I am compelled in this particular instance to doubt both his knowledge and his conclusions.

Mr. FULTON. I have so high a regard for the Senator from Maine and his judgment that even the doubt expressed by the Senator from Rhode Island will not shake my faith.

Mr. ALDRICH. No; I imagine not.

Mr. FRYE. I wish to inquire of the Senator from Rhode Island whether in Germany an agent is required to remain by the farmer while he is distilling his alcohol?

Mr. ALDRICH. When I have an opportunity to address the Senate I will be very glad to take up that question, but I do not like to do it in the time of the Senator from Oregon.

Mr. FULTON. My time has about expired by the limitation I have placed on myself. Whether or not that be a fact—and I am sure I defer to the Senator from Maine, because I have confidence in his information and knowledge of these subjects——

Mr. SPOONER (in his seat). When on your side.

Mr. FULTON. Always when he is on my side and oftentimes when he is on the other side. I always try to get on his side if I can, because I am pretty sure that his side is the right side.

But whatever may be the fact in regard to the law in Germany, I insist that there is no occasion whatever for this regulation here. The Treasury Department officials who will be charged with this matter are satisfied that they can make such regulations, without imposing this burden on the industry, as will fully and amply protect the interests of the Government. If that can be done——

Mr. SPOONER. To what burden does the Senator refer?

Mr. FULTON. That of requiring the presence all the time, when they are operating these distilleries, of a storekeeper.

Mr. SPOONER. In what way is it a burden?

Mr. FULTON. It is not because of the cost of maintaining the storekeeper. That is not the burden. If that were it, it would be a small part of it, but as has been stated here on the floor, they will not engage in this business regularly. They will not conduct these distilleries all the time. It will be a sort of a rainy-day proposition among all the farmers, and if they ever make a success of it, it will have to be conducted in that manner. They will have to send for a Government agent every time they wish to engage in business—every time they want to start up the distillery—and get him there and have him stationed there. And then that is not all. The mere fact of the expense the Government will be put to of supplying that agent will be a reason why the Government will refuse to permit the business to be conducted at any place except some special places that they will select.

Mr. ALDRICH. I should like to ask the Senator from Oregon a question in this connection.

Mr. FULTON. Certainly.

Mr. ALDRICH. Has the Senator any idea that the Commissioner of Internal Revenue would permit the opening of these distilleries in various parts of the country without the presence of a Government official?

Mr. FULTON. Yes.

Mr. ALDRICH. The Commissioner himself said he would not think of such a thing.

Mr. FULTON. I do not know what he has said, but I know what he ought to do, and I know what the people expect him to do.

Mr. ALDRICH. He said before the committee that he certainly would not expect these various distilleries to be started up and operated without any supervision or knowledge on the part of the Department.

Mr. FULTON. Supervision and knowledge are entirely different from the physical presence of an agent.

Mr. SPOONER. I wish to ask the Senator from Oregon how the supervision and knowledge would be acquired or carried on in the absence of some one representing the Government?

Mr. FULTON. The Government can make regulations requiring the product to be kept at a certain place, requiring a bond to be given that it shall be kept there, requiring books to be kept of the product that goes in and the product that comes out. There are many ways in which the Government can regulate these very small affairs. The Senator will understand that it applies only to plants not to exceed 100 gallons per day. This regulation does not apply to the large plants.

Mr. CARTER. With reference to the regulation, if the Senator from Oregon will permit me——

Mr. FULTON. Certainly.

Mr. CARTER. It is undoubtedly true that personal supervision would be necessary to prevent fraud on the revenue, but a single Government agent could readily attend to all of the distilleries of this character in a county or district. It might be that twenty-five, or thirty, or fifty, or one hundred farmers in a given county should have under lock and key, and the key held by the Government agent, this process of distilling, and it would be just as completely under control as the spirits in the Government storehouses at the distilleries now. It is not pretended, for instance, that the storekeeper remains at the door of the storehouse all through the night and all through the day. The storehouse is locked, and the Government agent holds the key. The same is true with reference to certain parts of the distilling process. The grain is measured, whatsoever its character may be, weighed, and delivered to the individual.

In this case, as I understand the law, it originally contemplated that the farmer might convert refuse matter about his premises—vegetables likely to spoil, vegetables at the place grown in some manner, either unmarketable or damaged—and transform that into an alcoholic product which would become merchantable when, as contemplated by the law, the poison should be injected so as to render it useful only for certain purposes in the arts.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. CARTER. Certainly; I shall be glad to permit the Senator.

Mr. ALDRICH. Does the Senator think this law ought to give the farmers as a class——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Rhode Island?

Mr. FULTON. I am perfectly willing to yield, but I should like to have it inserted in the RECORD that I have not left the Chamber. [Laughter.]

Mr. CARTER. We might have a photograph of the Senator taken in order to make that clear. [Laughter.]

Mr. President, I do not wish to trespass on the Senator's time. I would not extend the privilege, nor does the bill extend the privilege, to farmers by name. It may be enjoyed by the small merchant in the town who, dealing in vegetables or grain, as those articles spoil on his hands, may through this means be permitted to convert the articles into a merchantable shape.

Mr. ALDRICH. And it may be enjoyed by the largest distiller in the United States, who might establish a thousand plants for the purpose of producing his alcohol without any supervision. That is the trouble about this business. You can not confine it to a farmer. If we were legislating for the farmers alone—the farmers of Montana, perhaps—that would be one thing; but the privilege which you propose to give in this case is a privilege which every distiller in the United States would enjoy; and when you take away restrictions as to the farmers you take away restrictions as to the whole distilling interests of the country.

Mr. FRYE. I should like to ask the Senator——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Maine?

Mr. FULTON. With great pleasure.

Mr. CARTER. The Senator from Oregon has the floor, and I have no doubt he will gladly yield to the Senator from Maine.

Mr. FULTON. I yield to the Senator from Maine.

Mr. FRYE. I wish the Senator from Montana would ask the Senator from Rhode Island why it is, then, that the great distillers are here as lobbyists for this very amendment.

Mr. ALDRICH. The one great distilling interest of the United States, which is incorporated under the name of the

Distillers' Security Company, and which is ordinarily known as the "Distillers' trust," is and has been, I am sure, the principal promoter of this legislation. The bureau of promotion in which this company is interested have sent instructions to Senators for the purpose of having this bill passed in their own interest. I trust that information is satisfactory to the Senator from Maine.

Mr. FULTON. Right there——

Mr. CARTER. Let me say to the Senator from Rhode Island that the Senator——

Mr. FULTON. Will the Senator permit me?

Mr. CARTER. I wish to reply to just one question.

Mr. FULTON. I wish to ask the Senator from Rhode Island a question. Why should the owners of large distilleries, the products of which are greatly in excess of 100 gallons per day, be lobbying for this particular provision?

Mr. ALDRICH. Because they can do exactly what the Senator from Montana suggests the farmers can do. They can establish a thousand distilleries. There are four hundred and odd distilleries of the capacity named in this section now in the United States, all making alcohol from grain under the law. If you remove the restrictions of existing law, you of course remove them from these four hundred and odd distilleries. This legislation can not be enacted for the benefit of farmers alone, but it could be taken advantage of by all distillers and by lawbreakers as well, who could fraudulently manufacture alcohol without paying the tax.

Mr. CARTER. My information is that the moonshiner rarely applies for a permit to do business.

Mr. ALDRICH. No; and it would not be necessary if this bill passes.

Mr. CARTER. It would be necessary, I understand, for the individual desiring to avail himself of this privilege to make an application to the Treasury Department, and when that application shall have been granted it will be granted subject to the rules and regulations prescribed by the Treasury Department.

Now, answering briefly the statement of the Senator from Rhode Island that the great distillers would avail themselves of this particular product by establishing hundred-gallon stills here and there over the country without limitation, it is quite sufficient to say that the expense of maintaining these small individual establishments by the large concerns would be prohibitive.

Mr. HEYBURN. On the wages basis.

Mr. CARTER. On the mere wage basis alone, the wages of one man looking after the product of a still—as somebody would have to be looking after it—producing only a hundred gallons a day——

Mr. ALDRICH. Mr. President, does the Senator from Montana know how much the tax would be——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Rhode Island?

Mr. FULTON. If the Senator from Rhode Island will just allow me to get in my peroration.

Mr. ALDRICH. I should like to test the information of the Senator from Montana. Does the Senator know how much the tax would be on 100 gallons of alcohol a day?

Mr. CARTER. I suppose something like $100.

Mr. FULTON. Mr. President, I decline to yield further.

Mr. ALDRICH. It would be $207 a day.

The VICE-PRESIDENT. The Senator from Oregon declines to yield further.

Mr. FULTON. I understand there are going to be other days and other times and other nights, too, possibly, when Senators can discuss this proposition. I have only a few words further to add, and I do not care to stand on the floor all afternoon to add them.

I wish to make the suggestion, however, in response to the observation of the Senator from Rhode Island, that if this law shall be passed these great distilleries will start up innumerable little distilleries——

Mr. ALDRICH. They could.

Mr. FULTON. The fact that they could is one thing, but the fact that they would is entirely another proposition. I understood the Senator to say they were here lobbying for this measure, because they could do that.

Mr. ALDRICH. Oh, no.

Mr. FULTON. Which would imply that they would do it. Now, the history of the distillery business, so far as I have observed in the past years, is that the tendency has been rather to consolidate, to stop the small distilleries and run the large ones, and the argument always has been that that is done because they can operate them so much more cheaply. Yet is it possible that they would take advantage of a law which restricted them to under 100 gallons a day to start up distilleries all over the country simply because they would be taken out from under the operation of some of the restrictions and some of the regulations that pertain to the great distilleries?

If the farmers could build up great distilleries and conduct their business every day in the year, could have their plant running all the time, there would be no reason for removing these restrictions; but for the simple reason that they can not is why we wish to place them at the best possible advantage and under just as few restrictions as possible.

Mr. HANSBROUGH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from North Dakota?

Mr. FULTON. Certainly.

Mr. HANSBROUGH. There seems to be some misinformation here in regard to this matter. In the first place, we are attempting for the first time to apply the use of cisterns and tanks to distilleries in this country, the cisterns or tanks to be locked and sealed and under the care of a Government inspector or a revenue agent. That is one point. The other is that where the restriction is as to 100 gallons of alcohol that means proof gallons. Fifty gallons of pure alcohol make 100 proof gallons. So these distilleries are limited to 100 proof gallons, and upon that the revenue tax would be only $103.50 instead of $207, as stated by the Senator from Rhode Island.

Mr. ALDRICH. What does the Senator understand the tax to be on proof spirits?

Mr. HANSBROUGH. One dollar and three cents.

Mr. ALDRICH. Where does the Senator get that information?

Mr. HANSBROUGH. It is $2.07 on alcohol.

Mr. ALDRICH. It is $1.10 on a proof gallon.

Mr. HANSBROUGH. But the Senator said a while ago it would be $2.07.

Mr. ALDRICH. On alcohol.

Mr. HANSBROUGH. The Senator did not distinguish between alcohol and proof spirits.

Mr. ALDRICH. I suggest that my friend read the law first before he undertakes to state what the tax is.

Mr. FULTON. Mr. President, I do not care whether it is $1 or $1.10——

Mr. HANSBROUGH. I have read the law. I will say to the Senator from Rhode Island the Senator made a mistake, and I undertook to correct him.

Mr. ALDRICH. I said the tax on alcohol was $2.07 and $1.10 on spirits of 100 proof, and was correct in both instances.

The VICE-PRESIDENT. Does the Senator from Oregon yield?

Mr. FULTON. No; because it is perfectly immaterial to this discussion what the tax is.

Mr. SCOTT. Will the Senator allow me to offer a very important resolution that will only take a minute? An old soldier has died since this discussion has commenced, and we want to withdraw the bill.

Mr. FULTON. I yield to the Senator from West Virginia.

The VICE-PRESIDENT. The Chair must hold that the resolution is out of order under the rule. The Chair will recognize the Senator from West Virginia to introduce his resolution as soon as the Senator from Oregon concludes.

Mr. FULTON. Mr. President, as stated by the Senator from Montana a moment ago, it is not necessary that there shall be one agent designated to every distillery. One can be designated by the Government to look after an entire section of the country. It is not necessary that he shall be physically present there all the time, and yet that is exactly what would be required were this amendment to be adopted under section 3284, which is the one that is proposed to subject this bill to.

SEC. 3284. Every distiller or person employed in any distillery who, in the absence of the storekeeper, or person designated to act as storekeeper, uses, or causes or permits to be used, any material for the purpose of making mash, wort, or beer, or for the production of spirits, or removes any spirits, shall forfeit and pay double the amount of taxes on the spirits so produced, distilled, or removed, and in addition thereto be liable to a penalty of $1,000.

He could not do a single thing; he could not prosecute the industry in any manner, shape, or form, unless the agent of the Government were present in the distillery.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Rhode Island?

Mr. FULTON. I do.

Mr. ALDRICH. As I understand the Senator from Oregon, he thinks there should be a Government officer present occasionally?

Mr. FULTON. Yes.

Mr. ALDRICH. To inspect the premises and see whether these people are violating the law?

Mr. FULTON. Yes.

Mr. ALDRICH. Upon whom would the hardship rest if that officer is present all the time when the distillery is working, and at no other time?

Mr. FULTON. The hardship would rest on the farmer.

Mr. ALDRICH. Upon whom?

Mr. FULTON. On the farm distillery, as I call it.

Mr. ALDRICH. Why?

Mr. FULTON. For the simple reason, as I have said before, that, in the first place, such distilleries will not be in operation all the time; they will have to depend upon the Government sending a man there when they are in operation; and the fact that they are not in operation all the time will be used as an argument for not furnishing a man at all. They can only run under the regulations that shall be imposed by the Treasury Department. I think everybody can readily see what the result would be if a little community saw fit to set up their own distillery to run a few weeks in this season and a few weeks in another season—the fact that they were not running continuously would be used as an argument by the Department for not sending an agent or a storekeeper there at all. I want this so that there will be no question about the benefits of this law extending to every community that sees fit to avail itself of it, and there is no reason why we should not do that.

Mr. LODGE. I want merely to ask a question for information, for I admit that this is all new to me.

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Massachusetts?

Mr. FULTON. I do.

Mr. LODGE. Why does the Senator assume that the Government officers would not obey the law? I take it the Senator has no objection to having an officer present if an officer is furnished.

Mr. FULTON. I have no objection to having an officer present, but I am confident that an officer would not be present under those circumstances.

Mr. LODGE. That is just what I want to find out. What reason has the Senator to suppose that the Government will not carry out the law?

Mr. FULTON. Because it does not carry out the law now.

Mr. LODGE. The Senator assumes that.

Mr. FULTON. I have not said the Government will not carry out the law. But we are placing this in the discretion of the Department.

Mr. LODGE. I do not so understand.

Mr. FULTON. Yes. The Department makes the regulations under which they are to run, except as to this section, and you insist that this section shall be complied with; otherwise the conduct of these distilleries would be largely in the discretion of the Department.

Mr. LODGE. But this section is not in the discretion of the Department.

Mr. FULTON. No; and therefore——

Mr. LODGE. Then why are we bound to assume that the Government will not carry it out?

Mr. FULTON. Because whether or not a distillery shall be permitted to be set up is, under this bill, in my judgment, in the discretion of the Department.

Mr. LODGE. That has nothing to do with this section.

Mr. FULTON. Yes; it has something to do with it; and the fact that we have imposed the restrictions of this section on them will be used as an argument why a distillery will not be permitted in a particular locality. The argument will be that the product is too small to justify the Government in keeping an agent there.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from North Dakota?

Mr. FULTON. Yes.

Mr. McCUMBER. In part answer to the Senator from Massachusetts [Mr. LODGE] I want to ask the Senator from Oregon what would be the necessity of the law, if the Government were to keep a man present all the time wherever there was a still? Then, if that were true, why should we have a law imposing a penalty for manufacturing when he was not there? The very fact that we insert that in the law assumes that there will be times when he will not be present, and those times would naturally be when the still would not be in operation.

Mr. ALDRICH. The officer would not be required to be present, of course, when the still was not in operation.

Mr. McCUMBER. Then, if he wanted to operate it upon ten minutes' notice he would have to find this agent somewhere.

Mr. ALDRICH. The Commissioner of Internal Revenue stated to the committee, and said very positively, that he would consent to no regulation which permitted the starting up of a still without notice to the Government.

Mr. McCUMBER. I do not want to interfere with the Senator from Oregon——

Mr. FULTON. The starting up is one thing——

Mr. ALDRICH. Yes; but it goes on in a continuous process after starting.

Mr. FULTON. Do I understand the Senator from Rhode Island to contend that it is necessary to protect the interests of the Government that an officer shall be there present all the time during the operation of the still?

Mr. ALDRICH. The experience of this Government for fifty years——

Mr. SCOTT. Will the Senator from Rhode Island permit me to answer?

Mr. ALDRICH. Yes; I will be glad to, as the Senator from West Virginia has been Commissioner of Internal Revenue, and he understands this question.

Mr. SCOTT. I will answer the Senator from Oregon. I was Commissioner of Internal Revenue for a brief time, and I will say that it is necessary to have a United States officer present when a still is being operated. That is necessary to protect the Government.

Mr. McCUMBER. I ask the Senator why, then, has the law not been applied to the peach-brandy industry?

Mr. ALDRICH. That is a different thing entirely.

Mr. SCOTT. There has to be a storekeeper present.

Mr. OVERMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from North Carolina?

Mr. FULTON. I do.

Mr. OVERMAN. There are in North Carolina about 200 brandy distilleries, in my county and the adjoining counties, and there is no officer present there all the time. The officers come around there and take measurements of the mash tubs. They measure the brandy, and they come around once a month and gauge it, and the Government gets its revenue.

Mr. FULTON. Can the Senator see that there would be any possible difference in using potatoes instead of peaches?

Mr. OVERMAN. No. It is no protection to the Government, as I understand it, to have this continuous supervision. The Government has this law; but it is not for the brandy distilleries.

Mr. ALDRICH. How many distilleries are there in North Carolina?

Mr. OVERMAN. I think there are 200 brandy distilleries there now.

Mr. ALDRICH. I mean grain distilleries.

Mr. OVERMAN. The Senator can inform me, perhaps. He is on the committee.

Mr. ALDRICH. How many are there that are not licensed now?

Mr. OVERMAN. Those that run the blockade?

Mr. ALDRICH. Yes.

Mr. OVERMAN. I have no idea. There may be a great many there; but I am not talking about blockade distilleries. I am talking about brandy distilleries, with which the Senator is very familiar. [Laughter.]

Mr. ALDRICH. If we remove the governmental supervision of distilleries, I imagine it will be quite as much to the benefit of the people of North Carolina as it will be to the benefit of any State in the Union, judging from past experience.

Mr. OVERMAN. Would the Senator propose to have a storekeeper at every brandy distillery?

Mr. ALDRICH. I would; yes.

Mr. OVERMAN. Would you not have done it before, if there had been any blockading in the brandy distilleries? There has been no blockading in the brandy distilleries. It has been only as to the corn distilleries.

Mr. ALDRICH. I intended to answer that later, but I will answer now. The quantity of fruit that can be made into brandy in this country is limited. The amount of illicit distilling through that process must be necessarily limited. But when you talk about producing alcohol not only from grain, but from every other known substance, there is, and there can be, no limit to the product. I would put a greater amount of surveillance around the production of fruit brandy, if I had my way. I think the thing is now too loose. I do not want to see this whole country transformed as some parts of North Carolina have been in the past—I will not say anything about the present—into distilleries that are producing illicit alcohol and illicit whisky upon which no tax is paid.

Mr. OVERMAN. That is on account of the storekeepers who have been appointed and sent out there, who are in cahoots with the distillers.

Mr. ALDRICH. It may be in some cases that that is true. I imagine that it is almost impossible to get revenue officers who will enforce the law in all cases with the greatest amount of rigor. They ought to be sent there, perhaps, from some other State, as the Senator from Wisconsin [Mr. SPOONER] suggests, because it has been extremely difficult—and I am not saying anything against North Carolina—the Senator himself knows it has been extremely difficult in all the years of the past to enforce the revenue laws as to the production of distilled spirits in some portions of that State.

Mr. OVERMAN. Does the Senator think that the Government could put a storekeeper there without his entering at some time into combination with the distiller, through which the Government would be defrauded? Can you stop that sort of thing anywhere?

Mr. ALDRICH. That is no reason, in my judgment, why these restrictions should all be removed and that no storekeeper should be employed in any distillery anywhere. We ought to try to stop fraud, and it is the duty of this Congress to try to enforce the law justly and properly.

Mr. OVERMAN. There is more blockading in grain distilleries than there is in brandy distilleries, where there is no storekeeper.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield further to the Senator from North Carolina?

Mr. FULTON. I should like to proceed.

Mr. OVERMAN. I want to state here that there is more blockading in a grain distillery, where a storekeeper is present all the time, than there is in a brandy distillery, where the brandy gauger only goes around once a month. The Senator will agree that that is the fact.

Mr. FULTON. If they can conduct brandy distilleries without the maintenance of a storekeeper or a Government agent there all the time, they can conduct the distillery contemplated in this bill under the same sort of plan. I understand that the Commissioner of Internal Revenue has said that he can, without this amendment, make the necessary regulations to protect the Government, and I believe he should be permitted to do so.

Mr. ALDRICH. The Senator does not want to misquote the Commissioner of Internal Revenue, I am sure. The Commissioner says that this is an experiment and that nobody can tell what the effect of it is going to be; but he is willing to try the experiment if Congress desires him to do so.

Mr. FULTON. Very well; let us give the farmers of this country the benefit of the doubt, if there is a doubt. Let us give them the benefit of the doubt for a while at least, and let us try the experiment. If we find that the Government is being wronged, that the Government is losing its revenues through the law, then we will amend the law. We have had a law so restricted that nothing could be accomplished under it. Let us, if necessary, lean a little over the other way and see if something can be accomplished.

Mr. ALDRICH. If the Senator will permit me to ask him a question, does he think that the storekeepers ought to be removed from all the distilleries, or only from farmers' distilleries?

Mr. FULTON. I say that a storekeeper should only be removed from that class of distilleries contemplated in the section we are discussing, to which the amendment is offered. The Senator knows very well that it has no contemplation of these large distilleries.

Mr. ALDRICH. There are about 450 grain distilleries now in existence in this country of precisely the same class.

Mr. FULTON. Under 100 gallons per day capacity?

Mr. ALDRICH. Of the capacity of under 100 gallons a day. Does the Senator think that the storekeepers ought to be removed from those distilleries?

Mr. FULTON. If they are going into this business, yes; if not, no; and I will state the reason for that. It is because I believe that this business of producing denaturized alcohol is one of wide public interest and concern. I think if it shall develop into anything like the proportions that we hope and expect, it will be of very great benefit. I do not think that the production of alcohol for other purposes, particularly as a beverage, is of any benefit. I think that every possible restriction should be thrown around that, but this is for a beneficial purpose, and I think that the production of it should be made just as cheap as possible and every possible restriction removed from it.

Mr. ALDRICH. The 400 or more grain distilleries which are now in existence of a capacity of 100 gallons per day would, under this bill, go on and produce this product without any denaturing at all, and send it, under the provisions of this bill, in tank cars or otherwise, to a denaturing plant, which may be a thousand miles away. There is no restriction whatever on the transportation of spirits from the distilleries where they are originally produced. The farmer who produces under this proposed law may send his product to Peoria or to New York or to San Francisco before it is denatured at all.

Mr. FULTON. Does the Senator think that that can be done?

Mr. ALDRICH. I do.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Idaho?

Mr. FULTON. In a second. Does not the Senator from Rhode Island think that that can be very well provided against by regulations so as to require proper bonds to be given?

Mr. ALDRICH. But the law provides that they may transport, and the Commissioner can not refuse.

Mr. McCUMBER. I should like to ask if it is not transported in sealed casks?

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Idaho?

Mr. FULTON. I yield to the Senator.

Mr. HEYBURN. It has not been suggested, but it is apparent on the face of this bill, that primarily its purpose is to repeal every provision of the internal-revenue law except one, and every section of the internal-revenue law of the United States is repealed by this bill except one, which is contained in the Senate amendment. That is true, is it not?

Mr. ALDRICH. That is right.

Mr. HEYBURN. The chairman of the Finance Committee says that that is correct. That being the case, why is it necessary to consider the provisions of the existing law, when by the provisions of this bill they are all repealed, except the one requiring the presence of a revenue officer?

Mr. LONG. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Kansas?

Mr. FULTON. I yield.

Mr. LONG. I will say to the Senator from Idaho that I do not understand that this bill repeals any of the provisions of existing law.

Mr. HEYBURN. Every section of the revenue law except this one is repealed by this bill, and the rules and regulations of the Commissioner of Internal Revenue are substituted for the existing law. That is the provision.

Mr. FULTON. As to this class of distilleries?

Mr. HEYBURN. Certainly. I am referring only to this class of distilleries.

Mr. FULTON. Mr. President——

Mr. HEYBURN. I merely wanted——

The VICE-PRESIDENT. Does the Senator from Oregon yield further to the Senator from Idaho?

Mr. FULTON. Yes.

Mr. HEYBURN. I merely wanted to complete the question, and then the Senator from Kansas can take up the question with the Senator from Oregon, if it is mutually desirable. I want to know whether or not I was correct in my interpretation of the effect and purpose of this law.

Mr. ALDRICH. The Senator is precisely correct.

Mr. HEYBURN. Because much of the discussion has centered around the consideration of the existing provisions of the existing law when, as a matter of fact, they have nothing whatever to do with it.

Mr. FULTON. I yielded for a question.

The VICE-PRESIDENT. The Senator from Oregon declines to yield.

Mr. HEYBURN. I think I will not go beyond a question, if the Senator will be patient with me for a second.

Mr. FULTON. The Senator does not indicate how much longer his question is to be.

Mr. HEYBURN. I will indicate that it is terminated.

Mr. LONG. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Kansas?

Mr. FULTON. In another second I will yield the floor.

It is not a fact, Mr. President, that every section of the law, excepting this section, 3284, is repealed. The Commissioner of Internal Revenue is permitted to make regulations. Some of those regulations may, and indeed it is contemplated that they may, conflict with existing law; but, so far as those regulations are concerned, these particular establishments are exempted from existing law, and the existing law stands unless the establishments are exempted from it by reason of the regulations.

Mr. MALLORY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Florida?

Mr. FULTON. Yes.

Mr. MALLORY. I should like to ask the Senator from Rhode Island a question, because I should like to hear the answer of the Senator from Oregon. Can the Senator from Rhode Island give us any idea as to the number of these small distilleries to be established if the amendment that he suggests is omitted from the bill? Can he form any idea as to the number?

Mr. ALDRICH. Nobody can tell.

Mr. MALLORY. Would it be a thousand or 10,000?

Mr. ALDRICH. It may be 50,000.

Mr. SPOONER. Nobody can tell.

Mr. ALDRICH. The Senator from Maine has stated that they have 6,000 distilleries of this kind in Germany, and Germany is, in proportion of area, I think, about one one-hundredth part the size of the United States, though I am not sure about the figures.

Mr. MALLORY. Does the Senator from Rhode Island contemplate providing an inspector for each one of those distilleries?

Mr. ALDRICH. Certainly. If the people are going into the manufacture of alcohol, it is the duty of the Government of the United States, from my standpoint, to see that they do it honestly, especially as they are going into the proposition under a law charging only a 10-cent tax.

Mr. MALLORY. If that is the case, it undoubtedly would kill this bill.

Mr. SPOONER. Otherwise the distilleries would run all the time.

Mr. MALLORY. If you are going to appoint 10,000 additional inspectors, that will kill this bill.

Mr. ALDRICH. Ten thousand additional distilleries will not be put into operation under the provisions of this bill this year, I take it, or for some time to come.

Mr. FULTON. The Senator suggested that there might be 100,000 of these distilleries spring up. In that event, as suggested by the Senator from Florida, you would have to have 100,000 of these inspectors, because one at least would have to be in every establishment; but the Senator knows, and everybody knows reasonably well, that if we impose this restriction requiring the presence of a storekeeper in each one of these establishments, then there will not be a hundred thousand nor will there be a thousand, but there will be practically none, because that will be the effect of it.

Without taking up further time of the Senate, I will simply say that I do hope that if we commit any error here it will be one on the side of the farmer and the producer of this country, giving him an opportunity to engage in this enterprise; and then, if we shall discover later on that we have not thrown around the business the proper restrictions, we can easily remedy that evil. Let us get the industry once started, and then, if we find that it requires further regulation, we can regulate it.

Mr. ALDRICH. Mr. President, first, as to the point suggested by the Senator from Idaho [Mr. HEYBURN], there can be no question but what his interpretation of the section is absolutely correct. I will read it:

> Such distilleries may by such regulations be exempted from such provisions of the existing laws relating to distilleries as may be deemed expedient by said officials.

Language can not be plainer than that. We put into the hands of the Commissioner of Internal Revenue a right to repeal every provision of the statutes of the United States bearing upon or regulating this particular class of distilleries.

Mr. LONG. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Kansas?

Mr. ALDRICH. Yes.

Mr. LONG. I will ask whether under this bill without this amendment the Commissioner of Internal Revenue could not impose the restrictions of section 3284 of the Revised Statutes if in his judgment it was necessary in order to protect the revenue?

Mr. ALDRICH. I think he could. I have no doubt about that; but he also could refuse to do it.

Mr. LONG. If we do not restrict the Commissioner in suspending the other sections of the statutes, why should we prohibit him from suspending this particular section?

Mr. ALDRICH. Because, in the opinion of the committee, with the exception, I think, of the Senator from North Dakota [Mr. HANSBROUGH], it was important, in the interests of the revenue, that this safeguard at least should be retained if all the other restrictions surrounding the production were to be removed.

The Senators who have spoken upon this question from the farmer's standpoint have, it seems to me, entirely misapprehended the purpose of this amendment and its probable effect. American legislators are, like other people, I suppose, easily forgetful of the past. We fail to remember in one generation the experience of another. It is so in this case.

Forty years ago, with a tax of $2 per gallon on distilled spirits, they were sold in the principal markets of the country at 75 cents or less per proof gallon, and it was clearly impossible for any distiller to produce any alcoholic spirits and pay the tax and sell it in competition with the illicit product.

This condition, which became intolerable in 1867 and the years following, led to an investigation by legislative committees of both Houses of Congress and the enactment substantially of the law which is now in existence controlling the production of distilled spirits. Of that committee the leading spirit was the distinguished Senator from Iowa [Mr. ALLISON], who is now fortunately a member of this body. That committee had the assistance of the then district attorney in New York, Mr. Benjamin F. Tracey. They prepared this legislation, which I believe is fairly considered a model in every country of the world. It was then found absolutely necessary, for the protection of the revenues and for the protection of distillers who honestly paid their taxes, that the very rigorous provisions of existing law should be enacted. These provisions are very elaborate and very drastic. They have answered their purpose without question and have very largely prevented the dishonest production of distilled spirits. The provisions of this bill, as has been said by the Senator from Idaho [Mr. HEYBURN], propose to revolutionize the legislation I have referred to and to put in the hands of one man the power to remove every restriction which experience has shown to be necessary to prevent fraud. What are those restrictions? In what do they consist? One of the most effective, if not the most effective, provision of the law is that at every stage of the manufacture there should be a Government officer present in every registered distillery to watch and report upon every stage of the process, the amount of grain or other material used, and the amount of distilled spirits produced. The process of distillation from beginning to end is subject to Government inspection through a storekeeper and gauger, and a record is kept for inspection.

Such safeguards have been thrown around every process of the manufacture as experience has shown to be necessary for the protection of this important source of revenue.

Do Senators realize that it only costs the distiller 10 or 12 cents a proof gallon to produce an article upon which the Government imposes a tax of $1.10 per gallon? You can readily imagine the incentive which the difference gives to the illicit production of distilled spirits.

What is the demand for this legislation and what is proposed to be effected by it? There is a universal demand that some measure should be devised by which alcohol, free from tax, could be safely used in the arts, industries, and for the production of heat, light, and power. It is extremely important that this demand should be met, but it should be met, as it can be, without endangering the revenue.

It is extremely important for our arts and industries and for all domestic purposes that alcohol, which is now a universal solvent, should be manufactured as cheaply as possible. Last year Congress enacted a law to permit the use of alcohol, denatured or otherwise rendered unfit for use for drinking purposes, free of tax in the arts and industries. That law, we are told by the Senator from North Dakota and the Senator from Montana, was not effective to secure the result which they intended it should have. Why? They say provisions were put into the law that registered distillers must submit to certain conditions and restrictions. I imagine that it is not intended by this act to provide that distilleries can be run without being registered. There have been, of course, a considerable number of distilleries in the mountains of North Carolina and Tennessee and Georgia and Kentucky all these years without being registered, but I assume that there is no disposition to make this class of distilleries lawful.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from North Dakota?

Mr. ALDRICH. For a question.

Mr. McCUMBER. Did not the Department construe the law to mean that no one could make application to manufacture under it except a registered distiller—one who is already in the distilling business?

Mr. ALDRICH. Oh, no.

Mr. McCUMBER. Not registered for this particular purpose, but a registered distillery could make the application. I understand that was the ruling.

Mr. ALDRICH. It might have been—probably was—the ruling that no one but a registered distiller could make applica-

tion. That goes without saying; but there is nothing in the law or in the practice of the Department which prevents any person from making an application and being registered as a distiller at any time.

The registration was of course the foundation of the whole transaction. But the Senator from North Dakota or anybody else in the United States can any day make an application to the Commissioner of Internal Revenue for a license to run a distillery, and the application is granted as a matter of course, provided there is sufficient bond given and the law is complied with in other ways. There is no trouble at all about that.

But we have now a proposition in this bill which is entirely new in our revenue legislation. It has no precedent in our own or in the legislation of any other country similarly situated. With equally powerful motives for fraud and with a vast area of territory to be watched there is no precedent in the laws of any country.

Now, what do the committee propose and what is the character of opposition to the suggested amendment? We propose by this amendment to allow small distilleries to be established anywhere in the country under regulations which will remove all the numerous restrictions which are placed around distilling by existing law except one, and that we believe is necessary to protect the revenue.

We receive about $140,000,000 a year from the tax upon distilled spirits, and this revenue is only possible if the law is honestly and rigidly enforced. No honest distiller can otherwise run his distillery for twenty-four hours. For this protection of the revenue what do we suggest? That when these distilleries are running, producing an article which should cost them, it is said by the many advocates of this legislation, not more than 10 to 12 cents a gallon to produce, and upon which the Government now requires a tax of $2.07 a gallon, an officer of the Government shall be present. We propose to allow anyone to establish these small distilleries without restriction, but we simply insist——

Mr. McCUMBER. Mr. President——

Mr. ALDRICH. The Senator will excuse me for a moment.

Mr. McCUMBER. Yes.

Mr. ALDRICH. We simply insist, in the interest of the Government of the United States, which has this $140,000,000 at stake, that there shall be present—and that is the only insistence we make—whenever the distillery is running, is producing alcohol, a storekeeper, paid by the Government of the United States, and imposing no burden of any kind whatever upon the man who owns the distillery. We propose that in the interest of the honest administration of the law, and no man can object to it—and I say that deliberately—unless he has some other purpose in view than the honest administration of the revenue laws of the United States. I am not talking about Senators, but I am talking about the people who are behind them and who are demanding that this legislation shall be of such a character that no restrictions whatever shall be placed upon the production of alcohol free of tax except the honest purpose of the producer. Is this safe? Let us see.

Mr. McCUMBER. May I ask the Senator whether this bill as it passed the House had such restrictions as would at all guard the Treasury? Does the Senator contend that where the manufactured product is to be taken into steel tanks which are locked and which can not be unlocked except in the presence of the storekeeper that that is not giving sufficient protection?

Mr. ALDRICH. I am glad the Senator asked me that question, because it is one of the most important points in this legislation. What is the suggestion made here? It is a suggestion of putting the materials into a still, and that when the process of distillation is completed the finished product shall be run into a steel tank, which shall be locked and the key to which shall be in the hands of a Government officer. Now, let us see what are the opportunities for fraud. The article itself, the alcohol, is produced in a still; it is run perhaps 10 feet, perhaps a hundred feet, perhaps a thousand feet through pipes into a steel tank. The opportunities for fraud between the still and the tanks are unlimited. Take a still located—I will not say in North Dakota—but in some remote town or in some remote district, hundreds of miles perhaps away from a Government officer, with no restrictions whatever, producing alcohol upon which if the manufacturer avoids paying a tax he is making a profit of $2.07 a gallon. It can be taken out through the pipes as easily as I can take a paper from this desk. It would not go into the tank at all. There would be no sort of protection to the Government in that kind of a distillery.

Now, I repeat—and that is the reason why the committee offered this amendment—this is an experiment. I do not know whether there will be a hundred or a thousand or five hundred or five thousand small distilleries. Nobody can tell. It is an experiment; but while the experiment is being made, gentlemen, I appeal to you, that at the expense of the Government of the United States, in the interest of its revenue, in the interest of the distillers who are required by law to pay this high tax, you should put around it all the safeguards you can without stopping in any way the production of denatured alcohol by the farmers or by anybody else for wise and proper purposes and free of tax.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Oregon?

Mr. ALDRICH. Yes.

Mr. FULTON. A few minutes ago the Senator from Rhode Island corrected me in a statement I made as to the contention of the Commissioner of Internal Revenue. I have his official report, and this is what he says:

> Section 4 of the proposed substitute bill refers more directly to what is commonly termed the "farm distillery," or a distillery operated for the production alone of alcohol for denaturing. The provisions of this section are, to a certain extent, a reversal of the general internal-revenue laws with regard to the production of distilled spirits, but it is believed and hoped that at these small plants there may be some relaxation of the close and continued surveillance of distillery operations necessary at larger plants, and where alcohol is produced both for commercial and denaturing purposes.
>
> At any rate, to meet the demand it is not deemed unwise by this office to make the test, and to allow alcohol to be produced for denaturing purposes alone at these small plants without the constant presence of a Government official.

Mr. ALDRICH. I understand. That is substantially what I stated in the Senate, I think. The Commissioner of Internal Revenue said before the Committee on Finance that this was an experiment, that he could not tell, in the first place, how many——

Mr. FULTON. What I wished to accentuate was the fact that he recommends——

Mr. ALDRICH. I beg the Senator's pardon.

Mr. FULTON. He recommends a system of permitting these distilleries to run without the presence of a Government agent.

Mr. ALDRICH. But the presence of the Government agent all of the time is a very different thing from the presence of a Government agent only at the time when the distillery is in operation. Section 3284 of the Revised Statutes only refers to the times when the operation is actually going on. There is no storekeeper as there is in other cases——

Mr. FULTON. Now, really, is there much more danger of fraud being perpetrated when the distillery is in operation than when it is still and the alcohol is in the warehouse or in the cistern or wherever it may be kept? Is there not just as much chance for fraud when the distillery is not in operation as when it is in operation? And if it is necessary to have the agent present when the distillery is in operation, is it not equally necessary to have him there all the time while there is any alcohol on the premises?

Mr. ALDRICH. The alcohol is not in tanks when the distillery is not in operation.

Mr. FULTON. Where is it; in the cistern?

Mr. ALDRICH. No. When the still is not in operation the tank is not used, and it has no product in it. There is no grain or cabbage or whatever you please in the establishment.

Mr. OVERMAN. Will the Senator from Rhode Island yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from North Carolina?

Mr. ALDRICH. Certainly.

Mr. OVERMAN. I rise for information. I wish to inquire what opportunities there are for fraud in this matter? I understand there is to be a continuous process in steel tanks, the key to be in the possession of a Government officer.

Mr. ALDRICH. Yes.

Mr. OVERMAN. What opportunity is there to get the alcohol out unless they break open the tank?

Mr. ALDRICH. I do not think one of the Senator's moonshining constituents would find great difficulty as long as there is a pipe running from the distillery to the tank, which is not——

Mr. OVERMAN. It is all under lock and key.

Mr. ALDRICH. But the pipe is not under lock and key. I venture to say that without governmental supervision, supposing the capacity of the still to be a hundred gallons a day, one could easily enough, in a hundred different ways, abstract fifty gallons a day and not pay any tax upon it.

Mr. OVERMAN. Does the pipe run into the cistern?

Mr. ALDRICH. The alcohol runs through the pipes. I do

not think it is necessary, especially to a North Carolinian, to explain——

Mr. OVERMAN. Is there not a key to the cistern room, which is held by the officer?

Mr. ALDRICH. There is no provision in this bill about a cistern room; only the tank.

Mr. OVERMAN. Well, whatever you call it.

Mr. ALDRICH. The tank.

Mr. OVERMAN. The tank.

Mr. ALDRICH. The tank is locked up. If the main door of the Capitol should be kept locked all the time, with a hundred doors around the different sides of the building open, I would not consider that very much of a safeguard to prevent a man from leaving the Capitol.

Mr. OVERMAN. But everything is under lock and key.

Mr. ALDRICH. No; nothing is locked up except the steel tank. They have taken the great precaution to require a steel tank and to have it locked up and to have the key in the hands of some Government officer; but at every step of the process until the distilled spirits gets into the tank there is every opportunity in the world to steal. The people who steal will not be the constituents of the Senator from Montana, I assume; but there will be a lot of people, perhaps in some wicked State like North Carolina, where they are accustomed to this thing, who will manufacture alcohol ostensibly for denaturization, but really for sale or for drinking purposes in their own community. It is that class of fraud we are trying to guard against in this experiment, as I know it is.

I hope from the bottom of my heart the experiment will succeed, and succeed to the extent that the Senator from Montana hopes it will succeed, and that it will reduce the cost of alcohol to be used for heat, light, and power, and for industrial and mechanical purposes; but do not let us start out with an advertisement that we propose to remove the restrictions which the experience of a half a century has shown to be absolutely necessary for the protection of the revenue. Let us try this experiment now in this way. If we find next year that the appropriation for storekeepers is so large, or if experience shows that this industry can be carried on successfully without restraint, then it will be time enough to make a change.

We are not suggesting the imposition of the burden of a cent or any other kind of a burden upon the farmers of this country. We say we wish you godspeed in this work; but our experience with the collection of the revenue leads us to believe that if this experiment is made there should be an officer of the Government of the United States, without any expense to you, to supervise and look over this matter in the interest of honesty and of the revenue.

Mr. OVERMAN. Do I understand the distinguished Senator from Rhode Island to say there is no blockading in any other State except North Carolina?

Mr. ALDRICH. I would not say that.

Mr. OVERMAN. Why does the Senator from Rhode Island mention North Carolina? He knows there is blockading, especially in the big centers, where there are big distilleries.

Mr. ALDRICH. I do not know that.

Mr. OVERMAN. I do not know much about it. I have no doubt the Senator from Rhode Island knows more about it than I do; but there is more blockading in the big centers than anywhere else, where the distilleries of the whisky trust are located.

Mr. SCOTT. We have had trouble in your State.

Mr. OVERMAN. I have no doubt of it, but the Senator from West Virginia knows there is blockading everywhere. You can not crush it out. It is in Virginia and West Virginia and in Rhode Island, I suspect, and especially in the large distillery centers in this country. Does the Senator claim there is no fraud in his State?

Mr. ALDRICH. I did not mean to mention the State of the Senator from North Carolina in any invidious way, but unfortunately it has a reputation throughout the country, which I presume is not deserved, that has existed for a half a century, of producing more illicit whisky than any other State in this country.

Mr. OVERMAN rose.

Mr. ALDRICH. I may be wrong.

Mr. OVERMAN. Where did the Senator get that information?

Mr. ALDRICH. From the reports of the revenue officers and the Commissioner. I will call my friend the Senator from West Virginia [Mr. SCOTT] as a witness.

Mr. OVERMAN. More than in any other State in the Union?

Mr. ALDRICH. Yes.

Mr. OVERMAN. I doubt whether there is any such information.

Mr. ALDRICH. I will call upon the Senator from West Virginia.

Mr. FULTON. I think that has grown out of a false deduction from a historic statement as to what the governor of one of those States said to the governor of the other.

Mr. SCOTT. Mr. President, I am not going to enter into a discussion of this matter, because my friend the Senator from Iowa [Mr. ALLISON], I think, can make it entirely clear. But as Commissioner of Internal Revenue for a short time, I do know that with the stringent laws we now have on the books and with all the vigilance that can be exercised by the Treasury Department and its officials, it is almost impossible to protect the Government against fraud.

When this bill originally came to the Senate I hesitated about voting for it, notwithstanding the great advantages which it was claimed for it, for two reasons: One was that I believed it would lead to a great deal of fraud upon the Government by the distillers of this alcohol, and the other was that I believed that the farmer was not getting what he thought he was. In other words, in the language of the street, he was being "gold-bricked." There is no question in my mind if you do not throw about the distilling of this alcohol, for the purpose of denaturing it, every safeguard that it is possible for the wisdom of the Senate, with the advice of the Treasury Department, to devise, you are going to lose a very large amount of the revenues of this Government which are now collected on the distillation of alcohol and spirits.

I do not care to get into this discussion. I do not care to say what State does the most moonshining, but all of them do it more or less, and it appears to be the ambition all over the country to defraud the Government, if it can be done, in moonshine whiskies and alcohol.

Mr. MCCUMBER. Mr. President, I agree with the Senator from West Virginia to some extent that the farming public, in the bill which was passed, did get something of a gold brick. I admit also that at the present time it will get the real brick, but it will get it in the neck and nowhere else. That is the condition of the bill as it is to-day, and that will be the result.

Mr. President, we have read statements in the press for the last year claiming that this was a bill for the benefit of the farming public; that it would give the farmer a chance to produce and compete with the great whisky trust of the country. The farmer has commenced to believe there was something in that. I myself have never believed that he would receive anything like the benefit that has been claimed. I have hoped, however, that he could secure some little benefit in finding some remuneration for his labor at times when he could not use it properly on the farm itself. You are taking that right entirely away from him.

I want to ask the Senator from Rhode Island if he believes that there is a single farmer in the United States who could run a still the year round, or six months in the year, or three months a year? I doubt if you could find a single one who could run it more than a month or two in a year. If he makes any profit out of it, he must make the profit out of the produce of his farm. He has to take some portion of the year in raising those products, and if he makes anything out of it, it will only be the waste products practically, because those things which have a ready sale in the market can not be used profitably for the purposes of making denatured alcohol.

There are certain seasons of the year when the farmer must give his attention to raising his little crop. He may have cornstalks that he can use, but he has to first raise them. He can not afford to use his barley. He can not afford to use wheat. In my country he can not afford to use corn, and I am not certain he can even afford to use potatoes.

Suppose he could use the latter. How long will it take him to use all of the waste products he will have? He could use it all within a month. When would he go to work on it? There would be wet days in September when he would not be doing anything else. There would be some days in the winter probably which he could utilize. He might want to make 10 gallons in one day, and nothing else. He might extend this over the whole year. He is either going to be cut out entirely from any benefit under this act, or he is going to be allowed to work his still whenever he finds it convenient to do so, and he can not find it convenient unless he can act upon a minute's or upon a day's notice, and yet he is supposed to send for a sixty or a hundred dollar or a hundred and twenty-five dollar man to hang around in a neighborhood where there is only one still, which may not be operated thirty days in a year.

Under this bill we could divide the country up into sections, and if the farmer is allowed to manufacture his product he can manufacture it when he can do so. He can manufacture 10 gallons to-day, another 15 gallons two weeks from to-day,

and another quantity three days from that. When he gets his tank full he can send to the agent, and say, "It is filled, and I want it denatured." That is the only time there will be any necessity in the world to have a Government agent there. If we are to get any benefit whatever for the farming public they will have to get it in that way. I repeat what I said before. It is impossible for any farmer in the United States to run his still during the busy season of the year or with hired help, because his product would be too expensive for the benefit that he would get out of it.

Mr. ALDRICH. Will the Senator from North Dakota allow me?

Mr. McCUMBER. Certainly.

Mr. ALDRICH. Does the Senator think a man who has a still in a tenement house on the East Side of New York ought to have more, or less, supervision than a farmer?

Mr. McCUMBER. I do not think there is anybody in a tenement house in the city of New York who is going to run one of these stills for denatured alcohol. If he does, there is a punishment for it, just the same as there is a punishment in North Carolina, or any other State. He has to get a license, does he not? Is the man in a tenement house in New York going to pay for a license to run a business when he is liable to be arrested at any moment?

Mr. ALDRICH. The Senator could not have heard the Senator from North Carolina [Mr. OVERMAN] in his defense of his own State, in which he said that a large part of the illicit distilling, or a considerable part of it anyhow, was carried on in certain parts of the large cities. Every Government officer knows that. Every man who is familiar with the collection of the revenue knows that. There has been quite as much——

Mr. McCUMBER. It may be carried on in the mountains; it may be carried on in the cities; but it is not carried on by those who take out a Government license.

Mr. ALDRICH. Should you have a different rule—that is what I am trying to ask the Senator—for one class of people who carry on distilling than you have for others?

Mr. McCUMBER. I am not asking for any different rule. If a man does not manufacture more than 10 or 15 or 20 gallons a day, then you can have the same provisions apply to the man in the tenement house in New York that you have apply to the man on the farm. What I insist upon is that the man on the farm, if he is going to get any benefit from it, must get it at times when he finds it convenient to do his work, and his convenience would seldom, if ever, correspond with the convenience of some particular agent who happens to be in that section of the country at the time.

Mr. MALLORY. Will the Senator permit me to read a few lines from the bill providing for the establishment of these small distilleries?

Mr. McCUMBER. Certainly.

Mr. MALLORY. It reads:

> And the operation of such distilleries shall be upon the execution of such bonds and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

Certainly that would exclude them from the category of illicit distilleries referred to by the Senator from North Carolina and the Senator from Rhode Island.

Mr. ALDRICH. What I meant to say was that if you give the right to the small distilleries in every portion of the United States, without the restrictions and safeguards which experience has shown must be thrown around this manufacture, you will encourage in New York and in remote sections of the country a great amount of illicit distilling. It is absolutely important that the small distilleries should be watched with equal vigilance with the large ones to prevent illicit distilling. That frauds are committed does not necessarily mean that they are not licensed distilleries. I remember investigating the subject a few years ago, when the claim was made that a large part of the illicit whisky made in the United States was made in licensed distilleries with the connivance of Government officers. That has to be guarded against as much as the other.

Mr. McCUMBER. Let me ask the Senator, are not the fruit distillers also registered and licensed? Very well. Is there any serious complaint that they are defrauding the country? They manufacture without the presence of a Government agent constantly over them. They take the fruit as it comes from their farms and use it when it is convenient for them, and when they have their tanks filled they make a report of it.

Mr. ALDRICH. The Commissioner of Internal Revenue within three days said before the Committee on Finance that he thought the present system of collecting revenue as to fruit distilleries was a very dangerous one, and that if he had his way he would provide for legislation which would throw additional safeguards around it. But there is one safeguard which is always present. The amount of fruit produced in the United States that can be used or is used for the production of brandy is extremely limited. In fact, fruit brandy, compared with all the production of distilled spirits, is infinitesimal.

Mr. McCUMBER. There is enough to supply four hundred and fifty-odd stills, is there not?

Mr. ALDRICH. Undoubtedly; but the amount——

Mr. McCUMBER. Those are more stills than there are stills for denatured alcohol at the present time.

Mr. ALDRICH. I suppose the Senator does not expect an answer to that question.

Mr. McCUMBER. Those are as many as there are stills of any other kind.

Mr. ALDRICH. It is just about the same number as the number of small-grain distilleries, perhaps. I think the numbers are very much the same. But there can be no great amount of harm and no great amount of fraud with these fruit distilleries. That is always understood. I would throw greater safeguards around them, but there is a limit upon the product which must always limit the amount of fraud which can possibly be committed.

Mr. FORAKER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. I yield.

Mr. FORAKER. I wish simply to ask a question of one or the other of the Senators who hold the floor. This provision, as I understand it, only requires that when distillation is in progress there shall be a representative of the Government present to supervise it. There is no expense to the distiller on that account?

Mr. ALDRICH. None whatever.

Mr. FORAKER. I will state to the Senator from North Dakota what my trouble about that is.

Mr. McCUMBER. I will explain it, Mr. President.

Mr. FORAKER. I understood the Senator to say that it would not suit the convenience of the party who wanted to operate a still always to send for the Government representative. Is there any very great hardship about that? I do not know; I am asking for information.

Mr. McCUMBER. I will give all the information I have on the subject. Suppose there are 500 farmers in the United States who in the next year, under the influence of the press reports of the country that there is a great deal of profit in the manufacture of denatured alcohol, should put up little stills, each one of which will not cost, perhaps the whole thing, more than $150. Most of them already have their granary room and other rooms for the storage of their products, and there will be merely the cost of the tank and the cost of the still, etc. It will be a very small item. Now, we will suppose that they do not intend to run it more than one day or two days or three days—whenever they desire to manufacture. Will the Government keep a man there the year round?

Mr. FORAKER. If the Senator addresses that inquiry to me, as he seems to be doing, I would say that it would not be necessary. I should think the Government might have a man who could go from place to place. If one of these stills is to be operated for the purpose only of making 10 gallons at a time, as the Senator suggests, the presence of a Government agent would be very brief.

Mr. McCUMBER. Right there is the trouble, Mr. President. It has been suggested that there would be one representative in a section of the country, but I will take a farmer in the State of Ohio. It is in the month of August or September, which is in the harvesting time, or in the time of taking up potatoes. There may be a week of rain, and the work on the farm will have to be suspended. The farmer might wish to commence this work the next morning after there had been an evening's rain and want to run just that day and stop. He has got to send off and find this inspector. He will probably get around there by the time the farmer wants to go back to work on the farm again, and the time he wants to give to the manufacture of denatured alcohol will be wasted, because he can not have the inspector there when he wants him.

Mr. SPOONER. Can he not give notice to the collector of internal revenue of the proper district when he may intend to begin?

Mr. CARTER. He may not know when it is going to rain. [Laughter.]

Mr. McCUMBER. If he should depend upon the Weather Bureau, it may be that he could; but he can not always depend upon it.

Mr. SPOONER. If the Senator will permit me, this is largely experimental anyway; and if some of the members of the committee felt that if it should be carried on without restriction and should turn out to violate substantially the internal-revenue laws of the country, it would be an end of it. There was not a man in the committee who is not anxious to facilitate in every way compatible with the interest of the Government the manufacture and distillation of these spirits by the farmer of whatever material it may be done; but we were confronted with very grave opposition to permit it at all from distillers all over the United States, who thought it would be an impossible competition, which could only be predicated or was only predicated upon the assumption and the knowledge apparently on the part of the distillers that it would lead to constant and successful evasion of the revenue laws. The committee called the Commissioner of Internal Revenue before it, who is heartily in favor of the proposition to afford the farmers of the country every possible facility to utilize the potatoes, the poorer class of grain, or anything else which can be used in this way in a manner that will not ultimately defeat the whole project by an evasion of the revenue laws; and his view was that we could start in with these regulations, everybody being in favor of it, and try it for a year, and then when the Congress again met, if they were found to be too strict, it could be taken up upon its merits and readjusted.

That was the theory upon which the Senator from North Dakota [Mr. HANSBROUGH] and myself, I may say, yielded to this proposition. We can not afford, and Senators will not ask that, to leave it in a way which will permit a violation of the revenue laws.

Mr. HANSBROUGH. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to his colleague?

Mr. SPOONER. I beg pardon of the Senator for saying what I have.

Mr. McCUMBER. That is all right. I yield to my colleague.

Mr. HANSBROUGH. I only want to say that I have not yielded on the amendment and did not yield on the amendment.

Mr. SPOONER. No; but the Senator thought the amendment which was adopted by a majority of the committee would be infinitely better than nothing.

Mr. HANSBROUGH. I thought it would be better than no bill, because I was fearful that unless the amendment were put on the bill I could not get the bill out of the committee. In saying this I mean no reflection on the committee.

Mr. SPOONER. It is an experiment, as I said before, and it was thought, and I believe wisely thought, that we ought to proceed with it in a careful way.

Mr. McCUMBER. Mr. President, there can be no possible law enacted that will not find itself broken here and there. There can be no criminal law enacted but that you will find some person who will commit the crime of breaking it. So long as we manufacture spirits of any kind and so long as there is a Government tax upon it there will be some few persons in the United States who will be guilty of an attempted fraud upon the Government. But I do not believe that the farming community as a community is of such a character that you can not trust them to a reasonable extent in the manufacture of denatured alcohol.

The Senator from Wisconsin states that there is danger of fraud being perpetrated unless we adopt this amendment. In my opinion, there is no more danger of a fraud as an experiment than there has been of fraud as an experiment in the manufacture of fruit brandy. It is an experiment to be sure, but I want to say to the Senator from Wisconsin that, in my candid opinion, it will not be an experiment, so far as the farmer is concerned, if this provision goes into the bill, for none of them will attempt to run stills under those restrictions. Under this legislation no one could afford to run a still for the manufacture of this product unless it were done upon a large scale, and the farmer could not afford to do it upon a large scale.

Even if we admit that it is an experiment, can we not trust the Commissioner of Internal Revenue to apply the proper remedy? Let us have the bill as it came from the House. If the Commissioner ascertains that the farmers are committing such an abominable fraud upon the Government that it is necessary to enact this proposed law into a rule, he can apply that rule. In my candid opinion, he will never find it necessary to apply a rule which will declare that if any man manufactures a gallon of this product without the presence of a Government official, he shall take his chances of a penitentiary term. I do not believe it will be necessary to go to that extent, but I am certain that we practically destroy the bill altogether, so far as the farming public is concerned, if we prohibit the farmers from manufacturing at any time they see fit.

Now, it is said you will have the agent there at all times and it does not cost the farmer anything. Mr. President, the stills probably, in the first instance, would not manufacture 300 gallons a year. How long will the farmers' stills stand the test of an expense for the payment of agents, which would be ten times the value of the product produced upon the farm?

Mr. FORAKER. I wish to ask the Senator, who has given this subject a great deal more study than I have had an opportunity to give it, what he thinks will be the effect of this legislation in the way of encouraging the distillation of a denatured alcohol by farmers and others on a small scale—that is to say, will it be a business generally gone into by the farmers all over the country? Is it his idea that every farmer is going to supply himself with a still and make his own denatured alcohol?

Mr. McCUMBER. I do not know, Mr. President. No one can tell how many will go into it. I am assuming that if it is for their benefit and if it is going to benefit the agriculturists, there will be a great many. If it will not prove profitable, there will, of course, be very few.

Mr. GALLINGER. The law of supply and demand will regulate that.

Mr. FORAKER. I have been getting a great many telegrams in the last day or two asking me to support this measure. I received a few minutes ago one signed by the principal distillers of Cincinnati asking me to oppose the measure, even in its amended form. I never had read the bill until I received the telegrams. I then sent out and got it and I have been reading it and trying to study it and to find out what the trouble is. I am derelict perhaps in not paying attention sooner to so important a measure, but I have been so occupied that probably I have a good excuse for not having done so.

But now that the bill has come up, I should like to understand the measure, and I am not asking any questions except only to get information. I asked one a moment ago as to what would be the effect upon the small distiller of having his operations supervised by a Government representative, for it seems to me there is a valid objection to creating two classes of distillers, both manufacturing alcohol, one under governmental supervision and the other without any supervision. If the small distiller is not to pay any of the added expense for being supervised, it does seem to me that it is a proper precaution to take against the opportunity for fraud, of which we know there has been a great deal in connection with small distillations.

Mr. ALDRICH. Will the Senator allow me?

Mr. FORAKER. In answer to the suggestion of the Senator from North Dakota that a farmer would be inconvenienced if he had to send for a Government representative or had to give notice, because he might want to start up upon a day's notice or an hour's notice, I understand from a suggestion made to me by a colleague sitting by my side that fermentation would require three days' time. So he could not be inconvenienced to the extent the Senator suggested. Now, I do not know anything about distillation and I do not know anything about the force of that suggestion, but I repeat what was said to me by a Senator in a chair near me only that I may have the benefit of the Senator's better knowledge of the subject in answer to it.

Mr. McCUMBER. If the Senator wants an expert upon the matter of distilling he will have to go to the Senator from Rhode Island.

Mr. ALDRICH. Will the Senator yield to me?

Mr. McCUMBER. Certainly.

Mr. ALDRICH. I wish to ask the Senator a question. Neither the Senator from North Dakota nor the other Senators who are opposing this amendment have suggested that there would be great difficulty in getting storekeepers when they were wanted. I should like to ask the Senator from North Dakota if he thinks there would be any difficulty in North Dakota in finding men who would become Government officers? Does he really anticipate any trouble of that kind in finding men who will do this work and who would be located in the neighborhood, in the immediate neighborhood, of every one of these stills? Is the situation such in North Dakota that you could not find men to do this work?

Mr. McCUMBER. I will tell the Senator what I do anticipate. When we so extravagantly conduct the business of the Government that we furnish one man to stay where there is a still the year round, when it may not be in operation more than thirty days in a year, and have one man for every still in the United States, and when at the end of the year we ascertain that what we have paid out for agents to watch these stills is about four times as much as the product of the farmers' stills,

I do not think we will get much of a vote for an additional force for the next year.

Mr. ALDRICH. That is a matter of the future, and it is a matter, of course, for Congress to determine hereafter.

Now, another question. The Senator talks about farmers producing 10 gallons a day; that is, starting up a still and producing in one day 10 gallons and then stopping. Of course that is absolutely impossible; it is impracticable. Does not the Senator know as well as anyone that if you did not produce over 300 gallons a year the cost of the distilling apparatus and keeping it in order would absolutely prohibit any such production as that?

Mr. McCUMBER. From the information I have I understand absolutely to the contrary, that the cost of a small still is very little.

Mr. ALDRICH. How much?

Mr. McCUMBER. I have been informed that the whole outfit can be put in for the use of a farmer for about $150.

Mr. HANSBROUGH. Less than that.

Mr. McCUMBER. Less than that, says my colleague.

Mr. ALDRICH. To produce a hundred gallons a day?

Mr. McCUMBER. I did not say to produce a hundred gallons a day.

Mr. HANSBROUGH. My colleague is speaking about the production of 10 gallons a day.

Mr. McCUMBER. I am figuring about what the average farmer would produce. The Senator from Rhode Island thinks always in large sums and on large things. A farmer is not going to produce a hundred gallons a day for ten days. I dare say there would not be 1 out of 10,000 who would produce 10,000 gallons in a whole year.

Mr. FORAKER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. Certainly.

Mr. FORAKER. Right there, I have trouble in my own mind, and I interrupt the Senator not in any controversial way, but simply to get the benefit of his views.

According to the bill anyone engaged in the distillation of denatured alcohol with a still that has a capacity not exceeding a hundred gallons a day may have the benefit of the provisions of the bill. If we are to create two classes of distillers, one of them having the advantages of this measure and allow them to distill to the extent indicated, would it not be that nearly everybody, in order to get the advantages of the measure, would engage to distill under the provision of this law?

Mr. McCUMBER. Not by any means. No man who was not a farmer could afford to run a still that would produce less than 100 gallons a day, and the farmer could not afford to do it if he had to hire help to do it.

Mr. FULTON. I call the Senator's attention——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. McCUMBER. Certainly.

Mr. FULTON. I call attention to the further fact that they would all have to go into producing denatured alcohol. This section applies only to denatured alcohol. It is confined to distilleries producing less than a hundred gallons a day for denaturization only.

Mr. LODGE. If not supervised they can produce anything they choose.

Mr. ALDRICH. That alcohol can be made the same as other alcohol and transported before it is denatured.

Mr. ALLISON. A thousand miles away.

Mr. FULTON. Yes; lots of things can be done that would not be done. There is no doubt about that. It is not contemplated by this law that that would be done. I call the attention of Senators to the fact that the bill contemplates two classes of distillers—one engaged in producing alcohol for industrial purposes, another engaged in producing alcohol for all purposes, and more particularly as a beverage. Now, should not the one engaged in the industrial enterprise have the benefit or greater advantage?

Mr. FORAKER. What I want to do is to help that class, I will say, who will be engaged in producing denatured alcohol for the benefit of the industries. I want to print in the RECORD the telegram which I received a few moments ago.

Mr. HANSBROUGH. Let it be read. I should like to hear it.

Mr. FORAKER. There is no objection to its being read. It is a telegram, as I said, from distillers asking me to oppose this measure in its amended form. I do not know anything about the measure, as I said, except as I found it to be after receiving the telegrams.

Mr. HANSBROUGH. Do the distillers referred to belong to the distillers' trust spoken of by the Senator from Rhode Island, or are they of an independent character?

Mr. FORAKER. I do not know anything about that. I only know that they are distillers. I know nothing about the distillery trust. I only know there are certain gentlemen in Cincinnati, whose names are familiar to me, who are engaged as distillers there, and that the telegram is signed by a number of them. I do not know whether they are independent or in the trust.

Mr. HANSBROUGH. The Senator from Ohio was not in the Chamber when the Senator from Rhode Island [Mr. ALDRICH] a while ago stated that the distillers' trust was promoting this bill. That is the reason why I asked the question. I did not do so in an offensive way.

Mr. FORAKER. In connection with the reading of the telegram, I want to repeat rather what I said a moment ago, that I have had no opportunity to give this matter any study at all. I never had an opportunity to read the bill until I got that telegram a while ago, when I sent in and got it. I have a number of letters from constituents that have been coming in for some weeks, asking me to favor a bill of this general character, but I have been so busily occupied I had no time. I sent for the bill that I might read it, and I am asking no questions here in a controversial sense, but only that I may get information that will enable me to act intelligently. All I know about the telegram is that it is signed by gentlemen who are engaged in the distilling business and who have asked me to oppose this measure in its amended form.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Telegram.]

CINCINNATI, OHIO, *February 27, 1907.*

Hon. J. B. FORAKER.
*No. 1500 Sixteenth street, Washington, D. C.:*

The amended denatured-alcohol bill now under consideration is a great menance to the distilling interest. Not only will it seriously affect the revenues of the Government, but places the industry in hands of monopoly and opens the door to fraud. We hope you will use every endeavor to defeat this measure.

FLEISCHMAN COMPANY.
FREIBURG & WORKUM COMPANY.
CLIFTON SPRINGS DISTILLING COMPANY.
UNION DISTILLING COMPANY.
JAMES WALSH COMPANY.
OLD SEVENTY-SIX.

Mr. ALDRICH. I will say for the information of the Senator from North Dakota that those are independent distillers who appeared before the committee in opposition to this bill, and not members of the trust.

Mr. FORAKER. I supposed so, but I did not know anything about it.

Mr. HANSBROUGH. My information is that what is known as the "distillers' trust," or the Distillers' Security Company, I think, perhaps, is the legal term, manufacture about 20 per cent of the total amount of whisky or alcohol in the United States; the other 80 per cent is manufactured by the independent distillers, and it is the latter class who are opposing this bill.

Mr. ALLISON rose.

Mr. McCUMBER. I yield to the Senator from Iowa.

Mr. ALLISON. Mr. President, I wish to say only a few words about the bill, being a member of the Committee on Finance and having assented to the amendment.

I am not distressed about these telegrams as to their origin. I have observed from some experience upon the Committee on Finance and other committees of this body that there are very large interests in our country that are affected more or less by our legislation here, and that when they are they in some form endeavor to make their wishes and desires known. I have had that experience for some years.

Mr. HANSBROUGH. We have all had it.

Mr. ALLISON. I have also observed that, as a rule, the gentlemen who advise us about our affairs here have some personal interest in one form or another as respects the advice they give us. I have no doubt that the distilling business of the country at this time feels that it has an interest in this question, as I have no doubt it has.

I am, for one, in favor of the largest possible measure that will enable the farmer and other good people to manufacture spirits or alcohol that may be used for purposes outside of uses for beverage purposes—in the arts, for motive power, and for all the industrial purposes of our country. That has been done in other countries. It is done now to a limited extent in France and in Great Britain, and to a very large degree in Germany.

I hope that we can from time to time put upon our statute books such legislation as will enable us to carry on, upon the

farm and in the mechanic's shop and in the factory, production and manufacture by the use of alcohol or its products for economic purposes.

But there is another matter that I have tried in the consideration of this subject to care for, and that is the revenues of the Government. I believe that is important in the consideration and preparation of this bill. It has been my fortune to have had this question in a greater or lesser degree before me in the other House and in this body for a great many years. I remember perfectly well that in 1867, although we had a tax of $2 per gallon upon distilled spirits, the price of those spirits during that year was reduced from 50 to 75 cents a gallon. Everybody knew that extensive frauds were going on in the production of distilled spirits. Nearly everybody who investigated the subject knew that it was largely because of the enormous inducement under our laws to fraudulently manufacture distilled spirits and put them upon the market, because whoever could manufacture spirits without paying the tax was enabled, of course, to secure a price for that product which would approximate at least the price of the article which had paid the tax required by the Government. So in 1868 there was a measure prepared in the House of Representatives, which is substantially and practically as respects these safeguards the present law, wherein provision was made for the registry of every barrel of distilled spirits and wherein it was provided that such spirits should be watched, through supervisors, from the initiative point down to the point practically of the retail dealer, and that is the law now.

It was also provided in that law of 1868 that the tax upon distilled spirits should be reduced to 50 cents a gallon. It is true that the following year, after the tax was fixed at 50 cents a gallon, there was more than twice as much revenue raised from it as there had been at $2 a gallon. That tax was raised gradually, by a process with which we are all familiar, from 50 cents a gallon to $1.10 a gallon, at which it now stands.

It is therefore, it seems to me, incumbent upon us, whilst we are changing these laws in order to exempt certain producers of distilled spirits from the operation of this stringent and just law, that we shall throw around these changes such safeguards as will certainly prevent or, if not entirely prevent, at least minimize absolutely the loss of revenue that is to be derived from that source.

I take it for granted that there is not a Senator here who does not believe that we, under our present laws, or under any laws likely to be formulated in the near future, will embody within our taxation system a provision for raising a large sum from distilled spirits. Last year we raised $137,000,000 from distilled spirits alone—those spirits being used as a beverage in our country—and no matter what system of taxation we shall adopt hereafter we are certain at least to seek to secure a like sum from distilled spirits.

In this measure there are safeguards thrown around this subject without the amendment proposed by the committee, to which I assented. Those safeguards consist of the adoption of an experimental system which will permit a distillery to be established producing 100 or less gallons a day and the construction upon the distillery premises of a denaturing plant. It also provides that such spirits may be drawn from the tank and sent in closed, locked tanks all over the country. The Commissioner of Internal Revenue said, in his statement before the Committee on Finance, that he believed these safeguards would probably be sufficient to secure honest administration; but he also stated to us that it was an experiment. From our past experience we can not afford to so lift up or loosen the safeguards as to seriously threaten our revenue. That was the statement of the Commissioner. I believe that by experimentation and by from time to time throwing safeguards around the production of denatured alcohol we can reach a conclusion whereby it may be safely produced throughout the country.

I do not agree with the Senator from North Dakota [Mr. McCUMBER] that a farmer can come in from his plow in the morning on account of a shower of rain, open up his distillery, and distill a few gallons of spirits, or that after he comes home from his labors in the daytime that he and his little family can open up the distillery and make alcohol for an hour or two in the evening. [Laughter.]

You know that is an impossibility. All experience discloses that, in order to make alcohol or distilled proof spirits, it is necessary to treat the grain two or three times before it reaches even the point of dripping alcohol. The laws which we passed in 1868 required that for sour mash—whatever that is [laughter]—it must be fermented seventy-two hours before it can be drawn off, and for what are known as "sweet wines" the fermentation must be ninety-six hours. That is the positive requirement as respects the mash. I see my good friend from West Virginia [Mr. SCOTT] nods assent. He has had large experience in that business [laughter]—I mean as Commissioner of Internal Revenue, of course.

Mr. SCOTT. It is not necessary for the Senator from Iowa to apologize.

Mr. ALLISON. What I have stated being true, it will be found that no farmer, or at least no farmer having an economical spirit and a knowledge of what is profitable, would undertake to open up his distillery unless when he opened it up and built his fires and prepared his vessels for the mash and built his tanks, he became satisfied that there were to be at least thirty days of rain or thirty days of quiet on the farm.

Therefore, Mr. President, I do not see what danger there is to the farmer in the provision that he must have a storekeeper present when he is engaged in this business. There is no law that requires a storekeeper at any time to be in a distillery, small or great, unless it be at the time the distillery is actually engaged in the business of producing distilled spirits or alcohol.

The little distilleries that have been scattered around in the mountains of Kentucky, North Carolina, and other States—I do not speak now disparagingly of those States, but only speak of them as illustrations of mountain States where they have the raw material to produce distilled spirits——

Mr. CARTER. And the disposition to do so.

Mr. ALLISON. Under the committee amendment all these little distilleries, of which there are four or five hundred, for every moment of time that they are in operation will have an officer of the internal revenue present. That officer of the internal revenue is paid only when he is performing work at the distillery. He is paid by the day. So that if one of these small distillers, whether a grain distiller or otherwise, wants an internal-revenue storekeeper, he gives notice to the collector, and generally to the storekeeper himself—because the storekeeper is somewhere in the neighborhood—that he has a distillery; that on a certain day, three or four or five days hence, he intends to start his fire, gather his raw material, and open up his distillery. When that is done the storekeeper appears and he is paid for the number of days that he remains at that distillery, while the operation of distilling alcohol or spirits is going on.

I do not apprehend any great difficulty in the matter of having a storekeeper present at any time when it will be thought reasonably profitable for a farmer to engage in the manufacture of alcohol. Surely, if he is to manufacture alcohol to be put into a tank and transport it to a distant place for denaturing, he can not afford to put into that tank less than 40, 50, or it may be 500 gallons. If, instead of sending the alcohol away to be denatured, he proposes to establish a denaturing plant on his own premises, he can not afford to do that to secure the alcohol that he is likely to use or the alcohol that his neighbors are likely to use. No farmer can afford to have a denaturing plant on his farm unless he intends to produce a considerable amount of denatured alcohol.

Therefore, Mr. President, I think the amendment provides a safeguard while we are testing this business. For myself, I have only considered it a temporary safeguard until we can see how the system will work in our country. It will not retard, it can not retard, the development of this industry anywhere, because it entails no expense to the farmer, and the farmer is not going to engage in it unless he has such a farm and lives in such a neighborhood as will justify him in expending a hundred and fifty dollars for a still, if you please, and two hundred or five hundred dollars for the apparatus connected with the still, which will be required by this bill itself.

So, Mr. President, I have consented to this amendment because I believe it is in the nature of making progress in a direction which we all desire and what I know my people want very much. At the same time, I am sure they also want to make the carrying on of the business safe to the Government.

Now, as to the parallel with the fruit distilleries I want to say a word, and then I will conclude. Why was it that in the original law we provided that brandy made from apples, peaches, and grapes should be exempt from restrictions, except as to the payment of the tax? Such brandies are made from three articles, one of which matures in August, another in September, and another perhaps later—in other words, when that exception was made it was for the purpose of allowing small farmers having these three fruits to convert them into brandy in States like Virginia, Maryland, etc., and——

Mr. KEAN. And New Jersey.

Mr. ALLISON. And New Jersey, though I have never tasted any of the New Jersey product. [Laughter.] Mr. President, that industry developed wonderfully, and I speak from knowledge when I say that it has developed in such a degree in California, where great distilleries have been established, where great vineyards have sprung up, and where there are large wine-

producing establishments, that the Commissioner of Internal Revenue maintains now, as he has for several years, officers about the grape-brandy distilleries, in order to see whether or not the distillers are observing the law, although they were relieved by the Commissioner of Internal Revenue from the drastic provision of constant inspection. So that you can not draw a parallel between a product that is produced in such a way as only to be used for a very brief period and a product that is produced in every part of the United States and can be used anywhere.

I agree with the Senator from North Dakota that the farmers are honest men as a rule. I also agree with him that they would probably in no way undertake to violate this law; but if we open this door in the beginning, without testing it, I am afraid that there would be new farmers appearing in my State and in the State of North Dakota whom we would find, although nominally raising grain, would in some way be producing alcohol during the small midnight hours.

Experimentally, I do not know what would be the result if the amendment be not agreed to; but I know that it will not retard, or, at least, I believe it will not retard, the progress that we are making in this matter. I believe that it is a very good safeguard as respects the revenue.

I merely desired to say this much, Mr. President, inasmuch as I was responsible, as one member of the Committee on Finance, for the reporting of the amendment.

Mr. McCUMBER. Mr. President, I am learning two lessons, at least, from this discussion. One is on the art of distilling and the other upon the science of Government finances. The Senator from Iowa [Mr. ALLISON] says that we should consider almost as important as any other feature the revenue-producing element of this measure. I will agree with him, Mr. President, that that is quite proper, but I want to ask if he will not also agree with me that any system which makes the cost of collecting $1 at least $2 is worthy of a great deal of consideration; and that will absolutely be the effect of this bill so far as it relates to the production of alcohol upon the farm. In other words, if the farmer can work a still of such small capacity that he can afford to run it for the purpose of utilizing his waste products, it will not produce enough to pay the expenses of keeping a Government agent there while he is running his still.

Let us suppose, now, that there are ten farmers in a single county in my State, a county which will average 50 miles square, who are engaged in this business. They may all want to start their stills about the same time of the year and they may all desire the presence of the inspector at the same time; but they can not get him. He has got to travel several hundred miles, possibly in a single county, assuming that there will be but ten engaged in this business in a county of this size. When he is ready to go on with his work, the other nine or ten may all happen to be ready at the same time. So one man has either got to wait and abide the convenience of a Government agent, or else all of them will have to have a separate and distinct Government inspector. The cost in either case, in my opinion, measured by what the Government would save in the matter of fraud, would be at least ten dollars to one. In other words, it would cost the Government of the United States in inspectors at least $10 where the Government would save $1 because fraud might be committed.

Mr. ALLISON. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. Certainly.

Mr. ALLISON. First, if there were ten distilleries within an area of 50 miles, each desiring a supervisor on the same day, it is probable that ten supervisors could be found within an easy reach of the area of 50 miles who would be willing to go to these different distilleries. That is exactly the way it is done in Kentucky. They have a sufficient number of supervisors to provide one for each distiller as he desires one.

Mr. McCUMBER. Yes; but, Mr. President——

Mr. ALLISON. Wait a moment. I want to answer the whole question.

Mr. McCUMBER. Certainly.

Mr. ALLISON. Then, as to the question of cost, of course this denatured alcohol pays no tax. Therefore the service, so far as taxation is concerned, is a gratuity. But while these ten good, honest farmers are lawfully conducting their distilleries within the area of 50 miles, it is just possible that some other ten men or one man might be extracting at least 50 gallons during the thirty days from his distillery, which would cost the Government twice as much as it would to maintain an inspector there. In other words, the object of having these inspectors is to save the aggregate revenue derived from distilled spirits from the effect of fraud throughout the United States. That is all there is to it.

Mr. McCUMBER. Yes; but let us apply that. It is safe to say that the average farmer of the United States would not raise over a thousand bushels of potatoes, we will say, or its equivalent in any character of grain, which he would use for this purpose. Suppose a thousand bushels would make a thousand gallons, which it will not, and I do not suppose it will make more than five to six hundred gallons, possibly, of denatured alcohol. However, let us suppose that we get the same character of potatoes that they have in Germany, and suppose the farmer should produce a thousand gallons. Those thousand gallons, at 30 cents a gallon even, would be worth $300. It is safe to say that he would not in a year, with the average of these stills, if they are going to be profitable at all, make more than $150 a year; and if he did that, the cost and expense of keeping the necessary agents or inspector would about equal the value of the entire produce of the farm used for this purpose.

I want the Senator to separate the farm product from the product of the great stills, not running at a hundred gallons a day or anything like it, but those which are running at all are running, perhaps, to the extent of many thousands of gallons a day. By reason of the great amount that can be done in a day they can economize so that they can manufacture the product profitably. The farmer can not make the alcohol profitably on his little farm, and with a little still, except as he offsets his labor against what he will receive, and in my opinion he will receive mighty small compensation for his labor under any conditions.

But I want to give him the benefit of this law which he supposed was to be for his benefit. I do not believe he is going to get the benefit that is claimed. I am very doubtful if he gets any, and if I accept the argument of the Senator from Iowa that there will have to be a $500 denaturing plant on every farm where there is a little still, then of course the farmer could not afford to carry on the business at all. The interest on his investment, the repairs, etc., would exceed the value of the material that he would manufacture during the year.

Mr. ALLISON. That was a mere statement of my own. I may be entirely mistaken.

Mr. McCUMBER. I understand.

Mr. ALLISON. But on the statement of the Senator from North Dakota that a still will cost a hundred and fifty dollars, the auxiliary things necessary to denature the alcohol will certainly cost a great deal more, I think. I may be mistaken——

Mr. McCUMBER. I have understood that the cost of the whole apparatus for the distilling would amount to $150.

Of course this bill provides for denaturing plants to which the farmer may ship his alcohol. He does not need to do the denaturing upon the farm.

Mr. ALLISON. I understand that.

Mr. McCUMBER. So on the whole, from the arguments, I am becoming somewhat disappointed as to the good results that are going to flow to the agricultural element of this country by reason of the proposed law. But whatever results there may be, I am satisfied of one thing: While I have very slight knowledge as to the cost and expense and the process of distilling spirits, I have a pretty accurate idea of the cost and expense of conducting any kind of business upon the farm and about what a farmer can do, and I know that he can not afford to use any of these large stills upon a farm, and I know further that the Government can not afford to have an inspector present during the time that the farmer wants to do a little work.

Mr. HEYBURN. Mr. President, I think perhaps a careful reading of this section, which is the only section of the revenue law retained in the bill, will throw light upon the difficulties suggested by the Senator from North Dakota [Mr. McCUMBER]. It will be observed that by the terms of section 3284 a party may be designated as a storekeeper or by the storekeeper for the purpose of performing this duty, thus making it a neighborhood proposition. The language used in the act is:

> Every distiller or person employed in any distillery who in the absence of the storekeeper or person designated to act as storekeeper uses or causes, etc.

So far as I know, I brought into the Senate the first bill providing for the manufacture of denatured alcohol, and attempted to secure its reference to the Committee on Manufactures for consideration. Objection was made that inasmuch as it affected the revenues of the country it should go to the Committee on Finance. I yielded and withdrew the bill, having perfect confidence that the Committee on Finance, from its experience and from its composition, would be better able to

deal with the question than I or the committee of which I was a member.

My attention was first drawn to this subject some years ago, and I proceeded to obtain from Germany and other countries all the literature bearing upon the subject that I could obtain and gave the subject some consideration before formulating the measure for the purpose of introducing it in the way of legislation. I had in mind then not that each individual farmer would resort to the manufacture of denatured alcohol, but that it would be a community process. The material from which denatured alcohol can be made profitably must necessarily be inexpensive—waste material. There is not much in the proposition that the farmer will use his grain or will use the bulk of his crop of potatoes for that purpose. The price at which this commodity must be produced in order that it may compete in the market as fuel or light or in the uses and purposes of the arts is such that it must be manufactured below a given cost, which is very small, and no commodity having a ready sale or use can be used for this purpose and compete in the markets with the articles with which it must come in competition.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Oregon?

Mr. HEYBURN. Certainly.

Mr. FULTON. I will ask the Senator if in his investigations he ascertained about what was the relative product of the farmers' distilleries, so called, in Germany last year and the other, or what I will call the regular distilleries?

Mr. HEYBURN. I think I fail to catch the point of the Senator's question.

Mr. FULTON. I am informed by a gentleman who is in the Chamber and who has investigated the subject that last year the product of what are known as farmers' distilleries in Germany was 287,000,000 gallons, as against, in round numbers, 500,000 gallons in other distilleries.

Mr. HEYBURN. I see the point of the Senator's remark, and in the few minutes during which I shall occupy the floor I will include a reply to that suggestion.

Mr. ALDRICH. Will the Senator from Idaho yield to me for a moment?

Mr. HEYBURN. Yes.

Mr. ALDRICH. It is rather important that the figures with respect to the German production should be approximately correct. The figures are 71,000,000 instead of 287,000,000, as stated by the Senator from Oregon.

Mr. HEYBURN. I was about to suggest——

Mr. FULTON. I want to say in justice to the Senator from Rhode Island that he did not know about it until he asked the same gentleman from whom I got my information.

Mr. ALDRICH. I beg the Senator's pardon. I asked the Senator who his authority was, and when we consulted the authority he said 71,000,000 instead of 287,000,000.

Mr. FULTON. He said liters——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Oregon?

Mr. HEYBURN. I think I can take up and finish answering the question just here.

Mr. FULTON. The Senator will allow me.

Mr. HEYBURN. I was about to say it was less than a hundred million. I was not going to deal with exact figures at all, but that is near enough. It is the principle rather than the quantity that is involved.

Mr. ALDRICH. I think the Senator from Oregon ought to ask his informant how much the bounty paid in Germany amounts to per gallon.

Mr. FULTON. The Senator knows who my informant is.

Mr. ALDRICH. Yes; but knowing the knowledge the Senator himself has on this question, I should like to ask him how much bounty is paid in Germany on the production of denatured alcohol.

Mr. FULTON. I do not know anything about it.

Mr. HEYBURN. I should like to proceed, so as not to lose the thread of what I was saying.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield further to the Senator from Oregon?

Mr. HEYBURN. I yield.

Mr. FULTON. The correction I want to make in my statement is this. I used "gallons" instead of "liters," and the proportion I stated is exactly correct—287,000,000 against 500,000.

Mr. HEYBURN. Yes; but of a different measure.

Mr. ALDRICH. Yes.

Mr. HEYBURN. It is not very material as to the quantity. Upon careful investigation Senators will find that the method of producing this article in Germany is very much like that which I suggested that I contemplated it would be in this country—that is, a neighborhood method; a community method. The waste of the community is preserved and gathered together until there is a sufficient quantity of it. There is an organized system for the production of denatured alcohol, and it is not done on each little tract of land, but it is done in each community, and I take it that when this system is adopted in the United States to the advantage and to the profit of those for whose benefit this legislation is proposed it will be done in the neighborhoods within hauling distance.

The material out of which denatured alcohol is made is not such material as will bear transportation under the ordinary methods. It will be hauled in the wagons of the farmers and those who produce it to a neighboring center, and there the distillery will be operated, and it will not be very inconvenient for a Government officer, who does not entail any expense to the parties who are interested in the distilling process, to be present, inasmuch as the law which I have just read provides that parties may be designated for this purpose or appointed. In other words, the storekeeper will appoint as many agents as he finds it necessary in every community under existing law. That is the law now. He may appoint people who are not devoting their time exclusively to the service of the Government. They are paid only when they are performing these duties. They may be engaged in farming or in any other enterprise. He is an agent designated at a given time to go to a given place in a given community and there perform his duty under the instructions of the Department of the Government. It will not be difficult or expensive, and I am fully in accord with the idea that this is necessary in order to protect the Government against imposition under this new and experimental system.

It is probably needless to say that I am most heartily in accord with the law itself, with the system of legislation upon which we are engaged. The only thing is that we should so enact it and so protect it that it shall not prove a fraud that will discredit the system in the very beginning of our experience.

I had my attention called to this fact early in my investigation of this question. It is not only the farmers' produce. There are vast quantities of sawdust that accumulate under the saw, millions of tons of it, which constitutes available material for making alcohol. There are all our sugar-beet fields in the West. In Idaho's fields alone last year, subject to this process, were thousands upon thousands of tons, and the fields of the State produced only 50,000 tons of sugar last year. That refuse is all available for this purpose. The fact that it remains in a pile collected for the purpose and ferments or even rots does not materially deteriorate it for this use. It is not necessary, immediately upon the gathering together of this refuse, that you shall commence to distil it. It is not injured or lessened in its value by remaining in bulk until such time as you are ready to engage in this process.

Denatured alcohol is going to be a strong competitor in the arts, for heat, for light, for power, sometimes by direct application, sometimes by reproducing itself in another form of power, and it is of very great importance that the bill should not be so framed as to make its operation obnoxious and bring about a reaction of sentiment that would undo all we have gained thus far. I can see no very serious disadvantage in having in each neighborhood a fixed number of storekeepers, appointed by the Government, to be on hand whenever they are needed. It is not at all probable that each individual farmer will set up a still, but it is probable that each community within easy hauling distance will set up a distilling plant and a denaturing plant and that it will be operated with convenience to the entire neighborhood, the product being one easily divisible by gallons.

Mr. HANSBROUGH. Mr. President, I wish to say just one word in response to what the Senator from Idaho [Mr. HEYBURN] has said. If we adopt section 3284, which we practically do if we agree to the amendment proposed by the committee, it will be utterly impossible for the owner of the material mentioned by the Senator from Idaho—any sawdust or any waste product from the beet farms—to have a particle of it handled in any way if he intends to use it for alcohol purposes unless there is a storekeeper there at the time. He could not even take a shovel and transfer a half ton of sawdust from one place to another unless a storekeeper were present.

Mr. HEYBURN. That is such a strained construction of the law, which has been so long in effect that we know its operation, that I can not think the Senator can be serious in his suggestion.

Mr. HANSBROUGH. Read the statute iself.

Mr. HEYBURN. It has been interpreted and applied for

years. You are not prevented from moving wheat from one bin to another or corn from the wagon to the crib.

Mr. HANSBROUGH. Let me read the statute.

Every distiller or person employed in any distillery who, in the absence of the storekeeper, or person designated to act as storekeeper, uses, or causes or permits to be used, any material for the purpose of making mash, wort, or beer, or for the production of spirits, or removes any spirits, shall forfeit and pay double the amount of taxes, etc.

"Removes" how? At any time and at any place.

Mr. HEYBURN. Could you not take wheat from the bag to the bin?

Mr. HANSBROUGH. The farmer who has a small distillery would be prohibited from hauling a load of potatoes and putting them into the bin with the intention of using them for the purpose of making alcohol unless there was a storekeeper there at the time, and that is why I object to this amendment. It is absolutely prohibitive, as the Senator from Maine said a while ago.

Mr. HEYBURN. The Senator would not carry it so far as to say that the storekeeper must be present when the potatoes were sown?

Mr. HANSBROUGH. No; I would not, but the statute would, if you reenact the statute in this bill.

Mr. ALDRICH obtained the floor.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Nevada?

Mr. ALDRICH. I was about to move that the Senate proceed to the consideration of executive business.

Mr. McCUMBER. I have a conference report which I wish to submit.

Mr. HANSBROUGH. If the bill is to go over, I suppose it is understood that it is the unfinished business.

Mr. ALDRICH. Oh, yes; certainly. I withhold the motion for an executive session for the time being, in order to allow routine business to be transacted.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23551) making appropriations for the support of the Army for the fiscal year ending June 30, 1908, and insists upon its amendment No. 25 to the bill.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 10703. An act authorizing the extension of Monroe street NE.; and

H. R. 22210. An act to correct the military record of Homer Quick.

The message further announced that the House returned to the Senate, in compliance with its request, the bill (S. 8556) to authorize the Pensacola and Northeastern Railroad Company, a corporation under existing laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

The message also announced that the House had passed the following bill and joint resolutions; in which it requested the concurrence of the Senate:

H. R. 22588. An act for the relief of homestead entrymen who have paid more than the lawful purchase money;

H. J. Res. 236. Joint resolution authorizing the Secretary of the Navy to furnish metal for a bell; and

H. J. Res. 240. Joint resolution to create a joint committee to consider the revision and codification of the laws of the United States.

### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 24103) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1908, and for other purposes; and it was thereupon signed by the Vice-President.

### ARMY APPROPRIATION BILL.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23551) making appropriation for the support of the Army for the fiscal year ending June 30, 1908, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

On amendment numbered 25 the committee of conference has been unable to agree.

F. E. WARREN,
J. B. FORAKER,
JO. C. S. BLACKBURN,
*Managers on the part of the Senate.*

J. A. T. HULL,
RICHARD WAYNE PARKER,
JAMES HAY,
*Managers on the part of the House.*

Mr. WARREN. Mr. President, on the first report there were two matters in disagreement. Upon one the House of Representatives receded, and the request for a conference was acceded to. Another conference was had, and the disagreement just read is reported.

The report was agreed to.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives adhering to its disagreement to amendment No. 25 of the Senate to the bill H. R. 23551, "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1908."

Mr. WARREN. I move that the Senate recede from the amendment in disagreement.

The motion was agreed to.

Mr. WARREN. This makes a complete agreement.

### JURISDICTION OF HOT SPRINGS MOUNTAIN RESERVATION.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 6498) to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.," approved April 20, 1904, which was to strike out all after the enacting clause and insert:

That public act No. 124, an act conferring jurisdiction upon the United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark., be amended as follows:

That section 6 be amended by prefixing the following:

"That any United States commissioner, duly appointed by the United States circuit court for the eastern district of Arkansas, and residing in said district, shall have power and jurisdiction to hear and act upon all complaints made of any and all violations of this act."

SEC. 2. That the words "commissioner," "such commissioner," "said commissioner," or "the commissioner," whenever they occur in said act be stricken out and the words "any of said commissioners" be inserted in lieu thereof.

Mr. CLARK of Wyoming. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

### HOUSE BILLS REFERRED.

H. R. 22588. An act for the relief of homestead entrymen who have paid more than the lawful purchase money was read twice by its title, and referred to the Committee on Public Lands.

H. J. Res. 236. Joint resolution authorizing the Secretary of the Navy to furnish metal for a bell was read twice by its title, and referred to the Committee on Naval Affairs.

H. J. Res. 240. Joint resolution to create a joint committee to consider the revision and codification of the laws of the United States was read twice by its title, and referred to the Committee on the Judiciary.

### FISH-CULTURAL STATION ON PUGET SOUND.

The VICE-PRESIDENT laid before the Senate the request of the House of Representatives to be furnished with a duplicate engrossed copy of the bill (S. 1462) to establish one or more fish-cultural stations on Puget Sound, State of Washington, the original having been lost, and by unanimous consent the request was ordered to be complied with.

### BALTIMORE AND WASHINGTON TRANSIT COMPANY.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 22123) to amend an act to authorize the Baltimore and Washington Transit Company of Maryland to enter the District of Columbia, approved June 8, 1896, to report it favorably with amendments, and I submit a report thereon.

I will state that the Senate has passed precisely a similar bill with a change of two words, and I ask for the present consideration of this bill. It will have to go back to the House.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was, on page 4, line 19, after the word "exceeding," to strike out "four" and insert "five;" and in line 22,

before the word "of," to strike out "eight" and insert "six;" so as to read:

SEC. 5. That the said company, in conjunction with the Capital Traction Company, may receive a rate of fare not exceeding 5 cents for each passenger for one continuous ride over the route aforesaid and the route of the said Capital Traction Company within the District of Columbia, or any part thereof, and shall sell tickets at the rate of six for 25 cents.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ELIJAH B. HUDSON.

Mr. SCOTT submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to.

*Resolved by the Senate (the House of Representatives concurring).* That the President be requested to return the bill (S. 6078) entitled "An act granting an increase of pension to Elijah B. Hudson."

LEWIS A. TOWNE.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 7840) granting an increase of pension to Lewis A. Towne having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

P. J. McCUMBER,
N. B. SCOTT,
JAS. P. TALIAFERRO,
*Conferees on the part of the Senate.*

JOHN C. CHANEY,
E. S. HOLLIDAY,
*Conferees on the part of the House.*

The report was agreed to.

PENSACOLA AND NORTHEASTERN RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate the bill (S. 8556) to authorize the Pensacola and Northeastern Railroad Company, a corporation under existing laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida, returned from the House of Representatives in compliance with the request of the Senate.

Mr. MALLORY. I move to reconsider the votes by which the bill was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. MALLORY. I move that the bill be postponed indefinitely.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After sixteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 16 minutes p. m.) the Senate adjourned until tomorrow, Friday, March 1, 1907, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate February 28, 1907.*

SURVEYOR OF CUSTOMS.

Amor Smith, jr., of Ohio, to be surveyor of customs for the port of Cincinnati, in the State of Ohio. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE.

Frank R. Bentley, of Wisconsin, to be collector of internal revenue for the second district of Wisconsin, in place of James G. Monahan, resigned.

PROMOTIONS IN THE ARMY.

*Cavalry Arm.*

Second Lieut. Charles R. Mayo, Twelfth Cavalry, to be first lieutenant from February 21, 1907, vice Jackson, Tenth Cavalry, retired from active service.

PROMOTIONS IN THE NAVY.

Commander Thomas B. Howard to be a captain in the Navy, from the 24th day of February, 1907, vice Capt. Benjamin F. Tilley, promoted.

Passed Assistant Paymaster Francis J. Painter, United States Navy, retired, with the rank of lieutenant, to be a paymaster on the retired list of the Navy, with the rank of lieutenant, from the 29th day of June, 1906, in accordance with the provisions of an act of Congress approved on that date.

RECEIVER OF PUBLIC MONEYS.

Fred V. Tinker, of Idaho City, Idaho, to be receiver of public moneys at Boise, Idaho, vice Edward E. Garrett, term expired.

CALIFORNIA.

George F. Hirsch to be postmaster at Longbeach, in the county of Los Angeles and State of California, in place of George F. Hirsch. Incumbent's commission expired February 26, 1907.

GEORGIA.

Newton T. Jones to be postmaster at Pelham, in the county of Mitchell and State of Georgia, in place of Newton T. Jones. Incumbent's commission expired January 31, 1907.

ILLINOIS.

Charles W. Vedder to be postmaster at North Chicago, in the county of Lake and State of Illinois, in place of Charles W. Vedder. Incumbent's commission expired January 23, 1907.

IOWA.

Joseph S. Morgan to be postmaster at Dubuque, in the county of Dubuque and State of Iowa, in place of Joseph S. Morgan. Incumbent's commission expired May 27, 1906.

KENTUCKY.

George M. Dickey to be postmaster at Cynthiana, in the county of Harrison and State of Kentucky, in place of George M. Dickey. Incumbent's commission expired February 12, 1907.

MICHIGAN.

Joseph L. Baird to be postmaster at Marine City, in the county of St. Clair and State of Michigan, in place of Joseph L. Baird. Incumbent's commission expired February 26, 1907.

MISSOURI.

James H. Turner to be postmaster at Weston, in the county of Platte and State of Missouri, in place of August Schneider. Incumbent's commission expired March 1, 1906.

NEBRASKA.

Dana McNeil to be postmaster at Chadron, in the county of Dawes and State of Nebraska, in place of George A. Eckles, resigned.

NEW YORK.

Lucien A. Blanding to be postmaster at Sherburne, in the county of Chenango and State of New York, in place of Lucien A. Blanding. Incumbent's commission expires March 3, 1907.

Gervas H. Kerr to be postmaster at Pelham Manor, in the county of Westchester and State of New York, in place of Gervas H. Kerr. Incumbent's commission expired February 4, 1907.

OKLAHOMA.

Allie Humphrey to be postmaster at Hastings, in the county of Comanche and Territory of Oklahoma. Office became Presidential January 1, 1907.

PENNSYLVANIA.

Barnett C. Fretts to be postmaster at Scottdale, in the county of Westmoreland and State of Pennsylvania, in place of Barnett C. Fretts. Incumbent's commission expired February 26, 1907.

I. N. Lightner to be postmaster at Ephrata, in the county of Lancaster and State of Pennsylvania, in place of William L. Bixler. Incumbent's commission expired January 26, 1907.

SOUTH CAROLINA.

Martin Cauthen to be postmaster at Kershaw, in the county of Lancaster and State of South Carolina. Office became Presidential January 1, 1907.

William H. Reedish to be postmaster at Branchville, in the county of Orangeburg and State of South Carolina. Office became Presidential January 1, 1907.

SOUTH DAKOTA.

John D. Cotton to be postmaster at Parker, in the county of Turner and State of South Dakota, in place of John D. Cotton. Incumbent's commission expired May 7, 1906.

Porter E. Rugg to be postmaster at Artesian, in the county of Sanborn and State of South Dakota. Office became Presidential January 1, 1907.

VIRGINIA.

James Carter to be postmaster at Chatham, in the county of Pittsylvania and State of Virginia, in place of James Carter. Incumbent's commission expired February 26, 1907.

WISCONSIN.

James D. Strickland to be postmaster at New Lisbon, in the county of Juneau and State of Wisconsin, in place of Frank E. Hurd. Incumbent's commission expires March 3, 1907.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 28, 1907.*

SURVEYOR OF CUSTOMS.

Jeremiah J. McCarthy, of Massachusetts, to be surveyor of customs in the district of Boston and Charlestown, in the State of Massachusetts.

COLLECTOR OF CUSTOMS.

Peter Dippel, of New York, to be collector of customs for the district of Sag Harbor, in the State of New York.

PROMOTIONS IN THE NAVY.

Commander Frank E. Sawyer to be a captain in the Navy from the 18th day of February, 1907.

Lieut. Commander Thomas Snowden to be a commander in the Navy from the 8th day of February, 1907.

Capt. Seth M. Ackley to be a rear-admiral in the Navy from the 24th day of February, 1907.

Capt. Benjamin F. Tilley to be a rear-admiral in the Navy from the 24th day of February, 1907.

Second Lieut. John H. White to be a first lieutenant in the Marine Corps from the 29th day of November, 1906.

Boatswain John C. Thompson, United States Navy, retired, to be a chief boatswain, to rank with but after ensign, on the retired list of officers of the Navy, from the 29th day of June, 1906, in accordance with a provision contained in the naval appropriation act approved on that date.

APPOINTMENT IN THE ARMY.

*Infantry Arm—To be second lieutenant.*

Frank Thorp, jr., of Maryland, with rank from February 13, 1907.

PROMOTIONS IN THE ARMY.

*Quartermaster's Department.*

Lieut. Col. James W. Pope, deputy quartermaster-general, to be assistant quartermaster-general with the rank of colonel from February 16, 1907.

Maj. John B. Bellinger, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel from February 16, 1907.

Capt. Thomas Swobe, quartermaster, to be quartermaster with the rank of major from February 16, 1907.

*Infantry Arm—To be captains.*

First Lieut. George W. Stuart, Seventh Infantry, from January 31, 1907.

First Lieut. William T. Patten, Thirteenth Infantry, from February 1, 1907.

First Lieut. Duncan K. Major, jr., Fourteenth Infantry, from February 16, 1907.

TO BE PLACED ON THE RETIRED LIST OF THE ARMY WITH THE RANK OF BRIGADIER-GENERAL.

Col. Alfred C. Markley, Thirteenth Infantry.
Col. Frank H. Phipps, Ordnance Department.
Col. Amos Stickney, Corps of Engineers.
Col. Henry B. Osgood, Assistant Commissary-General.
Col. Garrett J. Lydecker, Corps of Engineers.

POSTMASTERS.

CALIFORNIA.

Frank B. Mackinder to be postmaster at St. Helena, in the county of Napa and State of California.

CONNECTICUT.

William B. Bristol to be postmaster at Stratford, in the county of Fairfield and State of Connecticut.

Leopold J. Curtis to be postmaster at Norfolk, in the county of Litchfield and State of Connecticut.

Charles C. Georgia to be postmaster at Unionville, in the county of Hartford and State of Connecticut.

Charles N. Hatch to be postmaster at Bridgewater, in the county of Litchfield and State of Connecticut.

Willis W. Mildrum to be postmaster at East Berlin, in the county of Hartford and State of Connecticut.

Edwin F. Tomlinson to be postmaster at Plainville, in the county of Hartford and State of Connecticut.

IDAHO.

Burt Venable to be postmaster at Payette, in the county of Canyon and State of Idaho.

ILLINOIS.

John C. Beever to be postmaster at Coulterville, in the county of Randolph and State of Illinois.

John W. Church to be postmaster at Marissa, in the county of St. Clair and State of Illinois.

John Culbertson to be postmaster at Sumner, in the county of Lawrence and State of Illinois.

Mark L. Kennedy to be postmaster at Mounds, in the county of Pulaski and State of Illinois.

Lester B. Knickerbocker to be postmaster at Bradley, in the county of Kankakee and State of Illinois.

James McClintock to be postmaster at Hinsdale, in the county of Dupage and State of Illinois.

Thomas H. Stokes to be postmaster at Lincoln, in the county of Logan and State of Illinois.

KANSAS.

Fred Hazleton to be postmaster at Norton, in the county of Norton and State of Kansas.

W. P. Heichert to be postmaster at Howard, in the county of Elk and State of Kansas.

Walter L. Stocking to be postmaster at Goff, in the county of Nemaha and State of Kansas,

MAINE.

Will I. Burrill to be postmaster at Corinna, in the county of Penobscot and State of Maine.

MARYLAND.

Ulysses Hanna to be postmaster at Frostburg, in the county of Allegany and State of Maryland.

William Pearre to be postmaster at Cumberland, in the county of Allegany and State of Maryland.

MASSACHUSETTS.

Samuel R. Mosely to be postmaster at Hyde Park, in the county of Norfolk and State of Massachusetts.

Charles L. Scranton to be postmaster at Oak Bluffs (late Cottage City), in the county of Dukes and State of Massachusetts.

John W. Sproul to be postmaster at Abington, in the county of Plymouth and State of Massachusetts.

William H. Twiss to be postmaster at Ashland, in the county of Middlesex and State of Massachusetts.

MICHIGAN.

George Barie to be postmaster at Pinconning, in the county of Bay and State of Michigan.

Charles H. Bostick to be postmaster at Manton, in the county of Wexford and State of Michigan.

Charles B. Collingwood to be postmaster at Agricultural College, in the county of Ingham and State of Michigan.

Leonard W. Feighner to be postmaster at Nashville, in the county of Barry and State of Michigan.

Roland Franklin to be postmaster at Clio, in the county of Genesee and State of Michigan.

George W. Freese to be postmaster at Clinton, in the county of Lenawee and State of Michigan.

Sidney E. Lawrence to be postmaster at Hudson, in the county of Lenawee and State of Michigan.

Archie R. McKinnon to be postmaster at Shelby, in the county of Oceana and State of Michigan.

Benjamin F. Oakes to be postmaster at East Tawas, in the county of Iosco and State of Michigan.

Luther E. Sherman to be postmaster at Bessemer, in the county of Gogebic and State of Michigan.

Flora MacLachlan to be postmaster at Grand Marais, in the county of Alger and State of Michigan.

MINNESOTA.

Samuel Aaberg to be postmaster at Harmony, in the county of Fillmore and State of Minnesota.

Leonard W. Bills to be postmaster at Park Rapids, in the county of Hubbard and State of Minnesota.

Charles R. Frazee to be postmaster at Pelican Rapids, in the county of Ottertail and State of Minnesota.

Frank Hagberg to be postmaster at Winthrop, in the county of Sibley and State of Minnesota.

Albert E. Joslyn to be postmaster at Royalton, in the county of Morrison and State of Minnesota.

Augustus Parish to be postmaster at Sandstone, in the county of Pine and State of Minnesota.

Christian A. Rasmussen to be postmaster at Red Wing, in the county of Goodhue and State of Minnesota.

James Ruane to be postmaster at Slayton, in the county of Murray and State of Minnesota.

John Sheehy to be postmaster at Montgomery, in the county of Lesueur and State of Minnesota.

Emma C. Taylor to be postmaster at Chaska, in the county of Carver and State of Minnesota.

John F. Wrabek to be postmaster at New Prague, in the county of Lesueur and State of Minnesota.

NEW JERSEY.

Walter Ball to be postmaster at Merchantville, in the county of Camden and State of New Jersey.

Alfred M. Jones to be postmaster at Summit, in the county of Union and State of New Jersey.

William H. Mackay to be postmaster at Rutherford, in the county of Bergen and State of New Jersey.

Frank D. Pedrick to be postmaster at Woodbury, in the county of Gloucester and State of New Jersey.

NEW YORK.

Charles B. Ball to be postmaster at Montour Falls, in the county of Schuyler and State of New York.

George R. Cornwell to be postmaster at Penn Yan, in the county of Yates and State of New York.

George N. Deyoe to be postmaster at Johnstown, in the county of Fulton and State of New York.

John L. Kyne to be postmaster at East Syracuse, in the county of Onondaga and State of New York.

Adolph Lienhardt to be postmaster at Stapleton, in the county of Richmond and State of New York.

OKLAHOMA.

C. C. Curtis to be postmaster at Cordell, in the county of Washita and Territory of Oklahoma.

Arthur E. Gunn to be postmaster at Okeene, in the county of Blaine and Territory of Oklahoma.

Perry C. Hughes to be postmaster at Busch, in the county of Roger Mills and Territory of Oklahoma.

OREGON.

John R. Casey to be postmaster at Ashland, in the county of Jackson and State of Oregon.

PENNSYLVANIA.

Joseph H. Denning to be postmaster at St. Clair, in the county of Schuylkill and State of Pennsylvania.

William W. Kemble to be postmaster at Tidioute, in the county of Warren and State of Pennsylvania.

Joseph I. Latimer to be postmaster at New Bethlehem, in the county of Clarion and State of Pennsylvania.

William D. McHenry to be postmaster at Big Run, in the county of Jefferson and State of Pennsylvania.

William W. Reber to be postmaster at Lehighton, in the county of Carbon and State of Pennsylvania.

John S. Weaver to be postmaster at Mechanicsburg, in the county of Cumberland and State of Pennsylvania.

William W. Wren to be postmaster at Boyertown, in the county of Berks and State of Pennsylvania.

RHODE ISLAND.

James E. Bowen to be postmaster at Central Falls, in the county of Providence and State of Rhode Island.

James T. Caswell to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island.

SOUTH DAKOTA.

Dalton A. Brosius to be postmaster at Vermilion, in the county of Clay and State of South Dakota.

William T. Dale to be postmaster at Mellette, in the county of Spink and State of South Dakota.

J. N. Fulford to be postmaster at Oacoma, in the county of Lyman and State of South Dakota.

George Reed to be postmaster at Arlington, in the county of Kingsbury and State of South Dakota.

VERMONT.

Stanley R. Bryant to be postmaster at Windsor, in the county of Windsor and State of Vermont.

B. J. Derby to be postmaster at Burlington, in the county of Chittenden and State of Vermont.

L. D. Hazen to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont.

WASHINGTON.

Dan W. Bush to be postmaster at Chehalis, in the county of Lewis and State of Washington.

WEST VIRGINIA.

William F. Squires to be postmaster at Parsons, in the county of Tucker and State of West Virginia.

WISCONSIN.

James T. Brownlee to be postmaster at Mondovi, in the county of Buffalo and State of Wisconsin.

Robert Downend to be postmaster at Osceola, in the county of Polk and State of Wisconsin.

Joseph W. Fritz to be postmaster at Ladysmith, in the county of Rusk and State of Wisconsin.

Cyrus C. Glass to be postmaster at River Falls, in the county of Pierce and State of Wisconsin.

Thomas Hughes to be postmaster at Beaver Dam, in the county of Dodge and State of Wisconsin.

Christ Legreid to be postmaster at Cambridge, in the county of Dane and State of Wisconsin.

Nicholas T. Martin to be postmaster at Mineral Point, in the county of Iowa and State of Wisconsin.

Andrew Moberg to be postmaster at Amherst, in the county of Portage and State of Wisconsin.

John Vilberg to be postmaster at Mount Horeb, in the county of Dane and State of Wisconsin.

Eldon D. Woodworth to be postmaster at Ellsworth, in the county of Pierce and State of Wisconsin.

## BANCOS IN THE RIO GRANDE.

The injunction of secrecy was removed February 28, 1907, from the ratification of a convention between the United States and Mexico, signed on March 20, 1905, for the elimination of the bancos in the Rio Grande from the effects of Article II of the treaty of November 12, 1884.

## HOUSE OF REPRESENTATIVES.

THURSDAY, *February 28, 1907.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

WILLIAM J. CRANE.

The SPEAKER laid before the House, from the Speaker's table, the bill (H. R. 9767) entitled "An act granting a pension to William J. Crane," with a Senate amendment, which was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken; and the motion was agreed to.

DAM ACROSS COOSA RIVER, ALABAMA.

The SPEAKER laid before the House the bill S. 8526, a similar bill being on the House Calendar.

The title was read, as follows:

A bill (S. 8526) permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river.

Mr. MANN. Mr. Speaker, I make the point of order against the consideration of the bill and against the House bill being on the House Calendar. Section 5 of the bill provides:

That Congress reserves the right to revoke the rights and privileges conferred by this act, but in the event of such revocation the United States shall pay to the contracting party as full compensation the reasonable value, exclusive of any franchise that may be acquired under this act, of any dam and of all properties erected and land purchased by them necessary for the use and enjoyment of the benefits hereby conferred, etc.

The SPEAKER. The Chair does not care to hear from the gentleman further, and will call the attention of the gentleman from Alabama [Mr. BURNETT] that this bill affects property of the United States, and should be upon the Union Calendar; and the Chair will direct it to be placed upon the Union Calendar. Does the gentleman from Alabama [Mr. BURNETT] ask unanimous consent for the consideration of the bill at this time?

Mr. BURNETT. Yes; I do.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I stated to the gentleman the other day that if he would amend this bill in conformity with the practice of the House, that this dam should be erected under the provisions of the general dam act, as required in all other cases which had passed through the House at this session, I would not object, but under the bill as it is presented I shall object.

Mr. BURNETT. I hope the gentleman will reserve the objection until——

Mr. MANN. I am perfectly willing to reserve it until the gentleman makes a statement. Mr. Speaker, does the gentleman from Alabama [Mr. BURNETT] desire to accept the amendment?

Mr. BURNETT. No.

The SPEAKER. Objection is heard.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 3518. An act for the relief of Copiah County, Miss.;

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906;

H. R. 25758. An act amending an act entitled "An act to in-

crease the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes;"

H. R. 8. An act for the relief of the Harbison-Walker Company, of Pittsburg, Pa.;

H. R. 3462. An act for the relief of Franklin Patterson;

H. R. 12188. An act for the relief of George T. Larkin;

H. R. 9326. An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;

H. R. 4629. An act for the relief of William H. Gowdy;

H. R. 24118. An act granting to the Central Colorado Power Company a right of way over certain public lands for irrigation and electric power plants in the State of Colorado;

H. R. 24374. An act to fix the boundaries of lands of certain landowners and entrymen adjoining the Coeur d'Alene Indian Reservation;

H. R. 16581. An act for the relief of George W. Schroyer;

H. R. 5. An act to provide for the refunding of certain money, etc.;

H. R. 23940. An act for the extension of Albemarle street NW., District of Columbia;

H. R. 25691. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company;

H. R. 25041. An act to provide for the creation of additional land districts in the district of Alaska;

H. R. 12857. An act to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds;

H. R. 25184. An act to relieve the Tanana Mines Railroad in Alaska from taxation;

H. R. 21944. An act to amend section No. 2 of an act entitled "An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April 28, 1904; to restore to and confer upon certain persons the right to make entry under said act, and to amend existing law as to the sale of isolated tracts subject to entry under said act;

H. R. 25611. An act to authorize the Burnwell Coal and Coke Company to construct a bridge across the Tug Fork of Big Sandy River;

H. R. 16085. An act for the relief of Gordon, Ironsides & Fares Company (Limited);

H. R. 25627. An act to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.;

H. R. 23720. An act to aid the Council City and Solomon River Railroad Company;

H. R. 24046. An act to incorporate the Hungarian Reformed Federation of America;

H. R. 9109. An act for the relief of J. H. Henry;

H. R. 12840. An act for the relief of L. Biertempfel;

H. R. 24022. An act to correct the military record of Morris H. Walker;

H. R. 11044. An act authorizing and directing the Secretary of the Treasury, in certain contingencies, to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds;

H. R. 15320. An act to remove the charge of desertion against Peter Parsch;

H. R. 19524. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906;

H. R. 24605. An act granting to the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va.;

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel shoals;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner shoals;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton shoals;

H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida; and

H. R. 21857. An act to correct the military record of Jacob Rockwell.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 8409. An act to amend an act approved June 30, 1906, entitled "An act creating a United States court for China and prescribing the jurisdiction thereof;"

S. 3425. An act for the relief of Capt. George Van Orden, United States Marine Corps;

S. 7921. An act for the relief of George A. Armstrong;

S. 6649. An act authorizing the purchase of grounds for the accommodation of public buildings for the use of the Government of the United States in the District of Columbia, and for other purposes;

S. 6190. An act authorizing the Omaha tribe of Indians to submit claims to the Court of Claims;

S. 6754. An act granting to the Siletz Power and Manufacturing Company a right of way for a water ditch or canal through the Siletz Indian Reservation in Oregon;

S. 7929. An act to provide a temporary home for ex-Union soldiers and sailors in the District of Columbia;

S. 8303. An act to establish the Foundation for the Promotion of Industrial Peace;

S. 8542. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs;

S. 8498. An act to amend sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, and for other purposes;

S. 32. An act for the relief of the State of New Hampshire;

S. 8431. An act to authorize the cutting and sale of timber on land reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin;

S. 8117. An act to create the Calaveras Bigtree National Forest, and for other purposes;

S. 8292. An act providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the battle of New Orleans, at Chalmette, La., and making the necessary appropriation therefor;

S. 7851. An act for the relief of J. M. Bloom;

S. 8420. An act for the relief of the Mille Lac band of Chippewa Indians, in the State of Minnesota, and for other purposes; and

S. 1181. An act to provide for the payment of overtime claims of letter carriers excluded from judgment as barred by limitation.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 7684) to provide and maintain for the port of Galveston, Tex., a customs boarding boat.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 6229) to authorize the sale of public lands for cemetery purposes.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 24122. An act in reference to the expatriation of citizens and their protection abroad;

H. R. 13122. An act to correct the military record of John Allen;

H. R. 8984. An act to amend the laws governing labor or improvements upon mining claims in Alaska;

H. R. 10703. An act authorizing the extension of Monroe street NE.;

H. R. 23650. An act to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes;

H. R. 22210. An act to correct the military record of Homer Quick;

H. R. 10305. An act to provide for the repayment of certain customs dues;

H. R. 3268. An act for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased;

H. R. 15909. An act to reward the widow and minor son of

Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of San Francisco fire department, who lost their lives while fighting a fire on board of the U. S. Army transport *Meade;*

H. R. 7676. An act authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a commodore on the retired list of the Navy;

H. R. 13605. An act to satisfy certain claims against the Government arising under the Navy Department; and

H. R. 19500. An act for the relief of Indian traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier a ,Menominee Indian trader, with the Menominee Indians of Wisconsin.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24537) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had passed without amendment the following resolutions:

House concurrent resolution 60.

*Resolved by the House of Representatives (the Senate concurring),* That the invitation extended to the Congress of the United States by the Jamestown Tercentennial Exposition to attend the opening ceremonies of said exposition to be held April 26, 1907, is hereby accepted.

That the Speaker of the House of Representatives and the President of the Senate be, and are hereby, authorized and directed to appoint a committee, to consist of ten Senators and fifteen Representatives, of the Fifty-ninth Congress to attend the formal opening of the ceremonies referred to and to represent the Congress of the United States on that occasion.

Also:

House concurrent resolution 59.

*Resolved by the House of Representatives (the Senate concurring),* That the President be requested to return the bill (H. R. 21606) entitled "An act granting an increase of pension to Felix G. Morrison."

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the Senate of the following titles:

S. 8377. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906;

S. 2787. An act to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation, in the State of Wisconsin;" and

S. 8535. An act for the relief of certain white persons who intermarried with Cherokee citizens.

The message also announced that the Senate had passed the following resolution:

*Resolved,* That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 8556) to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 25630. An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 8409. An act to amend the act approved June 30, 1906, entitled "An act creating a United States court for China, and prescribing the jurisdiction thereof"—to the Committee on Foreign Affairs.

S. 32. An act for the relief of the State of New Hampshire—to the Committee on Claims.

S. 8431. An act to authorize the cutting and sale of timber on land reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin—to the Committee on Indian Affairs.

S. 1181. An act to provide for the payment of overtime claims of letter carriers excluded from judgment as barred by limitation—to the Committee on Claims.

S. 3425. An act for the relief of Capt. George Van Arden, United States Marine Corps—to the Committee on Claims.

S. 6649. An act authorizing the purchase of grounds for the accommodation of public buildings for the use of the Government of the United States in the District of Columbia, and for other purposes—to the Committee on Public Buildings and Grounds.

S. 7851. An act for the relief of J. M. Bloom—to the Committee on Claims.

S. 6754. An act granting to Siletz Power and Manufacturing Company a right of way for a water ditch or canal through the Siletz Indian Reservation, in Oregon—to the Committee on Indian Affairs.

S. 7921. An act for the relief of George A. Armstrong—to the Committee on War Claims.

S. 8117. An act to create the Calaveras Bigtree National Forest, and for other purposes—to the Committee on Agriculture.

S. 8292. An act providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the battle of New Orleans, at Chalmette, La., and making the necessary appropriation therefor—to the Committee on the Library.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 24103. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 9326. An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;

H. R. 8080. An act for the relief of S. Kate Fisher;

H. R. 15434. An act to regulate appeals in criminal prosecutions;

H. R. 9767. An act granting a pension to William J. Crane;

H. R. 7153. An act for the relief of David McClelland for loss sustained at Chickamauga Park, Ga., January 29, 1904;

H. R. 25758. An act amending an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and for other purposes;

H. R. 4629. An act for the relief of William H. Gowdy;

H. R. 25691. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company;

H. R. 25190. An act to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906;

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906; and

H. R. 24022. An act to correct the military record of Morris H. Walker.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5588. An act authorizing the President to appoint James Carroll a surgeon, with the rank of major, in the United States Army;

S. 6229. An act to authorize the sale of public lands for cemetery purposes;

S. 7017. An act extending the time for making settlement, final proof, and payment on public lands in certain cases;

S. 7684. An act to provide and maintain for the port of Galveston, Tex., a customs boarding boat;

S. 8400. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904;

S. 8435. An act granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs;

S. 8446. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk and Southern Railway Company; and

S. 8534. An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval the following bills:

H. R. 17814. An act granting an increase of pension to Simon E. Chamberlin;

H. R. 21413. An act granting an increase of pension to Mary S. Platt;

H. R. 21788. An act granting an increase of pension to Satina A. Waymer;
H. R. 21818. An act granting an increase of pension to William Hardesty;
H. R. 21827. An act granting an increase of pension to Francis Murray;
H. R. 21899. An act granting an increase of pension to Catharine Koch;
H. R. 21911. An act granting an increase of pension to George Newton;
H. R. 21914. An act granting an increase of pension to Ferdinand Pahl;
H. R. 21974. An act granting an increase of pension to John W. Lowell;
H. R. 21983. An act granting an increase of pension to James E. Pusey;
H. R. 22055. An act granting an increase of pension to Maria Lorch;
H. R. 22063. An act granting an increase of pension to Horace F. Packard;
H. R. 22093. An act granting an increase of pension to Lars Isaacson;
H. R. 22165. An act granting an increase of pension to John Hand;
H. R. 22169. An act granting an increase of pension to Cynthia M. Bryson;
H. R. 22170. An act granting an increase of pension to Benjamin James;
H. R. 22175. An act granting an increase of pension to Charles Prendeville;
H. R. 22199. An act granting an increase of pension to William Templin;
H. R. 22216. An act granting an increase of pension to Griffin A. Coffin;
H. R. 22251. An act granting an increase of pension to Samuel Manly;
H. R. 22260. An act granting an increase of pension to James E. Bissell;
H. R. 22283. An act granting an increase of pension to Stoddard Caswell;
H. R. 22294. An act granting an increase of pension to Perry Lamphere;
H. R. 22302. An act granting an increase of pension to Burrell H. Gillam;
H. R. 22326. An act granting an increase of pension to Mary Levina Williams;
H. R. 22327. An act granting an increase of pension to Isabel Manney;
H. R. 22328. An act granting an increase of pension to Susan Baker;
H. R. 22329. An act granting an increase of pension to Margaret L. James;
H. R. 22330. An act granting an increase of pension to Mary C. Jones;
H. R. 22426. An act granting an increase of pension to Louisa E. Robertson;
H. R. 22441. An act granting an increase of pension to Jacob Mose;
H. R. 22468. An act granting an increase of pension to William Kelso;
H. R. 22503. An act granting an increase of pension to William A. Clarke;
H. R. 22529. An act granting an increase of pension to William Truett;
H. R. 22540. An act granting an increase of pension to Richard Turnbull;
H. R. 22547. An act granting an increase of pension to John Hickcox, jr.;
H. R. 22548. An act granting an increase of pension to Franklin H. Davis;
H. R. 22562. An act granting an increase of pension to George J. Abbey;
H. R. 22592. An act granting an increase of pension to Andrew J. Frayer;
H. R. 22613. An act granting an increase of pension to Isaac G. McKibban;
H. R. 22617. An act granting an increase of pension to Margaret O'Reilly;
H. R. 22629. An act granting an increase of pension to Josiah N. Pratt;
H. R. 22630. An act granting an increase of pension to George Wiley;
H. R. 22650. An act granting an increase of pension to Thomas T. Baldwin;
H. R. 22701. An act granting an increase of pension to James R. Fairbrother;
H. R. 22703. An act granting an increase of pension to Benjamin F. Richards;
H. R. 22707. An act granting an increase of pension to Sebastian Gerhardt;
H. R. 22727. An act granting an increase of pension to John Miller;
H. R. 22763. An act granting an increase of pension to Charles H. Slocum;
H. R. 22785. An act granting an increase of pension to Morton A. Pratt;
H. R. 22788. An act granting an increase of pension to Isaac B. Gilmore;
H. R. 22798. An act granting an increase of pension to George W. Robinson;
H. R. 22801. An act granting an increase of pension to Robert McMillen;
H. R. 22823. An act granting an increase of pension to John Tipton;
H. R. 22859. An act granting an increase of pension to Samuel Boyd;
H. R. 22863. An act granting an increase of pension to Oscar A. Fuller;
H. R. 22894. An act granting an increase of pension to Louisa Berry;
H. R. 22947. An act granting an increase of pension to Benjamin F. Sibert;
H. R. 22949. An act granting an increase of pension to George W. Wells;
H. R. 22950. An act granting an increase of pension to Hezekiah Poffenberger;
H. R. 22964. An act granting an increase of pension to Eudocia Arnett;
H. R. 22986. An act granting an increase of pension to George W. Beeny;
H. R. 22987. An act granting an increase of pension to John D. Lane;
H. R. 22988. An act granting an increase of pension to Benjamin F. Horton;
H. R. 23031. An act granting an increase of pension to John H. Terry;
H. R. 23034. An act granting an increase of pension to Thomas A. Snoddy;
H. R. 23148. An act granting an increase of pension to Robert Liddell;
H. R. 23150. An act granting an increase of pension to Samuel H. W. Riter;
H. R. 23175. An act granting an increase of pension to Henry A. Fuller;
H. R. 23198. An act granting an increase of pension to Lucie A. Allyn;
H. R. 23280. An act granting an increase of pension to Bartholomew Burke;
H. R. 23282. An act granting an increase of pension to John W. Tumey;
H. R. 23311. An act granting an increase of pension to Jeremiah Burke;
H. R. 23312. An act granting an increase of pension to William Lewis;
H. R. 23313. An act granting an increase of pension to Benjamin D. Reed;
H. R. 23323. An act granting an increase of pension to Robert Foote;
H. R. 23360. An act granting an increase of pension to Robert Hastie;
H. R. 23407. An act granting an increase of pension to Hurd L. Miller;
H. R. 23411. An act granting an increase of pension to George H. Martin;
H. R. 23414. An act granting an increase of pension to Joseph Riddle;
H. R. 23426. An act granting an increase of pension to John S. Bergen;
H. R. 23442. An act granting an increase of pension to James J. Lawley;
H. R. 23443. An act granting an increase of pension to Louisa R. Matthews;
H. R. 23467. An act granting an increase of pension to Michael Flanagan;
H. R. 23609. An act granting an increase of pension to Samuel P. Wallis;
H. R. 23626. An act granting an increase of pension to Richard C. Taylor;

H. R. 23627. An act granting an increase of pension to William B. Walton;
H. R. 23628. An act granting an increase of pension to Clara E. Daniels;
H. R. 23660. An act granting an increase of pension to Harriet U. Burgess;
H. R. 23673. An act granting an increase of pension to John T. Grayson;
H. R. 23675. An act granting an increase of pension to Watson F. Bisbee;
H. R. 23677. An act granting an increase of pension to John D. Dryden;
H. R. 23682. An act granting an increase of pension to Joseph R. Bartlett;
H. R. 23685. An act granting an increase of pension to Robert Brake;
H. R. 23698. An act granting an increase of pension to William H. Wyman;
H. R. 23709. An act granting an increase of pension to James M. Dick;
H. R. 23729. An act granting an increase of pension to John Vandegrift;
H. R. 23732. An act granting an increase of pension to Rosanna Kaogan;
H. R. 23733. An act granting an increase of pension to Gifford M. Bridge;
H. R. 23744. An act granting an increase of pension to John O. Cravens;
H. R. 23748. An act granting an increase of pension to Emily J. Vanbeber;
H. R. 23751. An act granting an increase of pension to Charles D. Moody;
H. R. 23763. An act granting an increase of pension to James Riley;
H. R. 23791. An act granting an increase of pension to Calvin B. Fowlkes;
H. R. 23797. An act granting an increase of pension to James D. Tomson;
H. R. 23802. An act granting an increase of pension to Thomas J. Brown;
H. R. 23806. An act granting an increase of pension to William F. Barker;
H. R. 23834. An act granting an increase of pension to Samuel Langmaid;
H. R. 23849. An act granting an increase of pension to Charles A. Mathews;
H. R. 23850. An act granting an increase of pension to William Freeman;
H. R. 23852. An act granting an increase of pension to James G. Crozer;
H. R. 23857. An act granting an increase of pension to Isaac C. Smith;
H. R. 23864. An act granting an increase of pension to James A. Miller;
H. R. 23890. An act granting an increase of pension to Jacob B. Haslam;
H. R. 23912. An act granting an increase of pension to James E. Fitzgerald;
H. R. 23961. An act granting an increase of pension to Oscar N. Cowell;
H. R. 23966. An act granting an increase of pension to Hugh Stevenson;
H. R. 23967. An act granting an increase of pension to Henry Hill;
H. R. 23968. An act granting an increase of pension to Alexander McWhorter;
H. R. 23971. An act granting an increase of pension to Mary E. C. Butler;
H. R. 23982. An act granting an increase of pension to Thomas H. Seed;
H. R. 23997. An act granting an increase of pension to Michael M. Field;
H. R. 23999. An act granting an increase of pension to John F. Gough;
H. R. 24000. An act granting an increase of pension to Mary Holle;
H. R. 24002. An act granting an increase of pension to Michael F. Gilrain;
H. R. 24015. An act granting an increase of pension to Aaron C. Sanford;
H. R. 24028. An act granting an increase of pension to George H. Boney;
H. R. 24030. An act granting an increase of pension to Andrew J. Foor;
H. R. 24031. An act granting an increase of pension to John Downey;
H. R. 24034. An act granting an increase of pension to Mary I. Banta;
H. R. 24037. An act granting an increase of pension to Theodore Teeple.
H. R. 24061. An act granting an increase of pension to John C. Nelson;
H. R. 24068. An act granting an increase of pension to John Maginnis;
H. R. 24079. An act granting an increase of pension to David Jones;
H. R. 24100. An act granting an increase of pension to Henry W. Wilson;
H. R. 24101. An act granting an increase of pension to George W. Ashton;
H. R. 24161. An act granting an increase of pension to Hugh O'Neal;
H. R. 24171. An act granting an increase of pension to Finus M. Wyatt;
H. R. 24183. An act granting an increase of pension to Joseph B. Joyce;
H. R. 24189. An act granting an increase of pension to Frederick Hoffner;
H. R. 24194. An act granting an increase of pension to William Davis;
H. R. 24197. An act granting an increase of pension to Mary Ann Foard;
H. R. 24210. An act granting an increase of pension to George H. Maddox;
H. R. 24215. An act granting an increase of pension to George Hoell;
H. R. 24220. An act granting an increase of pension to William P. Robbe;
H. R. 24225. An act granting an increase of pension to William Ivans;
H. R. 24226. An act granting an increase of pension to Francis J. Eachus;
H. R. 24269. An act granting an increase of pension to William L. Stewart;
H. R. 24288. An act granting an increase of pension to John Gooding;
H. R. 24294. An act granting an increase of pension to Daniel R. Lamoreau;
H. R. 24299. An act granting an increase of pension to William B. Doyle;
H. R. 24308. An act granting an increase of pension to Lyman Thompson;
H. R. 24334. An act granting an increase of pension to Emma Case;
H. R. 24338. An act granting an increase of pension to James M. Gardner;
H. R. 24343. An act granting an increase of pension to James M. Haney;
H. R. 24344. An act granting an increase of pension to John H. James;
H. R. 22392. An act granting an increase of pension to Eugene W. Rolfe;
H. R. 24397. An act granting an increase of pension to David Prunkard;
H. R. 24405. An act granting an increase of pension to Mary H. Bishop;
H. R. 24406. An act granting an increase of pension to Edmund Johnson;
H. R. 24413. An act granting an increase of pension to William Thomas;
H. R. 24493. An act granting an increase of pension to Theodoric Gage;
H. R. 24502. An act granting an increase of pension to A. Judson Conant;
H. R. 24504. An act granting an increase of pension to John H. Leiter;
H. R. 24518. An act granting an increase of pension to Reuben Nye;
H. R. 24530. An act granting an increase of pension to David Miller;
H. R. 24531. An act granting an increase of pension to David E. Jefferson;
H. R. 24532. An act granting an increase of pension to Absalom R. Shacklett;
H. R. 24553. An act granting an increase of pension to Sarah J. Reed;
H. R. 24560. An act granting an increase of pension to Margaret Lesley;

H. R. 24577. An act granting an increase of pension to John L. Flanery;
H. R. 24586. An act granting an increase of pension to Jonathan A. Vincent;
H. R. 24599. An act granting an increase of pension to Thomas L. Richardson;
H. R. 24638. An act granting an increase of pension to Bernard Shallow;
H. R. 24681. An act granting an increase of pension to Lewis M. Jarvis;
H. R. 24691. An act granting an increase of pension to Edward Burtch;
H. R. 24698. An act granting an increase of pension to Lydia Hunt;
H. R. 24700. An act granting an increase of pension to Joseph Brooks;
H. R. 24707. An act granting an increase of pension to Peter Campbell;
H. R. 24710. An act granting an increase of pension to Jacob Riner;
H. R. 24726. An act granting an increase of pension to Seldon R. Sanders;
H. R. 24733. An act granting an increase of pension to John H. Morrison;
H. R. 24740. An act granting an increase of pension to William E. Chase;
H. R. 24769. An act granting an increase of pension to John George;
H. R. 24776. An act granting an increase of pension to David T. Taylor;
H. R. 24792. An act granting an increase of pension to William H. Penfield;
H. R. 24801. An act granting an increase of pension to George G. Martin;
H. R. 24807. An act granting an increase of pension to Horace E. Heath;
H. R. 24829. An act granting an increase of pension to John R. Robbins;
H. R. 24838. An act granting an increase of pension to Henry H. A. Walker;
H. R. 24845. An act granting an increase of pension to Andrew J. Price;
H. R. 24846. An act granting an increase of pension to Robert M. Wolf;
H. R. 24851. An act granting an increase of pension to Oren S. Rouse;
H. R. 24861. An act granting an increase of pension to Otho E. D. Culbertson;
H. R. 24868. An act granting an increase of pension to John M. Stevens;
H. R. 24899. An act granting an increase of pension to Mary W. Lusk;
H. R. 24902. An act granting an increase of pension to John W. Rawlings;
H. R. 24905. An act granting an increase of pension to Susan E. Davis;
H. R. 24907. An act granting an increase of pension to Lloyd Roberts;
H. R. 24910. An act granting an increase of pension to William H. Churchill;
H. R. 24911. An act granting an increase of pension to James C. Cosgro;
H. R. 24921. An act granting an increase of pension to Patrick F. Shevlin, alias Patrick Burns;
H. R. 24924. An act granting an increase of pension to William V. Monroe;
H. R. 24940. An act granting an increase of pension to Timothy H. Gibson;
H. R. 24947. An act granting an increase of pension to Edward Mailey;
H. R. 24957. An act granting an increase of pension to Francis H. Ferry;
H. R. 24958. An act granting an increase of pension to Henry Kanline;
H. R. 24965. An act granting an increase of pension to Jacob Gilbrech;
H. R. 24968. An act granting an increase of pension to John Burke;
H. R. 24969. An act granting an increase of pension to Charles N. Stafford;
H. R. 24971. An act granting an increase of pension to Elijah Devore;
H. R. 24984. An act granting an increase of pension to Lauranah J. Hedgepeth;
H. R. 25016. An act granting an increase of pension to Frederick G. Ackerman;
H. R. 25020. An act granting an increase of pension to Cinderella B. McClure;
H. R. 25023. An act granting an increase of pension to Virginia C. Galloway;
H. R. 25025. An act granting an increase of pension to John Ham;
H. R. 25069. An act granting an increase of pension to William A. Decker;
H. R. 25097. An act granting an increase of pension to Edmund P. Weatherby;
H. R. 25101. An act granting an increase of pension to Nancy A. Meredith;
H. R. 25106. An act granting an increase of pension to Francis A. Biffar;
H. R. 25108. An act granting an increase of pension to William H. Brown;
H. R. 25112. An act granting an increase of pension to William Turner;
H. R. 25113. An act granting an increase of pension to John H. Hayes;
H. R. 25120. An act granting an increase of pension to Charles B. Spring;
H. R. 25143. An act granting an increase of pension to Elizabeth Wolfe;
H. R. 25145. An act granting an increase of pension to Charles Henry Weatherwax;
H. R. 25149. An act granting an increase of pension to Joshua L. Hayes;
H. R. 25172. An act granting an increase of pension to Burgess N. Isaacs;
H. R. 25174. An act granting an increase of pension to Henry W. Casey;
H. R. 25176. An act granting an increase of pension to Gottfried Haferstein;
H. R. 25211. An act granting an increase of pension to Alphonso Brown;
H. R. 25214. An act granting an increase of pension to Robert H. Douglas;
H. R. 25224. An act granting an increase of pension to David C. Smith;
H. R. 25229. An act granting an increase of pension to James T. Blair;
H. R. 25247. An act granting an increase of pension to Warren Onan;
H. R. 25248. An act granting an increase of pension to Knute Thompson;
H. R. 25254. An act granting an increase of pension to George W. Warfel;
H. R. 25255. An act granting an increase of pension to Samuel Loy;
H. R. 25256. An act granting an increase of pension to Cyrus W. Scott;
H. R. 25257. An act granting an increase of pension to James H. Phillips;
H. R. 25260. An act granting an increase of pension to Thomas J. Richie;
H. R. 25261. An act granting an increase of pension to William M. Helvy;
H. R. 25263. An act granting an increase of pension to Thomas McDermott;
H. R. 25288. An act granting an increase of pension to Minna Y. Field;
H. R. 25303. An act granting an increase of pension to Adeline Brown;
H. R. 25305. An act granting an increase of pension to Edgar A. Stevens;
H. R. 25309. An act granting an increase of pension to Joseph Casavaw;
H. R. 25325. An act granting an increase of pension to Polly Ann Bowman;
H. R. 25328. An act granting an increase of pension to James W. Barr;
H. R. 25391. An act granting an increase of pension to Richard Gogin;
H. R. 25445. An act granting an increase of pension to William E. Webster;
H. R. 25451. An act granting an increase of pension to William H. Maxwell;
H. R. 25455. An act granting an increase of pension to Emma Hempler;
H. R. 25511. An act granting an increase of pension to Hiram Filkins;

H. R. 23974. An act granting an increase of pension to John P. Bennett;
H. R. 23612. An act granting an increase of pension to Thomas H. Adams;
H. R. 8894. An act granting an increase of pension to James C. Strong;
H. R. 12021. An act granting a pension to James M. Wood;
H. R. 14322. An act granting a pension to Abbie L. Hanford;
H. R. 15779. An act granting a pension to Margaret A. Jordan;
H. R. 19239. An act granting a pension to Salome Jane Marland;
H. R. 21910. An act granting a pension to Emil S. Weisse;
H. R. 22041. An act granting a pension to John P. Walker;
H. R. 22086. An act granting a pension to Amelia Schmidtke;
H. R. 22395. An act granting a pension to Edward Miller;
H. R. 22709. An act granting a pension to Martha E. Muhlenfeld;
H. R. 22696. An act granting a pension to Charles F. Ellingwood;
H. R. 23440. An act granting a pension to Carrie May Allen;
H. R. 23855. An act granting a pension to Sarah E. Selders;
H. R. 24223. An act granting a pension to Martha A. L. Stephens;
H. R. 24300. An act granting a pension to Sadie E. Hawthorn;
H. R. 24355. An act granting a pension to Mary O. Learned;
H. R. 24404. An act granting a pension to Lauraette La Fleur;
H. R. 24414. An act granting a pension to Van C. Wilson;
H. R. 24419. An act granting a pension to Belle M. Ocker;
H. R. 24483. An act granting a pension to Clarence W. Thomas;
H. R. 24635. An act granting a pension to Elizabeth Stuessi;
H. R. 24855. An act granting a pension to George W. Robins;
H. R. 24946. An act granting a pension to Phebe Wright;
H. R. 25354. An act granting a pension to Alice House;
H. R. 25355. An act granting a pension to William McCraney;
H. R. 19589. An act granting a pension to Aaron Davis;
H. R. 10574. An act granting a pension to Edward W. Hoban;
H. R. 24134. An act providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation, in Colorado;
H. R. 19932. An act for the relief of John Lavine;
H. R. 25513. An act extending the time for making final proof in certain desert-land entries;
H. R. 15027. An act to remove the charge of desertion against Cornelius O'Callaghan;
H. R. 1561. An act authorizing the Secretary of the Navy to grant a discharge to Peter O'Neil;
H. R. 3498. An act for the relief of Stephen M. Honeycutt;
H. R. 23821. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; and
H. R. 22580. An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908.

JOINT COMMITTEE ON REVISION AND CODIFICATION OF THE LAWS.

Mr. MOON of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the House joint resolution No. 240.

The Clerk read as follows:

Joint resolution (H. J. Res. 240) to create a joint committee to consider the revision and codification of the laws of the United States.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That a joint special committee be appointed, consisting of five Senators, to be appointed by the Vice-President from members of the Sixtieth Congress, and five Members of the House of Representatives, to be appointed by the Speaker from the Members of the Sixtieth Congress, to examine, consider, and submit to Congress recommendations upon the revision and codification of laws reported by the statutory revision commission heretofore authorized to revise and codify the laws of the United States, including the laws of the last session of the Fifty-ninth Congress; and that the said joint committee be authorized to sit during the recess of Congress and to employ necessary assistants, to order such printing and binding done as may be required in the transaction of its business, and to incur such expense as may be deemed necessary, all such expense to be paid in equal proportions from the contingent funds of the Senate and House of Representatives.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman asks unanimous consent to discharge the committee from further consideration of the joint resolution which has just been read. The Chair hears no objection.

The joint resolution was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MOON of Pennsylvania, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

RATES OF INTEREST CHARGED BY BANKS IN NEW YORK CITY.

Mr. SULZER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SULZER. I rise for the purpose of making a privileged motion.

The SPEAKER. There are so many privileged matters.

Mr. SULZER. This is a motion to discharge the Committee on Banking and Currency from the consideration of a privileged resolution of the House, No. 869, introduced by myself on February 20, which has been before the committee for more than a week, and the committee has not reported on it; and the matter is now privileged. I send it to the Clerk's desk, and ask that it be read.

The SPEAKER. Well, the Chair can not recognize the gentleman at this time, because there is a special order that is operating on the merchant-marine bill which excepts motions to suspend the rules, general appropriation bills, conference reports, and other privileged matters.

Mr. SULZER. Well, Mr. Speaker, I will ask unanimous consent, then.

The SPEAKER. Well, the Chair is not at this time recognizing the gentleman for unanimous consent, but will ask the gentleman if it will lead to debate?

Mr. SULZER. It will not lead to debate.

The SPEAKER. For the information of the House the Clerk will read.

Mr. SULZER. The resolution calls on the Secretary of the Treasury for some information.

The Clerk read as follows:

House resolution No. 869.

*Resolved*, That the Secretary of the Treasury be, and he is hereby, respectfully requested, if not incompatible with the public service, to send to the House of Representatives a statement of the rates of interest charged by twenty-five or more of the largest national banks in the city of New York, doing business under and by virtue of the national banking law, at 11 o'clock in the morning and at 2 o'clock in the afternoon on call loans on each banking day from September 1, 1905, to and including the 1st day of September, 1907, and whether said rates of interest on call loans during said period of time were made and charged by said national banks, or any of them, by agreement, expressed or implied, and such other data or information in connection with the subject-matter as the Secretary of the Treasury shall deem proper and expedient.

Mr. PAYNE. Mr. Speaker, I make the point of order that that requires investigation by the Secretary of the Treasury, not merely a report of facts in his office.

The SPEAKER. This is a request for unanimous consent.

Mr. PAYNE. Well, then, I object.

Mr. SULZER. Well, Mr. Speaker, I now move that the committee be discharged from the further consideration of the resolution.

The SPEAKER. It does not present a question of privilege at this time.

Mr. SULZER. I move the adoption of the resolution.

The SPEAKER. Well, objection is made to its consideration by the gentleman from New York.

ARMY AND NAVY UNION DISTINCTIVE BADGE.

The SPEAKER laid before the House the following House joint resolution, with Senate amendment.

The Clerk read as follows:

Joint resolution (H. J. Res. 31) recognizing the change of name of the Regular Army and Navy Union of the United States to the Army and Navy Union of the United States of America.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the joint resolution of May 11, 1894, 28 Statutes at Large, page 583, be, and the same is hereby, amended by changing the name and title therein described from "Regular Army and Navy Union of the United States" to "Army and Navy Union of the United States of America," and that the organization so last entitled shall have all the rights and privileges conferred by and described in said joint resolution of May 11, 1894.

With a Senate amendment, which was read, as follows:

Strike out all after the enacting clause and insert:

"That the distinctive badge adopted by the Army and Navy Union of the United States may be worn, in their own right, upon all public occasions of ceremony by officers and enlisted men of the Army and Navy of the United States who are members of said organization."

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendment.

Mr. WILLIAMS. Mr. Speaker, is this a request for unanimous consent?

Mr. HULL. I move that the House concur.

The SPEAKER. Under the special order, while it is on the Speaker's table, it seems to the Chair that it would require unanimous consent.

Mr. WILLIAMS. Now, then, reserving the right to object, I

want to find out what this is. Why can not any American citizen wear any special badge he wants to anyhow?

Mr. HULL. Because we have passed a resolution through here making the Regular Army and Navy Union badge so that no one else can wear that badge or anything similar. There are two organizations now. One was called the "Regular Army and Navy Union," which is limited to the Regular Army only, and which is protected by law. The new organization, which is now a much larger one, takes into the union both regulars and volunteers. They have adopted the badge similar to the Regular Army and Navy Union as their own. I will say to the gentleman that nearly all the retired officers and enlisted men are members, and they are not permitted to wear the badge of their order now on occasions of ceremony. I can see no objection to it.

Mr. WILLIAMS. Why are they not permitted? What prevents them?

Mr. HULL. Because we have not passed a resolution authorizing them.

Mr. WILLIAMS. Do I understand that a man who is in the Army or the Navy, or has been, can not wear it because Congress has not authorized it?

Mr. HULL. He can not wear it on occasions of ceremony. I suppose anybody could wear it. For instance, I wear the Loyal Legion button. Congress authorized it and confined it to members. I suppose anybody could wear it. But this legislation protects it.

Mr. MANN. What you want to do is to limit its use?

Mr. HULL. We want to fix it so that they have the same rights as the other body in the Regular Army.

Mr. WILLIAMS. That would prevent any member of any organization, being a free American citizen, from wearing the badge of that organization?

Mr. HULL. Not at all.

Mr. WILLIAMS. Well, then, if Congress has not done it, what is the necessity for it?

Mr. HULL. Let me illustrate. Congress passed a resolution allowing all members of the Loyal Legion to wear this badge, but the gentleman from Mississippi could put it on and wear it, too.

Mr. WILLIAMS. Yes; except if I was doing it with fraudulent intent, and had received some honor or emolument thereby.

Mr. HULL. We have done this for all the military orders. It simply gives them the exclusive right to wear this badge. Now, there is no question but that they can wear their badge anyhow, but it does not prevent any other man who has been in the Army wearing it, if he wants to.

Mr. WILLIAMS. There is nothing to prevent any man from wearing a Masonic button except the fact that he does not belong to the Masons. There is nothing to prevent a man from wearing a Knight of Pythias badge; there is nothing to prevent him from wearing the cross of the Confederacy. I do not want to object to this legislation, because it will place me, I am afraid, in a false attitude, but it does seem to me that we ought not to be legislating and establishing military orders in a sort of a way.

Mr. HULL. This only gives them the exclusive right to wear this badge.

Mr. WILLIAMS. We are getting where we are guarding the citizen from everything in the world, even from a lie; for that is all it is, a lie.

Mr. MONDELL. Mr. Speaker, I would like to ask the gentleman a question. Am I mistaken in understanding that the intent of this resolution is to authorize men in the service to wear this badge of their order while in uniform?

Mr. HULL. No; the regulations of the War Department would regulate that. They let them wear certain decorations; they can wear the Loyal Legion, and the Grand Army, and if this is passed they could wear this on all occasions of ceremony—if passed, the regulation of the War Department would not be against it.

Mr. MONDELL. Is not that the intent of this resolution?

Mr. HULL. That is one reason for it; it is also to protect their badge from being worn by outsiders.

Mr. MANN. How many of these orders are there?

Mr. HULL. The Loyal Legion, the Grand Army——

Mr. MANN. And if we pass this there will be three now. How long will it be before there will be thirty?

Mr. HULL. It is hardly possible that they would subdivide it to that extent. This is the largest one affecting the Regular Army.

Mr. MANN. These men are not all in the Regular Army, are they?

Mr. HULL. Oh, no; they are not all in the Regular Army. This organization takes in all in the Volunteer Army as well as in the Regular Army. It is to break down the dividing line between the two services and put them on a common level.

Mr. WILLIAMS. The bill operates outside the District of Columbia?

Mr. HULL. It operates all over the United States.

Mr. SHERLEY. What jurisdiction has the Congress over such a matter as this?

Mr. HULL. That would be a legal question.

Mr. MANN. What penalty does it put upon somebody else who wears the badge?

Mr. HULL. None at all.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the amendment was concurred in.

### FISH-CULTURAL STATIONS ON PUGET SOUND.

Mr. HUMPHREY of Washington. Mr. Speaker, I move to suspend the rules, discharge the Committee on Merchant Marine and Fisheries from the further consideration of the following Senate bill, and pass the bill.

The SPEAKER. The gentleman from Washington moves to discharge the Committee on Merchant Marine and Fisheries from further consideration of the bill S. 1462, suspend the rules, and pass the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the sum of $50,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the establishment of one or more fish-cultural stations on Puget Sound, State of Washington, for the propagation of salmon and other food fishes, including purchase of sites, construction of buildings and ponds, purchase and hire of boats and equipment, and such temporary help as may be required for the construction and operation of the fish-cultural stations, at a suitable point or points to be selected by the Secretary of Commerce and Labor, and the number of said fish-cultural stations to be determined by the Secretary of Commerce and Labor.

Mr. SULZER. Mr. Speaker, I object.

The SPEAKER. This is a motion to suspend the rules.

Mr. SULZER. So was mine.

The SPEAKER. The Chair calls the attention of the gentleman from New York to the fact that under the special order covering the merchant-marine bill it has the right of way except for appropriation bills, conference reports, and motions to suspend the rules. This is a motion to suspend the rules.

Mr. WILLIAMS. Mr. Speaker, I ask for a second.

Mr. PAYNE. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The Chair calls the attention of the gentleman from Washington to the fact that the bill is not at the desk. The Chair presumes the bill is on the files of the Committee on Merchant Marine and Fisheries. The gentleman can send for the bill while debate is going on. Is there objection to the request of the gentleman from New York that a second be considered as ordered?

There was no objection.

Mr. SULZER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SULZER. I would like to know if this bill has been reported from the Committee on Merchant Marine and Fisheries?

The SPEAKER. No; this is a motion to discharge the commitee from the further consideration of the bill.

Mr. SULZER. That was my motion a while ago. [Laughter.]

The SPEAKER. The gentleman is quite mistaken. The gentleman's request was for unanimous consent; and the gentleman from New York [Mr. PAYNE] objected. That is an entirely different proposition. This is a motion to suspend the rules, which is excepted under the rule with respect to the merchant-marine bill, which the House is discussing in Committee of the Whole. With the keen intellect and quick perception of the gentleman from New York [Mr. SULZER], the Chair is quite sure that the gentleman will recognize the difference. [Laughter.]

Mr. SULZER. Then, Mr. Speaker, I shall make my motion at some subsequent time and in the Speaker's own way. [Laughter.]

The SPEAKER. The gentleman from Washington is entitled to twenty minutes, and the gentleman from Mississippi [Mr. WILLIAMS] is entitled to twenty minutes.

Mr. GAINES of Tennessee. Mr. Speaker, before the gentleman starts I wish he would tell the House why it is that the committee has not reported this bill.

Mr. HUMPHREY of Washington. That is what I expect to.

Mr. WILLIAMS. But first tell us whether this makes a charge upon the Treasury.

Mr. HUMPHREY of Washington. It does provide for an ap-

propriation of $50,000, or as much as may be necessary, for the construction of two fish hatcheries on Puget Sound. Now I will answer the question of the gentleman from Tennessee [Mr. GAINES] if he will give me attention. The reason why this was not reported from our committee was this, that it was hoped that what was known as the "omnibus fishery bill" might come up and be passed at this session of Congress; but having failed so far to accomplish that purpose, the members of that committee agreed that I might call this up in this manner, as the fishing industry on Puget Sound is so large, and this being an exceptional case.

Mr. GAINES of Tennessee. If the fishing business is so large on Puget Sound, that means that there are many fishes there and many kinds. So what do you want with a hatchery there? [Laughter.]

Mr. HUMPHREY of Washington. Is the gentleman through? I want the gentleman to finish his question.

Mr. GAINES of Tennessee. Why do you want to take $50,000 away from some other place where there are no fish, like Tennessee, and take it to where there are so many fishes that you can not get half of them out of the sea?

Mr. HUMPHREY of Washington. If the gentleman is through, I will answer his question. In answering the gentleman's question I wish to read from a Government publication. The publication is not yet in book form, but I read from the proof. One paragraph here shows the necessity for it:

> In 1904 the fisheries of Washington supported 50 fishing vessels, with a tonnage of 1,540 tons, of the value of $134,600; 80 transport vessels, with a tonnage of 1,247, and a value of $261,300; 63 gasoline boats, valued at $44,300, and 3,444 sail and row boats, valued at $309,610. The principal apparatus were 250 seines, 1,538 gill nets, and 602 pound nets. The total value of vessels, boats, fishing apparatus, shore properties, and cash capital invested was $5,319,201, as against $6,601,243 in 1889, the year shown previous to the last canvas on the Pacific coast. The number of persons engaged in 1904 was 8,000, an increase of 1,882 since 1889. The product amounted to 88,945,790 pounds, to the value of $2,962,633 for the fishermen, a decrease of 31,632,936 pounds.

Now, why we want fish hatcheries there is because that great fishing industry is constantly decreasing, and many of the most valuable fishes have already disappeared.

Mr. GAINES of Tennessee. Does the gentleman mean to say that the fish are diminishing in number?

Mr. HUMPHREY of Washington. Yes; very greatly.

Mr. GAINES of Tennessee. How many kinds of fish are there there?

Mr. HUMPHREY of Washington. The main fish is the salmon, although there are a great many others.

Mr. GAINES of Tennessee. Well, if the gentleman will go down to Florida he will get all the fish that he wants, including porpoise and shark. I did not catch them all the other day, but I caught a good many.

Mr. MONDELL. Do I understand that the committee has reported this bill?

Mr. HUMPHREY of Washington. No; it has not.

Mr. MONDELL. I understood the gentleman to say that the committee had agreed to allow him to call it up. Under the rules of the House there is one way in which a committee indicates its desire or willingness that the matter be brought before the House, and that is by a report. How does it happen in this particular case that the committee, as the gentleman says, instead of having reported the bill in the regular way, has indicated in some way to the gentleman its willingness that this bill be brought up?

Mr. HUMPHREY of Washington. I wish the gentleman would finish his question so that I can answer it, and not take up all of the time.

Mr. MONDELL. I have finished.

Mr. HUMPHREY of Washington. I should not have said, if I did, that as a committee, but individuals of that committee have all personally expressed a willingness that this should be called up, and all expressed an opinion that it ought to be passed.

Mr. WILLIAMS. But the question the gentleman did not answer is, Why didn't they make a report?

Mr. HUMPHREY of Washington. I explained that a moment ago. We have not had any opportunity since that time; we hoped to be able to pass this omnibus bill.

Mr. MONDELL. I suppose the gentleman is aware of the fact that this committee has reported a bill for twenty-seven fish hatcheries.

Mr. HUMPHREY of Washington. I did not understand what the gentleman said.

Mr. MONDELL. I presume the gentleman is aware of the fact that the committee has unanimously reported a bill for twenty-seven fish hatcheries in different States of the Union, and that bill has been on the Calendar for a year and there has been no opportunity to have it presented here.

Mr. MANN. It was recalled.

Mr. MONDELL. It went back, but was reported again.

Mr. MANN. It went on the Calendar last year, but went back to the committee.

Mr. HUMPHREY of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. WILLIAMS. Mr. Speaker, this request comes in without a report of the committee in its behalf. I know not much if anything about the merits of the particular bill. I do, however, know that very many bills have been introduced for fish hatcheries, and the committee in a regular way has made a report in an omnibus fish-hatchery bill containing twenty-seven hatcheries. I do not think it is fair and right to single out one of them and give the House an opportunity to pass upon it while the House is deprived of all opportunity to pass upon the other twenty-six. [Applause.] I think I have no objection to the bill upon its own merits and think I would be glad to vote for the omnibus bill. That bill was regularly reported by the committee and has been upon the Calendar and is ready to be taken up in an orderly course of things for the consideration of the House. Now there comes one project, presented without a report of the committee, outside of the ordinary procedure of the House, and it would look to me as if favoritism were being extended to one of our Members at the expense of very many others. That is the gravamen of my objection to the motion to suspend the rules and pass the bill. [Applause.]

Mr. SOUTHARD. Is this one of the twenty-seven?

Mr. WILLIAMS. One of the twenty-seven. Mr. Speaker, I reserve the remainder of my time.

Mr. MONDELL. Will the gentleman yield two minutes to me?

Mr. WILLIAMS. Yes.

Mr. MONDELL. Mr. Speaker, the Committee on Merchant Marine and Fisheries has reported an omnibus bill providing for twenty-seven fish hatcheries. Now, this may be the most meritorious of all the twenty-seven, and had the Committee on Merchant Marine and Fisheries in a regular way reported this bill and by expressing its views and desires to the House indicated that this of all the twenty-seven was the most meritorious, then I should have had no objection to the passage of the bill. I should have been glad indeed to have followed the view of the committee, that this of all the fish hatcheries proposed in the omnibus bill was the most important and the most meritorious.

Mr. PAYNE. Will the gentleman permit a question? Is the gentleman aware in all the period of the Government up to this time, only twenty-eight fish hatcheries have been authorized in the United States?

Mr. MONDELL. I did not know that to be a fact until the gentleman stated it.

Mr. PAYNE. In all the United States, and this omnibus bill calls for twenty-seven, and it is utterly impossible to give twenty-seven fish hatcheries at this session of Congress, and why not take up one of the most meritorious of the fish hatcheries, that of a salmon fish hatchery, and put this through?

Mr. MONDELL. I will say to my friend from New York that had the Committee on Merchant Marine and Fisheries declared to the House in report of the committee in the regular way that this was the most important and meritorious of the twenty-seven hatcheries proposed, I for one would have been glad indeed to have voted for the bill, but this bill comes here with a proposition to suspend the rules and discharge the committee without any official knowledge on the part of the House as to the attitude of the committee on the question, and we are asked to vote for this one fish hatchery, which the committee has favorably reported upon as a separate proposition, and I for one do not believe it ought to pass.

Mr. PADGETT. Will the gentleman yield for a moment?

Mr. MONDELL. I will.

Mr. PADGETT. Why is this one given recognition and no other can get recognition?

Mr. MONDELL. The gentleman has not propounded his inquiry to the proper party. [Laughter.]

Mr. GAINES of Tennessee. This bill may be very meritorious, but it ought not to come up here in a partial and unfair way; and I submit, in all candor, that while I should like to help the gentleman in a purely local project, here is an omnibus bill and there are twenty-seven hatcheries to be covered in that bill. But it is not reported. Here is one bill out of the twenty-seven bills picked out, and it is to be heard and passed. Are the other twenty-six without merit? No one says they are. Every section of the country, Mr. Speaker, wants a fish hatchery. Moreover, it is suggested by the gentleman from Missis-

sippi that the gentleman who asks this favor—a favor, I will say, granted first by the Speaker by giving him recognition—is a member of this committee. He does not say that the other twenty-six bills are without merit. On the contrary, the presumption is that they are bills of merit. But it involves the question of dollars and cents. Now, then, he comes and gets a special favor to build a fishery in a country where there are many, many fishes, Mr. Speaker, and many kinds, while other territories in the United States have not fisheries, have not any hatcheries, and have not any fishes of any account. The entire South, practically, is devoid of any fish hatcheries, Mr. Speaker. Other sections are in the same fix. It seems to me that this is granting a very valuable and unfair distinction to the gentleman. He comes here and asks to discharge his own committee and leave twenty-six bills unattended to and to have a pet measure of his passed, and all the others are to go over to the Sixtieth Congress, and possibly indefinitely, and perhaps entirely defeated. I submit, Mr. Speaker, that a $50,000 expenditure appropriated under these circumstances, making this invidious distinction in a matter that is national, is unjust to the balance of the country and is unjust to the balance of the Members of this House.

Mr. WILLIAMS. Mr. Speaker, I would ask the gentleman from Washington [Mr. HUMPHREY] to consume some of his time.

Mr. HUMPHREY of Washington. I believe that I have but a little left.

Mr. WILLIAMS. Then I will yield to anyone else. Now, Mr. Speaker, I want to mention this, too, for the consideration of the House. This bill involves a charge upon the Treasury of $50,000. It is not only extending a special favor to this particular bill in that it takes it out of the rule which has been made to apply to other hatchery bills, but it takes it out of the rule of the Speaker, which I understand to apply to recognition for the consideration of bills involving a charge upon the Treasury. We understand it to be the case that gentlemen with bills involving a charge upon the Treasury will not be recognized for unanimous consent or to move a suspension of the rules. If that be the case, then the rule ought to work evenly and uniformly with all Members of the House.

Mr. HUMPHREY of Washington. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has fourteen minutes.

Mr. HUMPHREY of Washington. I will yield to the gentleman from Kentucky [Mr. SHERLEY] three minutes.

Mr. SHERLEY. Mr. Speaker, it seems to me there is just a bit of misunderstanding in regard to the motion made by the gentleman from Washington and the reason for it. There was reported out of the Committee on Merchant Marine and Fisheries an omnibus fish-hatchery bill carrying appropriations for the creation of fish hatcheries in many of the States. I for one believe that that bill ought to have been considered. I believe the appropriations called for by that bill would be wise appropriations, but I never yet have been willing to take the position of refusing support to a project that was entitled to it simply because I could not get something else that I also thought ought to be allowed. Now, it is giving a special advantage to the gentleman from Washington to have this bill considered, but there is a reason, in my judgment, for that special advantage, and that reason is that the salmon industry in the State of Washington is a very great one. That industry is being imperiled, and it is probable that without something being done to restock those streams with salmon many millions will be lost to the people in the reduction of this great food supply. I believe the bill is of more importance than any other fish-hatchery bill before this House.

And believing that it is of more importance than any other one bill, and I might say in passing that I have introduced a bill providing for a fish hatchery for the State of Kentucky, which was carried in the omnibus bill and which I would like exceedingly well to see passed, I am not willing, simply because that is not going to happen, to prevent the establishment of this hatchery in the State of Washington, for I believe that economically it is a wise expenditure of the money. [Applause.]

Mr. PAYNE. Mr. Speaker, I understand that there are but twenty-eight fish hatcheries in the United States. In all the fifty years we have been locating fish hatcheries, there has not been sufficient pressure to produce more than twenty-eight of these concessions. We have a State fish hatchery in our State, supported by the State. Of course I am not informed, and I do not know whether there is in this omnibus bill one for the State of New York or not, and I do not care. It is not practicable to pass an omnibus bill, with twenty-seven fish hatcheries, at this session of Congress, thereby doubling those that now exist. This one I understand, from the reading of the bill, was to cost $50,000. Of course multiply that by 27, and you have got a large increase in the appropriations for this session.

Mr. PADGETT. Mr. Speaker, will the gentleman allow me to ask him a question?

Mr. PAYNE. Now, Mr. Speaker, that being so——

Mr. PADGETT. It will not take more than a minute.

Mr. PAYNE. I have only three minutes, and can not yield.

That being so, Mr. Speaker, it seems to me that we should not sit here with fish-hatchery bills in our pockets, like the dog in the manger, and say because we can not get ours that this one shall not pass. This is for the great Puget Sound region; a region that produces the principal part of salmon for the country—I may also say for the world—a great big industry which ought to be fostered, and this bill ought to pass whether any other fish-hatchery bill passes at this session of Congress or not. I trust that Members of the House who have not considered this matter will consider it upon the basis of the reasonableness of this proposition; that they will take this hatchery on its own merits, and decide whether it is wise to locate a hatchery there; and if gentlemen recognize that at this time there are twenty-seven demanding recognition, when there are only twenty-eight in the United States now, we can not pass them in this wholesale manner, thereby piling up the total of our appropriations for this session of Congress. I hope they will decide it simply on the merits of the case and vote for this provision for a fish hatchery at Puget Sound.

Mr. WILLIAMS. I yield such time as he may desire to the gentleman from Tennessee [Mr. PADGETT].

Mr. PADGETT. Mr. Speaker, in what I have to say I have no hostility to the proposition of the gentleman from the State of Washington. I think his project is a meritorious one; but I do think it is a little peculiar, a little strange, that this one, included in the omnibus bill, should be singled out, and that he can get recognition when nobody else can. Now, the gentleman from New York [Mr. PAYNE] a moment ago declined to yield to a question, and stated that this bill carried $50,000, and that would mean $50,000 for the twenty-six others. That is not the fact. The remainder are for $20,000 each. This is the single $50,000 proposition in the bill, and all the others are for $20,000 each. Quite a difference. The gentleman from New York says that in all the history of the country we have established but twenty-eight fish hatcheries. But let it not be forgotten that there is such a demand upon the country, the country realizes the necessity for many more fish hatcheries, and that Congress has been derelict in its duty in this matter, and the committee has felt itself called upon to report twenty-seven bills at the present session of Congress in order to meet the demands and the pressing necessities of the country. While there is a necessity in the State of Washington—and this is a meritorious project—there is a necessity in other States just as great, just as deserving, which have received the sanction and the approval of the committee and which are denied recognition by the Speaker and consideration in the House. Now, I desire to protest against that method of treating other Members of the House.

The SPEAKER. The gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I do not know of anyone else who desires time, and I yield to the Chair the balance of the time on this side.

Mr. HUMPHREY of Washington. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. GOULDEN], who is a member of the committee.

Mr. GOULDEN. Mr. Speaker, I am in favor of the bill reported by the committee, now before the House for consideration, because there is an urgent necessity for some immediate action on Puget Sound. That was as I understood the situation when discussed before the Committee on Merchant Marine and Fisheries, of which I am a member. We reported out the omnibus bill providing for twenty-seven fish hatcheries unanimously upon its merits. I had hoped it would receive consideration from the House and its approval in this session. But this bill seems to me, at least, Mr. Speaker, to be one that should receive attention now. The loss of capital during the last year has been over a million dollars. The number of men employed in 1905 was some ten or eleven thousand. Ten per cent less than that were employed in 1906, and unless something is speedily done to relieve the situation about the propagation of salmon, that is going to be a serious matter. I trust, therefore, Mr. Speaker, that this bill will receive favorable consideration of the House. I do not wish to be understood as being opposed to heartily favoring action on the omnibus bill, which should pass this House in this session, because the total amount carried in the bill is only in the neighborhood of half a million dollars.

I am still hopeful that the omnibus bill may receive consideration at the hands of the House and when it does that it shall be acted upon favorably.

Now I yield to the gentleman from Tennessee.

Mr. PADGETT. Are not the other projects meritorious?

Mr. GOULDEN. They are all meritorious or they would not have been reported; but not to the same extent or degree as this one. This provides for immediate attention in order to save the salmon fisheries of Puget Sound for the benefit of the whole country.

Mr. PADGETT. Is there not a scarcity of fish in other localities that should be provided for?

Mr. GOULDEN. I take it that the fisheries in other localities are of importance, and I may add that the State of New York has a bill pending to provide for a hatchery in that State. I am not unmindful of my duty as a Representative from that State, but I believe that in other localities it is not nearly as necessary or important as that on Puget Sound. No one should stand in the way of any of these bills, all deserving favorable consideration. [Applause.]

Mr. HUMPHREY of Washington. Mr. Speaker, how much time have I left?

The SPEAKER. Six minutes.

Mr. HUMPHREY of Washington. I yield two minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker, the Committee on the Merchant Marine and Fisheries reported an omnibus bill, distributing fish hatcheries through the different States, upward of twenty States being provided for in that bill. As the gentleman from New York [Mr. PAYNE] has stated, I, too, have a bill for a fish hatchery, in the State of Michigan, in that omnibus bill, but there is no other provision in that omnibus bill for a hatchery for the propagation of salmon, except this one now asked for by the gentleman from the State of Washington. I know a little something about the catching of salmon on the Pacific coast, and there is no other place on that coast where exactly the same kind of salmon are caught as in Puget Sound. The salmon in the Pacific Ocean live in a certain territory and enter certain inland waters, and no other kind is caught anywhere that is exactly like the salmon of Puget Sound. For that reason I am perfectly willing to pass all other fish-hatchery bills and give to the State of Washington something that is so much needed.

Mr. HUMPHREY of Washington. Mr. Speaker, I want just a moment to explain to the House the condition that exists by comparing the statistics of the last two years, and then I will ask a vote upon the proposition.

The value of the salmon output in the State of Washington during the last year has decreased over $3,000,000. The number of men employed in 1906 was more than 1,000 less than in 1905, and the amount of capital invested was $1,000,000 less in 1906 than in 1905, according to a telegram that I received a few days ago from the fish commissioner of our State. Many of the best species of salmon are already practically extinct, and the price of salmon has increased throughout the whole country. This is a matter that affects not only Puget Sound, but everybody in the United States who buys a can of salmon. The price of salmon has increased throughout the whole country on account of the decrease of the salmon in Puget Sound. The value of the output last year, while over $7,000,000, was a decrease of $3,000,000 from the year before. I do hope that this House will not, for the paltry sum of $50,000, cripple this great industry.

Mr. JONES of Washington. I want to suggest that the State itself is maintaining from 12 to 16 hatcheries and paying out from $65,000 to $100,000 every year for their maintenance and operation.

Mr. HUMPHREY of Washington. We are doing the best we can in our State, but in spite of that fact the salmon are rapidly decreasing and this should be done for their preservation. I was in favor of the omnibus bill. I worked as hard for it as any man upon the committee. I do hope that no Member of this House will be moved by the motive that simply because he can not get what he wants himself he will refuse to give his support to a meritorious proposition.

Mr. WILLIAMS. If the gentleman will pardon the interruption, that is not the motive. The motive is that if the House can not give the opportunity to consider all measures of similar character and of equal merit, then one should not be singled out. The objection is not made for the benefit of the individual Member, but in the interest of the House itself and in the interest of fair consideration.

Mr. HUMPHREY of Washington. I admit all that the gentleman has said, but I do not believe that they are all of such pressing importance. This project has been strongly urged by the Fish Commissioner. He has said that this is the most meritorious proposition of this character in the United States, and that unless something is done the industry will be destroyed.

Mr. WILLIAMS. That may be true, but the gentleman will admit that each Member who has another bill will say that his bill is the most meritorious.

Mr. HUMPHREY of Washington. To some extent; but there is no other locality where the very existence of a great industry is jeopardized to the extent that it is here.

Now, Mr. Speaker, before a vote is taken I ask that the Clerk be directed to request the Senate to send to the House a duplicate of the engrossed copy of Senate bill No. 1462.

The SPEAKER. The gentleman will send the proposed order to the Clerk's desk. The Chair will state that search has been made in the files of the Committee on the Merchant Marine and Fisheries and the bill is misplaced or lost.

Mr. MANN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The bill is lost for all present purposes. The Clerk will report the proposed order.

The Clerk read as follows:

*Ordered*, That the Clerk be directed to request the Senate to send to the House a duplicate engrossed copy of the bill (S. 1462) to establish one or more fish-cultural stations on Puget Sound, State of Washington, the original having been lost.

Mr. MANN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is it in order on the motion to suspend the rules to consider a Senate bill without the engrossed copy of the bill?

The SPEAKER. Certainly not. In other words, it is in order to make the motion to discharge the committee from further consideration of the bill, and the motion which has been made is in order. Debate has been in order, but at the close of the debate, after the bill has been searched for on the files of the committee, and does not materialize, the vote can not be taken; the House can not act upon a bill of which it does not have manual possession.

Mr. WILLIAMS. Now, Mr. Speaker, that being the case, the point of order would lie against the further consideration of the bill.

The SPEAKER. The bill can not be voted upon. It will have to be laid aside until the duplicate engrossed copy is obtained.

Mr. WILLIAMS. That is what I mean. A point of order will lie against the further consideration.

The SPEAKER. The gentleman is correct. The vote will have to await the materialization of the bill. As many as are in favor of agreeing to the order to request the Senate for a duplicate engrossed copy of the bill will say "aye;" opposed "no."

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS and Mr. CLARK of Missouri demanded a division.

Mr. MANN. Mr. Speaker, I ask that the question may be again stated, so that the House may understand it.

The SPEAKER. The Clerk will again report the order.

The order was again read.

The SPEAKER. The question is on agreeing to the order.

The question was taken; and on a division (demanded by Mr. CLARK of Missouri) there were—ayes 153, noes 50.

So the order was agreed to.

## EVENING SESSION.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent that at the end of the afternoon session to-day the House take a recess until 8 o'clock for the purpose of considering bills on the Private Calendar under the order already made.

Mr. BARTLETT. Mr. Speaker, I want to ask the gentleman from Pennsylvania a question. Does that mean all private bills except the bills from the Committee on Claims, War Claims, and the two Committees on Pensions?

Mr. DALZELL. All bills except from the Committee on War Claims, the Committee on Claims, the two Pension Committees, and bills conferring jurisdiction on the Court of Claims.

The SPEAKER. Is there objection?

Mr. MAHON. I object.

Mr. DALZELL. Mr. Speaker, I move to suspend the rules and pass the order.

The SPEAKER. The gentleman from Pennsylvania moves to suspend the rules and adopt an order that when the House adjourns to-day at 6 o'clock it take a recess until 8 o'clock to-night for the purpose of considering bills on the Private Calendar under the order already made.

Mr. GARRETT. Mr. Speaker, can the order be read?

The SPEAKER. For the information of the House the Clerk will read the order.

The Clerk read as follows:

*Ordered*, That hereafter during this session a motion to consider in the House, as in the Committee of the Whole House bills on the Private

Calendar of the classes hereinafter described shall have the same privilege as is given by the rules on Fridays to motions to go into Committee of the Whole House to consider bills on the Private Calendar.

All bills not objected to after five minutes' explanation thereof, reported from committees other than the Committees on Pensions, Invalid Pensions, Claims, and War Claims, excepting bills proposing to confer jurisdiction on the Court of Claims.

The SPEAKER. Is a second demanded?

Mr. JAMES. I demand a second.

Mr. DALZELL. I ask unanimous consent that a second may be considered as ordered.

There was no objection.

Mr. JAMES. Now I want to ask the gentleman from Pennsylvania if this motion is agreed to, will it be in order to consider any other business except these matters mentioned?

Mr. DALZELL. It will not.

Mr. JAMES. I have no objection.

Mr. NORRIS. I want to say to the gentleman from Pennsylvania that the rule is a little misleading. The last clause, where it excepts bills proposing to confer jurisdiction on the Court of Claims——

Mr. DALZELL. That excludes all bills that propose to confer jurisdiction on the Court of Claims.

Mr. NORRIS. Then the word "and" ought to be put in there.

Mr. BONYNGE. I want to say to the gentleman from Pennsylvania that the order reads that bills will be in order for consideration except bills coming from the four committees, except bills conferring jurisdiction on the Court of Claims.

Mr. DALZELL. It doesn't say that.

Mr. BONYNGE. Yes, it does; and under that order bills from the Committee on War Claims conferring jurisdiction upon the Court of Claims will be in order.

Mr. DALZELL. It will not make any difference; they are all subject to objection. No bill can be considered against objection.

Mr. MANN. Under the statement made by the gentleman from Pennsylvania the other day that the order provided an exception to all bills proposing to confer jurisdiction on the Court of Claims, I shall object to them anyway, for it was not intended to cover those claims.

Mr. DALZELL. Not at all; perhaps the word "and" ought to be put in there.

Mr. BARTLETT. May I ask the gentleman from Pennsylvania a question?

Mr. DALZELL. I will yield to the gentleman.

Mr. BARTLETT. Whether or not a bill on the Private Calendar before a committee would be in order under a motion to suspend the rule?

Mr. DALZELL. Certainly not.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. DALZELL. Yes.

Mr. SLAYDEN. I would like to ask if it is not true if we do not pass this order that there probably will be no chance at the present session of considering these bills on the Private Calendar?

Mr. DALZELL. That is true; unless we have it to-night, there will be no opportunity to consider them.

Mr. PAYNE. Mr. Speaker, I think the order is exactly right as it stands. It says all bills not objected to after five minutes' explanation thereof reported from committees other than the Committees on Pensions, Invalid Pensions, Claims, and War Claims, excepting bills proposing to confer jurisdiction on the Court of Claims, shall be in order. That means reported by those five committees, and bills giving jurisdiction to the Court of Claims are not in order.

Mr. NORRIS. Would the gentleman say that a bill conferring jurisdiction on the Court of Claims could be considered under that order?

Mr. PAYNE. It could not be considered, most assuredly.

Mr. NORRIS. Then the word "and" ought to be in there.

Mr. PAYNE. Not at all; it is not necessary.

Mr. NORRIS. It does not mean it without it.

Mr. PAYNE. It is correct as it is, and means just what it has been interpreted to mean heretofore.

Mr. DALZELL. I think so; but this is not a practical question, because the bills are all subject to objection.

Mr. MAHON. Let me ask the gentleman from Pennsylvania a question. What is the use of bringing men here when the bills will all be objected to?

Mr. DALZELL. Well, I can not tell that. A great many gentlemen who are interested in these bills have been clamoring for some sort of an order.

Mr. MAHON. Well, they better go home and get their good dinners.

Mr. DALZELL. Let me call the attention of the gentleman from Pennsylvania to the fact that at the last session of Congress, and at the last Congress, we disposed of, under a similar order, a great many very meritorious bills.

Mr. MAHON. Yes; and destroyed a great many meritorious ones. That precedent is not worth considering.

Mr. GARRETT. Will the gentleman state now that he intends now to object to any?

Mr. MAHON. Yes; to every one.

Mr. GARRETT. Then let us not adopt this order, and all may go home and get their good dinners.

The SPEAKER. The question is on suspending the rules and agreeing to the order.

The question was taken; and two-thirds voting in favor thereof, the rules were suspended and the order was agreed to.

### STREET RAILWAY THROUGH MILITARY RESERVATION, ST. AUGUSTINE, FLA.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8128) granting to the St. John's Light and Power Company a right of way for street railroad purposes through the United States military reservation of Fort Marion, in St. Augustine, Fla., and through other Government property in said city, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That there is hereby granted to the St. Johns Light and Power Company, a corporation organized and existing under the laws of the State of Florida, and its successors and assigns, authority to construct, maintain, and operate a street railroad, to be operated by electricity or other motive power, over and through the United States Military Reservation of Fort Marion, and over and through such part of Orange street known as "The Lines," the title of which may be in the Government, in the county of St. Johns and city of St. Augustine, on such lines and location as may be approved by the Secretary of War.

SEC. 2. That said right of way hereby granted to the St. Johns Light and Power Company shall be subject to termination by the Secretary of War upon sixty days' previous notice; and if said company shall fail or refuse to remove its tracks, poles, wires, and other structures and appurtenances from the reservation within said period of sixty days after notification so to do, then and in that event the Secretary of War may cause the same to be removed at the expense of the said company and without liability to damages therefor.

SEC. 3. That said company shall pay such reasonable annual rental for such right of way and at such time as may be fixed by the Secretary of War.

SEC. 4. That no structure other than said railroad and the necessary poles and wires for the operation of the same shall be placed upon said right of way hereby granted without first being approved by the Secretary of War.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask a question. We passed a bill the other day about a street-car line franchise through one of the military reservations down there. Is this relating to the same matter?

Mr. CLARK of Florida. I do not think we passed one in relation to a right of way. This simply grants the right of way across one corner of the old reservation down there.

Mr. MANN. In St. Augustine?

Mr. CLARK of Florida. Yes; and it is completely hedged about. It is absolutely in the control of the Secretary of War.

Mr. MANN. It does not take the place of the bill that was passed the other day?

Mr. CLARK of Florida. No.

Mr. MANN. I have no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The question was taken; and the bill was ordered to be read a third time, read the third time, and passed.

### MILITARY ACADEMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I call up the conference report on the Military Academy appropriation bill, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman calls up the conference report and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24537) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 18, and 20.

That the House recede from its disagreement to the amend-

ments of the Senate numbered 1, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 19, and 21, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "twenty-six thousand nine;" and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed in said amendment insert "The Members of the Senate and House of Representatives appointed to serve on the Board of Visitors to the Military Academy at West Point for the year nineteen hundred and seven are directed to investigate as to the advisability of maintaining a children's school, at Government expense, at said academy, and to report their findings to the next session of Congress;" and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "fifty-four thousand nine hundred and thirty-five;" and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment, insert "forty-three thousand and twenty-five;" and the Senate agree to the same.

J. A. T. HULL,
A. B. CAPRON,
JAMES L. SLAYDEN,
*Managers on the part of the House.*

N. B. SCOTT,
J. A. HEMENWAY,
JO. C. S. BLACKBURN,
*Managers on the part of the Senate.*

STATEMENT.

Amendment No. 1 advances the instructor of ordnance and science of gunnery to the grade of a professorship, and the House recedes.

Amendment No. 2 relates to the detail of an officer of the Medical Corps to the Military Academy, and the Senate recedes.

Amendments Nos. 3 and 4 relate to an associate professor of mathematics, and the Senate recedes on both amendments.

Amendment No. 5 strikes out the word "cavalry" from the senior assistant instructors at the academy, and the House recedes.

Amendment No. 6 gives additional pay to the constructing quartermaster, and the House recedes.

Amendment No. 7 increases the pay for length of service fixed by law from eight thousand to nine thousand, and the House recedes.

Amendment No. 8 is the totals for extra pay of officers on detached service at the academy, correcting the amount to correspond with the bill as changed, and the House recedes.

Amendment No. 9 is simply verbal, and the House recedes.

Amendment No. 10 is simply verbal, and the House recedes.

Amendment No. 11 is verbal, and the House recedes.

Amendment No. 12 provides for one mechanic and attendant skilled in the operation necessary for the preparation of lectures, etc., and the House recedes.

Amendment No. 13 authorizes the selection of a janitor for bachelor quarters by the superintendent, and the House recedes.

Amendment No. 14 corrects the totals, and the House recedes.

Amendment No. 15 makes an appropriation for children's school at the Military Academy, and the House recedes and agrees to the same with an amendment providing for an investigation as to the necessity for this appropriation.

Amendment No. 16 provides for a fund for the payment of cadets at the Jamestown Exposition, made necessary by law, and the House recedes.

Amendment No. 17 simply corrects the total, and the House recedes and concurs in the same with an amendment.

Amendment No. 18 relates to maintaining and improving the grounds of the post cemetery, and the Senate recedes.

Amendment No. 19 simply strikes out the word "frame," before the words "quarters for civilian employees," without changing the amount appropriated, so that the quarters may be built out of stone, brick, or frame, and the House recedes.

Amendment No. 20 provides for the construction of fire-control stations, etc., and the Senate recedes.

Amendment No. 21 provides for construction of emplacements for two 6-inch breech-loading rifles, and the House recedes.

Amendment No. 22 corrects the totals, and the House recedes and concurs in the same with an amendment.

J. A. T. HULL,
A. B. CAPRON,
JAMES L. SLAYDEN,
*Managers on the part of the House.*

Mr. HULL. I move that the House adopt the conference report.

The SPEAKER. The gentleman from Iowa moves that the House agree to the conference report.

Mr. HAY. I would like to ask the gentleman a question.

Mr. HULL. Certainly.

Mr. HAY. I see from the reading of the statement that the House recedes from the Senate amendment which provides for a school at the Military Academy.

Mr. HULL. Yes.

Mr. HAY. I would like to ask the gentleman to state what that is.

Mr. HULL. Mr. Speaker, the House insisted upon a disagreement to the provision and it all went out, and in lieu thereof was inserted a provision that the Members of the House and Senate on the board of visitors were authorized to make a special investigation of this question and report to the next Congress without binding in any way the action of Congress and without entailing a dollar of expense. I will say to the House that the Senate added about $33,000 to the bill and the conferees made a reduction, reducing it to $17,680.

Mr. HAY. I would like to ask the gentleman this, if the permitting of this investigation does not open the door to the establishment of this school?

Mr. HULL. Not unless Congress adopts it. I do not know how they will report. They may report against it. If they report for it it does not affect the judgment of Members of Congress as to future action except as the report may be strong enough to change the views of Members.

Mr. SULZER. Is there any expense attached to this?

Mr. HULL. Not at all. They are to be appointed on the board of visitors as now provided by law——

Mr. SULZER. I have no objection to it.

Mr. HULL. Excluding from it those not Members of Congress. I call for a vote.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

On motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

DEPOSIT OF UNEARNED FEES, ETC., WITH TREASURER OF THE UNITED STATES.

Mr. LACEY. Mr. Speaker, I call up the conference report on the bill H. R. 11040.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 11040) to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys.

Mr. LACEY. I ask that the statement be read.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 11040, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments, with an amendment as follows: Strike out the whole of the Senate amendments and as a substitute therefor add at the end of section 4 of the bill the following: "*Provided*, That no homestead entryman shall be required to make payment of the purchase money on any application to make a cash entry until the same shall have been approved by the register and receiver, but such payment shall be made within ten days after notice of such approval."

And the House agree to the same.

JOHN F. LACEY,
A. J. GRONNA,
JOHN L. BURNETT,
*Managers on the part of the House.*

H. C. HANSBROUGH,
KNUTE NELSON,
A. J. MCLAURIN,
*Managers on the part of the Senate.*

The statement was read as follows:

STATEMENT.

The managers on the part of the House make the following statement:

As agreed upon by the conferees, the only effect of the amendment to the House bill is to relieve homestead commuters from payment of the commutation money until their applications to make cash entry shall have been approved by the registers and receivers of the local land offices, and that notice of such approval shall be given and payment made within ten days after such notice.

JOHN F. LACEY,
A. J. GRONNA,
JOHN L. BURNETT,
*Managers on the part of the House.*

Mr. LACEY. Mr. Speaker, I move that the conference report be agreed to.

The question was taken; and the conference report was agreed to.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

AUTHORIZING SECRETARY OF THE NAVY TO FURNISH METAL FOR A BELL.

Mr. HAY. Mr. Speaker, in the absence of my colleague [Mr. LAMB] on a conference committee, I ask unanimous consent for the present consideration of the following joint resolution.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

A joint resolution (H. J. Res. 236) authorizing the Secretary of the Navy to furnish metal for a bell.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and is hereby, authorized to deliver to the Pocahontas Bell Association, if the same can be done without detriment to the public service, such condemned historic metal as he may deem proper, not to exceed 2,000 pounds in weight, to be used in casting a bell to be placed on the Virginia building at the Jamestown Exposition.

The committee amendment was read, as follows:

*Provided*, That the Government shall be at no expense in connection with this gift.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

MEMORIAL PARK ON WHITE STONE HILLS BATTLEFIELD.

Mr. GRONNA. Mr. Speaker, I am asked by my colleague [Mr. MARSHALL] to call up the bill (H. R. 25365) providing for the sale of certain lands of the While Stone Hills battlefield for the purpose of raising funds for improving and beautifying such park.

The SPEAKER. The gentleman from North Dakota [Mr. GRONNA] asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 25365) to permit the State of North Dakota to sell a portion of certain lands heretofore granted to it as a memorial park on the White Stone Hills battlefield, for the purpose of raising funds for improving and beautifying such park.

*Be it enacted, etc.*, That the State of North Dakota is hereby authorized and empowered to sell such portion as it may deem wise of the southeast quarter of section 7 and the southwest quarter of section 8 and the northeast quarter of section 18 and the northwest quarter of section 17, all in township 131 north, range 65 west, heretofore granted to said State to be used for the purpose of a memorial park and burial ground of the soldiers killed at the battle of White Stone Hills. The money derived from the sale of said land to be used by the said State only for the purpose of erecting monuments, improving and beautifying such portions of such grounds as it may desire to use as a memorial park.

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman how much of this land will be taken away from the park if this bill becomes a law?

Mr. GRONNA. Mr. Speaker, I will say that this park contains 640 acres, which land was granted to the State in the year 1904. The State has asked to be permitted to sell a portion of this park for the purpose of erecting monuments.

Mr. SULZER. How much of the land does the State want to sell of the land now in the park?

Mr. GRONNA. Well, I do not know, but it is a part of the 640 acres. I do not know how much they want to sell.

Mr. SULZER. This is a very small park, and if you take away the four quarter sections, as the bill reads, it would leave a very small space of ground.

Mr. GRONNA. The gentleman is mistaken. The bill simply provides for the sale of such portions as they may think is advisable.

Mr. SULZER. Why would it not be better to pass a bill appropriating money to put up the monument instead of taking the land?

Mr. GRONNA. I would say to the gentleman there is no timber there. It is simply a noted battle ground where the battle was fought between the Second Nebraska Cavalry and some Sioux Indians, and there are twenty-two enlisted men buried there and one lieutenant.

Mr. SULZER. Another thing: I understand from what the gentleman has said that Congress gave this land to the State of North Dakota.

Mr. GRONNA. Yes.

Mr. SULZER. If the State of Dakota now owns the land, it seems to me that the State has the right, through an act of its legislature, to dispose of the land.

Mr. GRONNA. No; they have not, because there is a limitation on it.

Mr. SULZER. On the original act?

Mr. GRONNA. Yes.

Mr. SULZER. The point I am trying to make is this: Being a very small park, it seems to me it would be bad policy on the part of the State to sell any land to the park in order to put up the monuments. The State ought to pay the money for providing the monuments and keep the land for a park.

Mr. GRONNA. It is the desire of these people to be permitted to sell a portion of it and keep the remainder for this cemetery.

Mr. MANN. Ought not that to have been presented to Congress at the time the act was passed if it is too large? In other words, if I may ask the gentleman, does he think it ought to be the policy of Congress to grant the park a tract of land on the plea that it is to be made into a park in memory of the battle, and then, having obtained too much land, come in with an act of Congress to sell land in order to erect a monument on it? We would have the same proposition from every place in the country where there is public land.

Mr. GRONNA. I will say to the gentleman from Illinois [Mr. MANN] that it is the desire of the people of this section and also of the State to have this done.

Mr. MANN. I think that had better go over until we find out what the effect will be everywhere else. Of course nobody would object to it in this particular place.

Mr. GRONNA. This is a very small matter, and I trust the gentleman will not object to it.

Mr. MANN. It is a very small matter at this place, and therefore the gentleman ought to waive any request. It is a very large matter as applied to the United States as a precedent.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

RELIEF OF HOMESTEAD AND OTHER ENTRYMEN.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 22588.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 22588) for the relief of homestead and other entrymen who have been required to pay more than the legal fees, commissions, excesses, and purchase money.

Also an amendment in the nature of a substitute, as follows:

Strike out all after the enacting clause and insert:
"That in all cases in which homestead entrymen upon final proof of commutation shall have been required to pay more than the lawful purchase money for their lands, the Secretary of the Interior shall cause the excess to be repaid to the entryman or to his heirs or assigns."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MARTIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "A bill for the relief of homestead entrymen who have paid more than the lawful purchase money."

SITUATION OF NATURALIZED CITIZENS GOING ABROAD.

The SPEAKER. At the request of the gentleman from New York [Mr. PERKINS], the Chair lays before the House the following House bill, with Senate amendments:

The Clerk read as follows:

A bill (H. R. 24122) in reference to the expatriation of citizens and their protection abroad.

*Be it enacted, etc.*, That the Secretary of State shall be authorized to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

SEC. 2. That the Secretary of State may issue, under such regulations as the President may prescribe, certificates of nativity to native-born American residents, setting forth the place and date of birth and place of permanent residence in the United States.

SEC. 3. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for five years continuously in a foreign state it shall be presumed that he has ceased to be an American citizen: *Provided, however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

SEC. 4. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if, residing in the United States at the termination of the marital relation, by continuing to reside therein.

SEC. 5. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continue to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

SEC. 6. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

SEC. 7. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section 1993 of the Revised Statutes of the United States and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of 18 years to record at an American consulate their intention to become residents and remain citizens of the United States, and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

SEC. 8. That duplicates of any evidence, registration, or other acts required by this act shall be filed with the Department of State for record.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Page 1, line 3, after "authorized," insert "in his discretion,"
Page 2, strike out all of section 2.
Change section 3 to section 2.
Page 2, line 10, after "resided," insert "for two years in the foreign state from which he came, or."
Page 2, line 11, strike out "(continuously)."
Page 2, line 11, strike out "(a)" and insert "any other."
Page 2, line 12, after "citizen," insert "and the place of his general abode shall be deemed his place of residence during said years."
Change section 4 to section 3.
Change section 5 to section 4.
Change section 6 to section 5.
Change section 7 to section 6.
Change section 8 to section 7.

Mr. PERKINS. I ask unanimous consent to concur in the Senate amendments.

Mr. MANN. May I ask the gentleman a question? Will the Senate amendments restore the bill practically to the condition in which it was before the House amended it?

Mr. PERKINS. They do not at all. The amendments, I will say, introduced by the Senate for the most part are formal—none of them at all objectionable.

Mr. MANN. You can move to concur. You do not need unanimous consent.

Mr. PERKINS. Under the order made I can not.

The SPEAKER. Is there objection?

Mr. WILLIAMS. What is the request, Mr. Speaker?

The SPEAKER. The gentleman from New York asks unanimous consent to move to concur in the Senate amendments to the bill which has been read.

Mr. WILLIAMS. Reserving the right to object, what is the nature of the bill and the amendments?

Mr. PERKINS. This bill was passed, as the gentleman may remember, with very little opposition in the House, defining the situation of naturalized citizens who go abroad. The amendments made by the Senate are for the most part formal. Discretion was given to the Secretary of State to issue a limited passport to persons who have lived here for three years and had not become full citizens. They add to that phrase "in his discretion." The second section authorizes the Secretary of State to give to American citizens certificates as to their nativity. It, however, was stricken out in the Senate. It was a very unimportant provision, on which we are not at all contentious. The only other change is section 3, which provided that in the case of naturalized citizens residing abroad for five years the presumption should arise that they had elected to leave this country. It is now stated in the provisions of almost all of our treaties that that assumption shall arise where a person resides three years in any country other than the one from whence he came, but only two years in the country from whence he came.

Mr. WILLIAMS. Were the conferees unanimous?

Mr. PERKINS. The conferees were unanimous.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the Senate amendments were agreed to.

EXTENSION OF LEASES IN YELLOWSTONE NATIONAL PARK.

Mr. DIXON of Montana. Mr. Speaker, I move to suspend the rules and pass the bill S. 8063.

The SPEAKER. Does the gentleman desire first to ask unanimous consent?

Mr. DIXON of Montana. I will first ask unanimous consent.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 8063) to amend an act entitled "An act to amend an act approved August 3, 1894, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June 4, 1906.

*Be it enacted, etc.*, That the act entitled "An act to amend an act approved August 3, 1894, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June 4, 1906, be, and the same is hereby, so amended that the Secretary of the Interior shall be authorized and empowered to lease, according to the other terms of said amended act, for a period not exceeding twenty years.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman, first, whether this bill now reported has the approval of the superintendent of the Yellowstone Park and also that of the Secretary of the Interior?

Mr. DIXON of Montana. I would say to the gentleman that the Secretary of the Interior favorably recommended this same bill with a provision for twenty years last year.

Mr. MANN. In the report on this bill there is a letter from the Secretary of the Interior and the superintendent of Yellowstone Park.

Mr. DIXON of Montana. A year ago it was favorably recommended for twenty years. At that time the Senate passed it that way, but the House committee cut it down to ten years. This bill merely restores the term of lease to twenty years, which is the time that the Secretary of the Interior and the superintendent of the park one year ago recommended.

Mr. MANN. The bill of a year ago passed and became law.

Mr. DIXON of Montana. It did.

Mr. MANN. Then the gentleman wishes to change the period from ten years to twenty years? Reserving the right to object, I would like the gentleman to explain the necessity for that.

Mr. DIXON of Montana. In the lease given to the company that owned the Mammoth Hot Springs Hotel they are instructed to remove the hotel and build a new one——

Mr. MANN. Is this limited to the hotel site?

Mr. DIXON of Montana. Purely to the sites of the hotels.

Mr. MANN. I do not care for further explanation.

The SPEAKER. The Chair hears no objection.

The bill was ordered to a third reading, read the third time, and passed.

ADDITIONAL CLERK TO COMMITTEE ON ENROLLED BILLS.

Mr. CASSEL. Mr. Speaker, I submit the following privileged report.

The Clerk read as follows:

House resolution 842.

*Resolved*, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to appoint two assistant clerks to said committee, who shall be paid out of the contingent fund of the House, at the rate of $6 per day, during the remainder of the present session from the date of certification of such employment.

The resolution was agreed to.

J. G. HIDEN.

Mr. CASSEL. Also the following.

The Clerk read as follows:

House resolution 858.

*Resolved*, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, to J. G. Hiden

the sum of $32.13, being the amount of clerk hire allowance due him as clerk to the late Representative John F. Rixey from February 1 to February 9, 1907, both dates inclusive.

The resolution was agreed to.

R. B. HORTON.

Mr. CASSEL. I also submit the following.

The Clerk read as follows:

*Resolved*, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, to R. B. Horton the sum of $250 for compiling and indexing the reports and hearings of the Committee on Insular Affairs and the acts of Congress of the Fifty-eighth Congress relating thereto.

With the following amendment:

In line 3, after the word "House," insert "miscellaneous items, 1905."

The amendment was agreed to.

The resolution as amended was agreed to.

CHARLES A. HAMILTON.

Mr. CASSEL. Also the following.

The Clerk read as follows:

*Resolved*, That there shall be paid, out of the contingent fund of the House, to Charles A. Hamilton the sum of $250 for services rendered to the Committee on Agriculture as assistant clerk in connection with the hearings before said committee on meat-inspection legislation.

The resolution was agreed to.

CLERK TO COMMITTEE ON ENROLLED BILLS.

Mr. CASSEL. Also the following.

The Clerk read as follows:

*Resolved*, That there shall be paid, out of the contingent fund of the House, for the services of a clerk to the Committee on Enrolled Bills a sum equal to the rate of $2,000 per annum until otherwise provided for by law: *Provided*, That the same clerk herein authorized shall be in lieu of the session clerk to said committee at $6 per day now authorized by law.

With the following amendment:

In line 5, after the word "same," strike out "clerk herein authorized."

Mr. FITZGERALD. Mr. Speaker, how many clerks does that give to that committee?

Mr. CASSEL. No additional clerks. It only continues the clerk during the recess who is now employed.

Mr. FITZGERALD. He has nothing to do during the recess, has he?

Mr. CASSEL. He has work to do during the recess, and it was because of the necessity of retaining a man who is experienced in this business that we propose to pass this resolution.

Mr. MANN. Does that committee now have an annual clerk?

Mr. CASSEL. It does not. This makes an annual clerk, that is all.

Mr. GARRETT. What work does the Committee on Enrolled Bills have during the recess?

Mr. CASSEL. There is a good deal of clerical work connected with the files of the committee, indexing, and so forth.

The amendment recommended by the committee was agreed to.

The resolution as amended was agreed to.

J. C. STEWART.

Mr. CASSEL. Also the following.

The Clerk read as follows:

*Resolved*, That the Clerk of the House of Representatives is hereby authorized to pay to J. C. Stewart, out of the contingent fund of the House, the sum of $100 for services in caring for and regulating the House chronometer during the first session of the Fifty-ninth Congress.

With the following amendment:

In line 5, strike out the words "first session of the."

Mr. MANN. I should like to know what this is.

Mr. CASSEL. It is to pay the man who has charge of the weather maps and chronometer out in the hall here $100 for the two years' service.

The amendment recommended by the committee was agreed to.

The resolution as amended was agreed to.

JANITOR, COMMITTEE ON EXPENDITURES IN NAVY DEPARTMENT, ETC.

Mr. CASSEL. Also the following.

The Clerk read as follows:

In lieu of House resolution 775:

"*Resolved*, That the janitor whose employment was authorized by the House resolution adopted January 25, 1906, to care for the rooms for the Committee on Expenditures in the Navy Department and the lieutenants' and guard rooms of the Capitol police is hereby continued at the same rate of compensation, to be paid out of the contingent fund of the House until otherwise provided for by law; and in addition to the said rooms he shall also care for the room of the index clerks, and shall at all times be subject to the conditions governing the employment of janitors to committees."

The resolution was agreed to.

ASSISTANT IN DISBURSING OFFICE.

Mr. CASSEL. Also the following.

The Clerk read as follows:

*Resolved*, That there shall be paid out of the contingent fund of the House, miscellaneous items, fiscal year 1907, payable in equal monthly installments, a sum equal to $200 per annum as additional compensation as assistant in the disbursing office of the House of Representatives, until his salary at the rate of $1,600 per annum shall be otherwise provided for by law.

With the following amendment:

In line 5 strike out "as" and insert "to the."

The amendment recommended by the committee was agreed to.

The resolution as amended was agreed to.

ASSISTANT IN CLERK'S OFFICE.

Mr. CASSEL. Also the following.

The Clerk read as follows:

*Resolved*, That there shall be paid out of the contingent fund of the House, miscellaneous items, fiscal year 1907, payable in equal monthly installments, the sum equal to the rate of $200 per annum as additional compensation to the assistant in Clerk's office of the House, until his salary at the increased rate herein authorized shall otherwise be provided by law.

Mr. MAHON. Mr. Speaker, I offer the following to come in at the end of the resolution.

The Clerk read as follows:

Add at the end of the resolution the words "*Provided*, That the salaries of the twenty-five messengers now on the Doorkeeper's roll at $1,100 a year shall be $1,200 a year."

Mr. PAYNE. I make the point of order that that is not germane.

The SPEAKER. The point of order is sustained. It is not germane.

Mr. FITZGERALD. The committee has submitted a number of resolutions increasing the pay of the employees of the House whose salaries are provided for in the legislative bill. I would like to ask the gentleman if these employees have had their salaries increased during the present session?

Mr. CASSEL. No; we have only tried to equalize these few cases.

Mr. FITZGERALD. I hardly believed it possible that after what happened at the last session of Congress any meritorious employee had been overlooked in the legislative bill.

The resolution was agreed to.

CHARLES H. MANN.

Mr. CASSEL. I also call up the House resolution No. 678.

The Clerk read as follows:

*Resolved*, That there shall be paid, out of the contingent fund of the House, miscellaneous items, fiscal year 1907, payable in equal monthly installments, a sum equal to the rate of $300 per annum as additional compensation to Charles H. Mann, superintendent of press gallery, until his salary, at the rate of $1,500 per annum, shall be otherwise provided for by law.

The Clerk read the following committee amendments:

In line 4 strike out the word "three" and insert "two;" and in line 7 strike out the word "five" and insert "four."

The amendment was agreed to.

The resolution as amended was agreed to.

CHIEF PAGES OF THE HOUSE.

Mr. CASSEL. Mr. Speaker, I also call up the resolution in lieu of House resolution 539.

The Clerk read the resolution, as follows:

Resolution in lieu of House resolution 539.

*Resolved*, That there shall be paid out of the contingent fund of the House to the two chief pages of the House amounts equal to the rate of $300 per annum each until their compensation, respectively, at the rate of $1,200 per annum shall be otherwise provided for by law.

The resolution was agreed to.

JANITOR HOUSE DOCUMENT ROOM.

Mr. CASSEL. Mr. Speaker, I also call up a House resolution in lieu of House resolution 638.

The Clerk read as follows:

Resolution in lieu of House resolution 638.

*Resolved*, That there shall be paid out of the contingent fund of the House to the janitor employed in the House document room a sum equal to the rate of $120 per annum until the salary of said position is otherwise provided for by law at the rate of $840 per annum.

The resolution was agreed to.

J. M. THOMPSON AND J. J. CONSTANTINE.

Mr. CASSEL. Mr. Speaker, I also call up House resolution No. 755.

The resolution was read, as follows:

*Resolved*, That there shall be paid, out of the contingent fund of the House, miscellaneous items, fiscal year 1907, payable in equal monthly installments, a sum equal to the rate of $300 each per annum, as additional compensation to J. M. Thompson, as telegraph operator of the House, and to J. J. Constantine, as assistant telegraph operator, until their compensation, respectively, at the rate of $1,500 per annum, shall be otherwise provided by law.

The committee amendments were read, as follows:

In line 4 strike out the word "three" and insert "two;" and in line 8 strike out the word "five" and insert "four."

The resolution was agreed to.

OMNIBUS RESOLUTION.

Mr. CASSEL. Mr. Speaker, I also call up the House resolution in lieu of several other House resolutions.

The Clerk read as follows:

The Committee on Accounts, to which was referred House resolutions Nos. 547, 760, 761, 780, 782, 789, 849, 854, 871, 873, and 879, have had the same under consideration and recommend the adoption of the following resolution in lieu thereof, viz:

*Resolved*, That there shall be paid out of the contingent fund of the House to the following-named employees of the House the several amounts hereinafter set forth as additional compensation, viz:

To H. L. Overstreet, assistant chief clerk, $500.
To John J. Cameron, assistant official reporter, $200.
To J. G. Rodgers, assistant file clerk, $200.
To Willis H. Wing, first assistant enrolling clerk, $200.
To D. C. Dinger, index clerk, $300.
To Harry West, janitor to the Committee on Rivers and Harbors, $280.
To H. P. Andrews, assistant to the bill and printing clerk by detail, $250.
To William H. Topping, clerk to the Committee on Invalid Pensions, $500.
To W. L. Stiles, chief janitor, $300.
To Edwin L. Williams, clerk to the Committee on the Post-Office and Post-Roads, $500.
To John R. Williams, file clerk, $250.
To J. A. Gibson, assistant in the stationery room, $300.
To William L. Nash, messenger to the Speaker's table, $200.
To William Keith, page in the folding room, $220.
To C. S. Hoyt, disbursing clerk, $500.
To William Tyler Page, clerk to the Committee on Accounts, $500.
To Harry V. Roe, document clerk, $160.
To Grant Jarvis, bill and document clerk, $200.

Mr. MANN. Will the gentleman yield for a question?

Mr. CASSEL. With pleasure.

Mr. MANN. I don't know whether they have left anybody else out of these increases, but I notice two persons who have been left out who I think ought to have their salaries increased, and those are the two reading clerks of the House. Why does the gentleman increase the salary of everybody else in the House, many of whom do not work, and fail to increase the salaries of the men we have been making work very hard? [Applause.]

Mr. CASSEL. I will say that because, as far as I can recollect, there has been no resolution submitted to our committee for that purpose.

Mr. HAMILTON. Oh, I submitted a resolution to the committee.

Mr. MANN. That would show that the gentlemen who are reading clerks are not only efficient but modest, which is more than can be said of many of the rest of them.

Mr. CASSEL. Mr. Speaker, I desire to apologize for my mistake. I am mistaken. There was a resolution there, and it was considered. I am perfectly willing, however, to have the amendment made. I want to say this: That this committee has been in session constantly, trying its best to equalize certain conditions.

Mr. MANN. Will the gentleman yield to me for the purpose of offering an amendment to that effect?

Mr. CASSEL. I will, with pleasure.

Mr. MANN. Mr. Speaker, then I move to amend the resolution by adding the names of the reading clerks and $400.

Mr. CASSEL. I will accept the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the resolution add:
"To E. L. Lampson, reading clerk, $400.
"To Dennis E. Alward, reading clerk, $400."

Mr. FITZGERALD. Mr. Speaker, I wish to ask the gentleman a question. In this resolution there is a provision made for an increase in the compensation of the clerks to certain committees?

Mr. CASSEL. Yes.

Mr. FITZGERALD. At present, if I am correctly informed, the compensation of the committee clerks is uniform.

Mr. CASSEL. This resolution does not increase the salaries of any of the clerks or of any persons. It gives them special compensation up to date. The matter of making an increase in their salaries will be considered at the next session of Congress, if that is to be considered at all. This is paying them extra money for the work which they have already rendered to the House, and it does not give them an annual increase of salary.

Mr. FITZGERALD. For instance, if the gentleman will pardon me, there is a provision for an increase in the salary of a clerk to the Committee on Accounts, $500.

Mr. CASSEL. Yes; he is paid $500.

Mr. FITZGERALD. Is that due to the industry of that particular clerk in bringing in these resolutions to increase the compensation of all other clerks?

Mr. CASSEL. No, sir; it is due to the fact that he devotes twelve months in a year to the duties of his office. It is one of the offices constantly open; it is never closed, and he is on duty twelve months out of the year. In proportion to the amount of pay that others get, this is not an unreasonable compensation.

Mr. FITZGERALD. What is the present compensation?

Mr. CASSEL. Two thousand dollars—the same as all other clerks to committees.

Mr. HULL. I would like to ask the gentleman a question. Have they not increased some clerks to committees?

Mr. CASSEL. We have in other resolutions, but not in this.

Mr. HULL. Then there is no clerk to a committee in this resolution?

Mr. CASSEL. Oh, yes; special compensation to clerks to committees, yes; but there is no annual increase to the salary of any clerk to a committee.

Mr. HULL. I understand that; but there is special compensation in this resolution?

Mr. CASSEL. Yes.

Mr. HULL. Did the gentleman investigate the resolution for the increase of the compensation of the clerk to the Committee on Military Affairs?

Mr. CASSEL. I suppose we have. We have investigated them all.

Mr. HULL. I will say, in my judgment, that there is not a clerk of the House who does more continuous work than does he, or who has more matters to look after. I would like the privilege of offering an amendment inserting the same compensation that you have given to other clerks.

Mr. CASSEL. Mr. Speaker, I move the previous question upon the resolutions and amendments to a final passage.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. Will the gentleman yield?

Mr. CASSEL. For a question.

Mr. BARTLETT. Mr. Speaker, there are two employees of this House engaged in work for this House—three—two of whom get less salary than any other employees of the House. They are the two men who are engaged as drivers upon the wagons that carry out the documents from the Doorkeeper's room. They get only $50 a month, and they drive the wagon, handle all the heavy mail and documents sent out, and attend to that work ten months in the year, in all kinds of weather, and they get less than any other employee on the roll of the House. I think their salaries ought to be increased also.

I also want to say, in my judgment, the amount given for increase of salary of Mr. Cameron, which was only $200, is not enough, comparing it with the increases we have given to salaries of others. We know his work, and we know his efficiency, and this resolution only provides for an increase to him of $200, and I think it ought to be at least $300; and I want to make those two amendments particularly to this resolution.

The SPEAKER. Does the gentleman from Pennsylvania yield?

Mr. CASSEL. Mr. Speaker, I will accept the two amendments.

Mr. BARTLETT. Then, Mr. Speaker, I move to increase the amount to John J. Cameron, Assistant Official Reporter, from $200 to $300; and I wish to add to the resolution that the two drivers employed under the Doorkeeper in the folding room shall be increased $240 each.

The SPEAKER. The Clerk will report the amendment.

Mr. CASSEL. Mr. Speaker, let me say that an amendment under this resolution can only be made in a lump sum, appropriated to them for past services.

Mr. BARTLETT. That is not for past services.

Mr. CASSEL. Then it would not be germane to this resolution. I am sorry to raise that question.

Mr. BARTLETT. Then make it $240 for past services.

Mr. CASSEL. I accept the amendment offered in that way. Now I move the previous question.

The SPEAKER. The amendment will be reported, so the House will understand it.

The Clerk read as follows:

Amend line 5 so as to read: "John J. Cameron, Assistant Official Reporter, $300;" and add to the resolution "to two drivers employed under the Doorkeeper in the folding room, $240 each."

Mr. GARRETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT. I am not opposing this increase—if I did that would be the end of it—but I notice that heretofore they have mentioned names. The amendment offered by the gentleman from Illinois and by the gentleman from Georgia named names. Ought the names to be mentioned here?

The SPEAKER. The Chair supposes that identifies them.

Mr. BARTLETT. That identifies them.

Mr. KEIFER. We will give you the names.

The SPEAKER. The Clerk will report the amendment as modified.

The Clerk read as follows:

Add at the end of the resolution "to Charles E. Moss and W. H. Bell, employed under the Doorkeeper in the folding room, $240 each."

Mr. GARRETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT. Will the increase of salary apply to those gentlemen whose names are called or will it carry to the position itself?

The SPEAKER. It carries it to the men for work heretofore performed.

Mr. GARRETT. Now, Mr. Speaker, the amendment reported increasing the salary of the reading clerks, to which I am not opposed, mentioned names. Will that carry it to those gentlemen or carry it to the position?

The SPEAKER. To the gentlemen for work heretofore performed.

Mr. GARRETT. It is all for past services?

The SPEAKER. Certainly, as the Chair understood it.

The amendments were agreed to.

The resolution as amended was agreed to.

SELECTION OF LANDS.

Mr. GRONNA. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 7994) authorizing the State of North Dakota to select other lands in lieu of lands erroneously entered in sections 16 and 36 within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations, in said State.

*Be it enacted, etc.*, That the State of North Dakota be, and is hereby, authorized to select, in lieu of lands embraced in homestead entries made and erroneously allowed prior to the passage of this act for lands in sections 16 and 36, within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations, in said State, other unappropriated surveyed nonmineral public lands of equal area situated within the limits of said State, in the manner provided in the act approved February 28, 1891 (26 Stat. L., p. 796), entitled "An act to amend sections 2275 and 2276 of the Revised Statutes of the United States, providing for the selection of lands for educational purposes in lieu of those appropriated for other purposes:" *Provided*, That such selection of lands by said State shall be a waiver of its right to the lands embraced in said homestead entries.

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I understand this simply to give the right to select lieu lands in place of regular numbered section lands which the State failed to get.

Mr. GRONNA. I will state to the gentleman it is to permit a few settlers to keep their land in a military reservation that belongs to the State, and the State wants them to keep it. They can not prove up under the present law, and the State will lose nothing. It will be permitted to take other lands in their place.

Mr. WILLIAMS. It is an exchange of lands?

Mr. GRONNA. That is all.

Mr. WILLIAMS. And for the benefit of the State?

Mr. GRONNA. For the benefit of the State and these settlers.

The bill was ordered to be read a third time, was read the third time, and passed.

LAND FOR NORTH DAKOTA STATE HISTORICAL SOCIETY.

Mr. GRONNA. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6134) providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society.

The SPEAKER. The gentleman from North Dakota asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk proceeded with the reading of the bill.

Mr. MANN. Mr. Speaker, that bill is on the Private Calendar, and I suggest——

Mr. GRONNA. This is a Senate bill.

The SPEAKER. The House, under the order heretofore made——

Mr. GRONNA. Mr. Speaker, I will state that it is reported by the committee. It is a Senate bill.

The SPEAKER. The bill is on the Private Calendar, and it will come up to-night, if it is reached. That is the objection of the gentleman from Illinois [Mr. MANN]. The Chair was not aware that it was on the Private Calendar.

SUBSIDY BILL.

The SPEAKER. Under the order of the House, the House will resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the merchant marine bill.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. CURRIER in the chair.

Mr. GROSVENOR. Mr. Chairman, the gentleman from New York [Mr. GOULDEN] will occupy the first half hour.

Mr. GOULDEN. Mr. Chairman, I yield to the gentleman from Iowa [Mr. BIRDSALL] the balance of the time on this side of the House.

The CHAIRMAN. The gentleman from Iowa [Mr. BIRDSALL] is recognized for thirty minutes.

Mr. BIRDSALL. Mr. Chairman, the debate on this measure has taken a wide range for several days, and it occurs to me that it would be advisable to take some soundings and get back, if we can, to the real question that is involved in this discussion. In February, 1906, the Senate passed what is known as the "Gallinger bill," a cargo-subsidy bill. This was the evolution or the result of an investigation made by a joint Commission of the two Houses appointed two years ago. That Commission consisted, upon the part of the House, of three members of the Merchant Marine Commission, of Republican tendencies—the gentleman from Ohio [Mr. GROSVENOR], the gentleman from Washington [Mr. HUMPHREY], and the gentleman from Wisconsin [Mr. MINOR]; of the Democratic membership, the gentleman from Mississippi [Mr. SPIGHT], and Mr. MCDERMOTT, from New Jersey. This committee, acting with a like committee on the part of the Senate, spent much time in investigating questions relating to our merchant marine. They visited the principal ports of the country upon the Atlantic, the Pacific, and the Great Lakes. As a result of their investigations there was brought forth the bill that I have referred to, known as the "Gallinger bill," a bill which provided for granting subsidy to ships of all classes, whether sail or steam, at the rate of $5 per ton on ships engaged in foreign trade for the term of twelve months, $4 a ton for six months, and $2.50 per ton for the shorter period of three months. It granted a cargo subsidy to the vessels engaged in deep-sea fisheries along the coast of Maine and upon the Pacific coast.

Now, this bill, the result of long labor upon the part of this commission, was passed in the Senate on February 15, 1906, came to this House, and was referred to the Committee on Merchant Marine and Fisheries. In that committee it met its death. It would be interesting, if I had time, to go over the struggle that was in progress for a year over that bill, but it is now ancient history. The bill, I may say, has been killed by the gentleman from Ohio [Mr. GROSVENOR] and the gentleman from Washington [Mr. HUMPHREY]. [Applause.]

There are in this world many "doubting Thomases," and I hear it whispered about here in the House and elsewhere that this bill is "the voice of Jacob, but the hand of Esau". [Applause]. It is voiced not only here, but in the public press, and I desire, Mr. Chairman, to have the Clerk read in my time the following brief editorial, which I clipped from the Philadelphia Inquirer of February 27.

The Clerk read as follows:

A STEP TOWARD SHIP SUBSIDIES.

The House at Washington has agreed to settle the question of ship subsidy at 3 o'clock on Friday afternoon. At that time the miserable little substitute for the Senate bill will be brought to a final vote.

It is a mere makeshift. The Senate bill was bad enough. It was all right as far as it went, but it did not go very far. The House has presumed to take liberties with it, and the result is a measure of trifling value when the whole vast subject of restoring the American flag of commerce to the ocean is taken into consideration.

But it is something. It commits Congress to the principle of building up foreign trade in American-built vessels through Congressional aid, and at least opens the way to something better.

Unquestionably it ought to be passed, but—what a bill! It is a cowardly contrivance.

Mr. BIRDSALL. Now, as I observed, there are "doubting Thomases" outside of the Chamber as well as in the Chamber, and the impression has gone abroad through the country, as I remarked, that while this is the "voice of Jacob, it is the hand of Esau."

Now, I think it is due to the gentleman from Ohio [Mr.

GROSVENOR] and the gentleman from Washington [Mr. HUMPHREY] that I set against a statement of that character the statement made in the opening paragraph of the majority report upon this bill, as follows:

This measure is not a general ship subsidy. It does not give a dollar of subsidy or bounty to cargo vessels of the tramp type. It does not give a dollar of subsidy or bounty or mail subvention or anything else to any company for operating a fast passenger service to Europe.

I do this, Mr. Chairman, for this reason: I believe that the general principle of ship subsidy has met its defeat, and that it is now dead, possibly for years to come, at least. Its mangled remains are down in the archives of the Committee on the Merchant Marine and Fisheries. [Applause.] And the superscription, to which I presume is appended the signature of the chairman of that committee, is "Murdered in the house of its friends." No better assurance need be given the country that the vicious principle of ship subsidy is dead than that it has been abandoned by the gentleman from Ohio [Mr. GROSVENOR], who for years has been its chief prophet. And I want these facts to go to the country so that there may be no uneasiness upon the subject, and that we may all understand it is as dead as Cæsar, and that now what is brought in here has been obliterated by black lines, and not a man in the House "so poor as to do it reverence."

Now, having put this testimonial to the patriotic motives and actions of the gentleman from Ohio upon record, knowing that his innate modesty would prevent him from suggesting it, I do want to say that I have some regret at the expressions that the gentleman made toward his fellow-members of the committee at the time of the adoption of this rule. I am sorry that he is not present in the Chamber; but he will follow me, and will have an opportunity to set himself right if I misquote or misconstrue him. The gentleman impugns not only the motives, but the intelligence of the gentleman from Nebraska [Mr. HINSHAW], a member of the committee, impugned as well the intelligence of that membership of this House who represent what is called "the cornfields" of this country, and went further to threaten the gentleman from Nebraska and other gentlemen upon this committee who have disagreed in their views with him—and the President, if you please—upon this question, to a certain extent, with defeat in their districts. I would rather consider these as words spoken in haste, unworthy the distinguished gentleman from the State of Ohio. But the gentleman from Nebraska needs no defense at my hands. He is the peer in intellect and in character of any man upon the floor of the House. [Applause.] Why, Mr. Chairman, good men have come from the cornfields. Lincoln, Washington, Grimes, and Harlan, and a host of men have come from the cornfields, and the cornfields have furnished, as the gentleman from Michigan yesterday said, the sinews of war and the sinews of commerce of this great country. Why, sir, up to a brief period the entire balance of trade in favor of the United States was derived from exports of agricultural products from the cornfields of the West and the cotton fields of the South. Within the last fifteen years over $6,000,000,000 have been added to our national wealth by balances of trade in favor of the cornfields and the cotton fields of our country. Are gentlemen to be laughed at and to be ridiculed because they represent these great interests and, perchance, have the courage of their convictions to stand up against raids upon the National Treasury? Why, sir, great men have come from the cornfields. Look over the list, if you please, of the men who have risen in this country to power and fame. Where have they come from? From the great cities? From the heat of commercial conflict? No; on the contrary, from the field of labor and from the farm. There amidst the fragrance of clover blossoms and the perfume of a thousand flowers are laid the habits of simplicity, of industry, and of economy that marked the after life. [Applause.] Why, gentlemen, the present occupant of the White House is the only great man that was ever actually born in the city of New York. [Laughter and applause.]

As I remarked at the outset, this discussion has taken a wide range, and in it we have had appeals to passion, to our patriotism, to our prejudice. I yield to no man in my reverence for and devotion to the flag of our country; that flag that waved in triumph over Cornwallis's army at Yorktown; that established American citizenship at New Orleans; that waved in triumph from the heights of Chapultepec and over the halls of the Montezumas, and received beneath its sheltering fold our erring brothers at Appomattox; that flag that shone above the clouds at Lookout Mountain, that in our later day has given freedom to the Gem of the Antilles and is now spreading the light of the civilization of the western world in the far-off islands of the sea; that symbol of the power and the glory and the might of 80,000,000 of Americans. But, sir, I like patriotism that is void of greed [applause] and that does not measure its devotion by the liberality of grants from the National Treasury. [Loud applause.]

Now, then, I have flung my Pegasus so high that I am using all my time, and I shall have to get back to the earth and back to this bill. And what is it? I have assured you that it is not a ship-subsidy bill. It is in plain words an amendment of the postal act of 1891, and is an endeavor to provide for an extension of our mail lines in certain directions upon the sea. Now, let us consider the bill in that light; let us disabuse our minds of passion and prejudice and consider it, then, as a plain, simple, business proposition. This bill provides, upon the Pacific coast, for two new lines, one north of Cape Mendocino, and one south of Cape Mendocino. It provides for the establishment of the mail line on the northern route, as follows:

From a port or ports on the Pacific coast of the United States north of Cape Mendocino to Japan, China, and the Philippines on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $350,000 a year or for a fortnightly service at a maximum compensation not exceeding $700,000 a year.

Substantially the same provisions are made for the line south of Cape Mendocino, which is required to touch at Hawaii.

Now, is there any necessity for this contract upon these Pacific lines? If so, is the amount which we propose to pay for it a reasonable amount? Nobody anticipates that the amounts for which the contract will be secured will be materially less than the maximum amount fixed by the bill. Is it a good business proposition to go into it? Let us consider the situation for a moment. The lines from Seattle to Japan and China are already firmly fixed and established. The ships owned by James J. Hill can not be competed with either by domestic or foreign ships. Their construction, their great capacity of 20,000 tons each, make it absolutely impossible for any other ship of ordinary size, speed, or construction to compete with them, because it is perfectly apparent that the same motive power which will move, for instance, forty-five cars in a railroad train can be operated at relatively the same expense as on a train which carries but ten or fifteen cars. Consequently the increased capacity of these great ships, while not necessitating a very much larger crew than the ordinary five or six thousand ton ship, enables them to stand in the front rank and makes other ships powerless to compete with them.

Now, I say—and I think the testimony before our Commission justifies the statement—that even these great ships could comply with the requirements of this bill in the matter of speed. What are those requirements? That the ship shall be able to steam four hours in ordinary weather at a speed of 16 knots an hour. The testimony of Mr. Cramp, one of the greatest shipbuilders of this country, the testimony of an expert from San Francisco, and of at least two or three others before our committee was that a ship capable of running 14 or 14½ knots an hour under ordinary conditions could upon its trial speed develop 16 or even 18 knots an hour. The reason is plain. Upon the speed trials the ship is given every advantage to develop its speed. Its machinery is carefully looked after. It is ballasted just right. Further than that, they go to work and pick over the coal by hand that is to be used in its furnaces, and, as explained by Mr. Cramp, a man stands at the furnace door, and the moment the door is opened the fireman throws in the coal.

Everything is worked to perfection, so that it is possible for a ship sailing ordinarily 14 or 14½ knots to develop a speed of from 16 to 18 knots an hour. So that I say it is perfectly competent and it is entirely likely that this contract with the requirements contemplated by this bill could be secured by these ships, and the consequent result would not be the addition of a single vessel to the Northern Line from Seattle. So as to the Pacific Mail Line. There is no question that several of the Pacific Mail ships are now 16-knot ships and would be entitled to receive a contract of this character. These ships are now carrying our mails at a compensation satisfactory to them. Why, then, should we increase the compensation by contracts of this character? I undertake to say that the mail facilities will not be materially advanced by reason of the establishment of these two lines. Let me call your attention, gentlemen, to the report of the superintendent of the division of foreign mails relating to our present mail facilities upon the Pacific Ocean. He says:

By means of steamers sailing three or four times a month from San Francisco and three or four times a month from Seattle or Tacoma, mails for Japan and China have been dispatched not less than seven times a month.

These mails have included articles for the Philippines, but mails for the Philippines have also been dispatched by Army transports, which sailed from San Francisco for Manila about every twenty days. Correspondence for Japan and China has also been forwarded to Vancouver, British Columbia, for dispatch per steamers leaving that port

about every three weeks, when the delivery of the correspondence would be thereby expedited.

Mails for the Australasian colonies have been dispatched from San Francisco once every three weeks by means of the contract steamers of the Oceanic Steamship Company, the transit time from San Francisco to Sydney being twenty-one days, and mails being delivered en route at Pago Pago.

Advantage is also taken of the opportunities offered for the dispatch of correspondence for those colonies by means of the Canadian Line of steamers sailing from Vancouver, British Columbia, once every four weeks.

The Oceanic steamers and those from Vancouver, above referred to, call at Honolulu, and most of the steamers en route from San Francisco to Japan and China usually call at Honolulu. Including the service under domestic mail contracts between San Francisco and Honolulu, there were from seven to ten opportunities a month for communication by mail with Hawaii, and generally there are not less than eight.

Now, then, the establishment of this contract service upon these two lines of the Pacific coast would do what? If you say that in consideration of this contract they ought to carry all the mails, then you reduce the service upon these trans-Pacific mails to fortnightly or monthly service. If you say that notwithstanding these contracts mails will be dispatched—as they undoubtedly will be dispatched by the Post-Office Department by every available means, as they are now dispatching from New York City and from Philadelphia, notwithstanding the great lines, as they are now dispatched at every available opportunity—if you say that mails will be so dispatched by vessels whenever an opportunity is afforded, then you are simply adding that much; you are simply donating to the trans-Pacific lines the amount of the several contracts, or substantially so.

Now, what is the cost of this service for seven, eight, and sometimes ten times a month? According to the report of the superintendent of the Division of Foreign Mails, our mails are dispatched over the Pacific Ocean, and this total cost of the Department now is $447,248.67, and we propose to give, upon this line of the North Pacific, $700,000 for a fortnightly service. Gentlemen, this is a business proposition. Let us consider it from a business standpoint.

Can any gentleman suggest a good reason why we should reduce the mail service and pay more for the deficient service? No, Mr. Chairman; the lines on the Pacific Ocean are now firmly established; trade with the Orient is an established fact, and will continue to grow under existing conditions. I have no doubt, sir, that Cape Mendocino is the line of demarcation between the influence of J. J. Hill and the Great Northern and the Harriman lines; but this does not influence me in the settlement of this question. If they gave equally good service at as low a cost, it would be immaterial, in my mind. We are not here to aid or injure any particular interest, but to solve this question, if we can, in the light of reason and common sense; and, considering the question from a business standpoint, I am opposed to the extension of the two Pacific lines to the Orient from the Pacific.

Now, let us examine the facts with relation to the Oceanic Line from San Francisco to Australia. Upon this line the Oceanic Steamship Company is now under contract to carry the mail on a monthly service at $283,000 per annum. This contract with the Government runs until 1911, so there is yet four years unexpired. Now, without providing further service or creating any additional burden upon the steamship company, we propose to increase their pay under the contract by $200,000. It is claimed, and possibly it may be true, that the steamship company is losing money, but that is not a sufficient reason for us to put our hands into the money bag and make them a donation of $200,000 per year, which in the aggregate will add $800,000 to their compensation for the unexpired term of their contract. There is neither rhyme nor reason in such a proceeding. If the steamship company succumbs, then let us readvertise the contract and let it to the lowest bidder, thus proceed as we ought on business and not on charitable lines. Let us take a firm stand also on this line, and insist for once at least that this contract with the Government shall be faithfully adhered to and performed. At the proper time amendments will be offered to the bill striking out the provisions thereof relating to the two Pacific lines, and the paragraph relating to the Oceanic Line to Australia. I sincerely trust, sir, that the amendments will prevail.

If these lines be stricken from the bill, and it be so amended as to require all ships on the South American lines to be hereafter constructed, and be so further amended as to require the Postmaster-General to let the contract to the lowest bidder at the highest rate of speed, then I am authorized to say on behalf of the entire delegation from the great State of Iowa, which I have the honor in part to represent, that it will support the remainder of the bill. I am unalterably opposed to the principle of cargo or tonnage subsidy. First, because it is wrong in principle and contrary to my notions of the functions and purposes of government. Governments are instituted for the purpose of keeping the peace and compelling us to settle our grievances by arbitration rather than by arms; by arbitration not by blows; but it is not instituted to make any man richer or poorer, and the only purpose should be to protect all alike in the exercise of their individual powers and enterprises as comembers of a common society.

I am sorry to say that somehow in these late times we have come to look too much for Government aid, to expect the Government to make us richer or poorer, and the consequence of it is to fill our halls with the representatives of special interests, capital and labor alike demanding some legislation which will enhance a particular interest. This is all wrong, and I hope the day is not far distant when our lobbies will be cleared of them and the money changers scourged from the temple. I am opposed to the subsidy principle again because it is impracticable and would be wholly inefficient if extended now to rehabilitate our merchant marine. No, Mr. Chairman, in the first place, we are not a seafaring people and will never again become such until our necessities drive us into that occupation. We have a young and energetic civilization that is now and has been for fifty years engaged in developing and building up our internal resources. That little civilization which a hundred years ago was gnawing indentations on the western slope of the Alleghenies has spread throughout the Middle and great West, making farms, building cities, developing the mines and forests, the great systems of transportation, and the thousands of factories, and notwithstanding the fact, sir, that more than a million immigrants seek our shores annually, still the cry is for more men to labor in the fields, the mines, the forests, and the factories. By and through our beneficent system of protection we have builded up a standard of wages and standard of profit to capital unknown elsewhere in the world, and this very prosperity for our capital and labor forms an insuperable obstacle to the building up of our merchant marine.

Gentlemen speak of its profitable condition prior to 1850 and seek for the cause of its decline. In my judgment, it lies in the fact that since the civil war throughout every department of industry capital has been more profitably engaged, labor more universally employed at better wages than at any period in our history or in the history of any nation on the globe.

What inducement is there for the young men to become seamen? Wages upon the sea range from $18 to $30 per month, a pittance when compared with the wages prevalent throughout all the trades on land. Capital is employed profitably on land in manufacturing, in building, and in speculations. Why should it seek the peril of the sea? Under existing conditions the cost of ship construction in the United States is 25 to 30 per cent higher than upon the Clyde or at Amsterdam. The cost of operation and maintaining the ship is 30 to 35 per cent higher than of foreign ships. The rate of transportation is now confessedly so low that Americans under the conditions named can not engage profitably either in shipbuilding or in operation. Given a ship free of cost, the American owner can not operate it under our laws and employ American labor without a loss. He can not get the cargo at a rate which affords a profit. The simple proposition, therefore, of the ship-subsidy advocate is to make this business profitable by paying the margin of loss from the Treasury of the United States. I am opposed to it, and if I know the sentiment of the farmer and business men of my district and State it is in opposition to the proposition.

When the time arrives, if it ever should, when our elbows touch, when capital and labor alike are seeking employment at a low margin of profit, then we may turn again to sea, but until that time arrives we may expect foreigners to do our ocean transportation.

Within our own country, and within our legitimate sphere of action, we can protect American labor against foreign labor; but when our domain steps out to sea, and when the pilot leaves our ship in the harbor, it enters upon the broad ocean in competition with the world. If we enter upon the policy of subsidy, where will it end? We start at the outset with a handicap of 25 per cent in cost of construction and 30 per cent in cost of operation and maintenance against us. We can expect that foreign nations, for the protection of their interests, will likewise enter upon the policy of subsidy and meet any advantage granted or gained by our builders and operators from Government bounties. I have no fear of this Government entering upon the bounty system.

Now, Mr. Chairman, the substitute report here—the Gallinger bill—which passed the Senate, provides as follows:

That the act entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce,"

approved March 3, 1891, be, and hereby is, amended by adding thereto the following section:

"SEC. 10. That the Postmaster-General is hereby authorized and directed to enter into contracts for a term of ten years, with citizens of the United States, for the carrying of mails on steamships hereafter built in the United States and registered in the United States, or now duly registered by a citizen or citizens of the United States (including as such citizens any corporation created under the laws of the United States or any of the States thereof, a majority of the stock of which shall be and shall continue to be owned by citizens of the United States), between ports of the United States and ports on the routes and for the amounts hereinafter prescribed.

"First. From a port or ports of the Atlantic coast of the United States to Brazil, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year.

"Second. From a port or ports of the Atlantic coast of the United States to Argentina, on steamships of the United States of not less than 16 knots speed, for a monthly service at a monthly compensation not exceeding $400,000 a year, or for a fortnightly service at a maximum compensation not exceeding $800,000 a year: *Provided*, That a vessel receiving compensation for mail service pursuant to contract on a voyage on this route shall not also receive compensation for mail service pursuant to contract on said voyage on the first route as described above.

"Third. From a port or ports of the United States on the Gulf of Mexico to the Isthmus of Panama, on steamships of the United States of not less than 14 knots speed, for a fortnightly service at a maximum compensation not exceeding $75,000 a year, or for a weekly service at at a maximum compensation not exceeding $150,000 a year.

"Fourth. From a port or ports of the Pacific coast of the United States to the Isthmus of Panama, Peru, and Chile, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year.

"Fifth. From a port or ports on the Pacific coast of the United States via Hawaii to Japan, China, and the Philippines on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $350,000 a year or for a fortnightly service at a maximum compensation not exceeding $700,000 a year.

"Sixth. From a port or ports on the Pacific coast of the United States north of Cape Mendocino to Japan, China, and the Philippines on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $350,000 a year or for a fortnightly service at a maximum compensation not exceeding $700,000 a year.

"Seventh. From a port or ports of the Pacific coast of the United States, via Hawaii and the Samoan Islands, to Australasia, on steamships of the United States of not less than 16 knots speed for a service once in three weeks at a maximum compensation not exceeding $200,000 a year, in addition to the compensation now provided pursuant to contract under this said act of March 3, 1891: *Provided*, That the requirements of this section as to the rates of speed shall be deemed to be complied with if said rates are developed during a trial of four hours' continuous steaming at sea in ordinary weather in water of sufficient depth to make the test a fair and just one and if the vessels are maintained in a condition to develop such speed at any time while at sea in ordinary weather. This trial shall be made under the direction and supervision of a board of naval officers which the Secretary of the Navy shall appoint upon the application of the owner or owners of the vessel to be tested: *And provided further*, That all the provisions of the first nine sections of this act are hereby made applicable in all respects to the services provided for in this section: *Provided, however*, That the specific rates of compensation described in section 5 of this act shall not apply to the services provided for in this section, and that all ordinary repair or overhauling of a steamship employed and paid for carrying mails under this section shall be made in the United States, except in cases where drydocking is necessary and no American dry dock of sufficient capacity shall be within a distance of 500 miles of the location of said ship when the repairs shall be needed."

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act in whole or in part whenever in its judgment the public interest shall so require, without, however, impairing in any wise the obligation of any specific contract then in force which shall have been entered into under the provisions of this act.

SEC. 3. That there shall be enrolled, in such manner and under such requirements as the Secretary of the Navy may prescribe, from the officers and men now and hereafter employed in the merchant marine and fisheries of the United States, including the coastwise trade of the Atlantic and Pacific and the Great Lakes, such officers, petty officers, and men as may be capable of rendering service as members of a naval reserve, for duty in time of war, and who are willing to undertake such service, to be classified in grades and ratings according to their capacity as shown at time of enrollment. No man shall be thus enrolled who is not a citizen of the United States by either birth or naturalization. These members of the Naval Reserve shall be enrolled for a period of four years, during which period they shall be subject to render service on call of the President in time of war. They shall also possess such qualifications, receive such instruction, and be subject to such regulations as the Secretary of the Navy may prescribe. The Secretary of the Treasury is hereby authorized and directed, upon proper audit by the Auditor of the Navy Department, to pay out of any money to be annually appropriated therefor upon estimates to be annually submitted to Congress in the Book of Estimates to such officer, petty officer, or man thus enrolled and employed in the merchant marine or fisheries, including the coastwise trade of the Atlantic and Pacific and the Great Lakes, as hereinafter provided, an annual retainer as follows: For each officer of the line or Engineer Corps having the rank of lieutenant in the Naval Reserve, $110; for each officer of the line or Engineer Corps having the rank of lieutenant (junior grade) in the Naval Reserve, $90; for each officer of the line or Engineer Corps having the rank of ensign in the Naval Reserve, $80; for each man with a rating of chief petty officer, $70; for each man with a rating of petty officer, first class, $60; for each man with a rating of petty officer, second class, $48; for each man with a rating of petty officer, third class, $40; for each seaman, first class, $36; for each seaman, second class, $30; for each seaman, third class, $24. Such retainer shall be paid at the end of each year of service on certificate, by the Secretary of the Navy, that the member of the Naval Reserve has complied with the regulations and has served for at least six months of the preceding twelve months on vessels of the United States in the merchant marine or fisheries. The total number of officers, petty officers, and men enrolled in the Naval Reserve shall not at any time exceed 10,000.

SEC. 4. That this act shall take effect on July 1, 1907.

It is not a subsidy measure, but an amendment to the postal act of March 3, 1891, under which we have been extending our ocean mail service. The act of 1891 contains provisions requiring the construction of ships used in mail service upon plans and specifications made by the Secretary of the Navy, to the end that they may be easily converted into armored cruisers or transports in time of war, and also provides that the Government may purchase them, if the necessity therefore should arise, at their face value upon appraisement. It is no doubt true that our Navy and our commerce would be practically helpless without an auxiliary fleet of merchant vessels, and it is probable that this is the cheapest manner in which they can be obtained.

Mr. Chairman, I have said that if certain amendments were made to the bill eliminating the Pacific lines and leaving the South American lines alone in the bill and further amended by providing for the construction of entirely new ships, we would support the bill. The countries of Central and South America are properly within our legitimate sphere of influence. We have for nearly a hundred years accepted the Monroe doctrine, and we must maintain it for the security and peace of the Western Hemisphere. We should cultivate friendship and trade with our neighboring countries in South America, and the first essential requisite for that purpose is speedy means of communication.

My information from the Post-Office Department is that at the present time the average time of communication from New York and Rio Janeiro and Buenos Ayres is twenty-five days, and the fact is that most of our mail for those ports is sent by way of Europe. The American consul at Falkland Islands is a resident of my city, and is compelled to go abroad by way of Liverpool. Now, there is a great trade in South America and we should grasp it.

The following extracts from our trade and consular reports show the condition we are now in with reference to trade in that quarter of the world:

CONSUL GUENTHER'S TESTIMONY.

Germany has forty-three large steamships in her South American service, and six more are nearly ready for launching. The forty-nine vessels aggregate 217,195 gross tons. Most of them are of recent construction, nineteen having been built in the years 1900 to 1905. They ply on four routes, all starting from Hamburg, connecting the latter port with the La Plata States and Brazil. Germany's flourishing export trade to South America, it is believed, is mainly due to this direct and prompt transportation service. In a letter furnishing the foregoing information Consul Guenther, of Frankfort, Germany, says that an English journal, speaking on this service, quotes the following from an American merchant in Buenos Aires:

"We here have no parcels-post connection with the United States, lacking which my firm is obliged to order every year many thousand dollars' worth of goods from Europe which I would prefer to get from home. We even have no regular mail service with the United States. Reply letters from there take three months ere they reach us here, whereas letters from Europe consume only a fortnight in getting here. Steamers from the United States always contain petroleum in their cargo, and for that reason are not allowed to enter the inner harbor, but are obliged to discharge their freight on lighters, which causes delay and inconvenience. Goods arriving from Europe can be disposed of within five days while goods from New York require four weeks after their arrival here before we can dispose of them. That this condition handicaps trade with the United States needs no further demonstration."

OUR MINISTER TO CHILE.

Hon. John Hicks, our minister to Chile, emphasizes the need of an American ocean mail service on the west coast of South America in the Daily Consular and Trade Reports of December 11, 1905:

"One of the great difficulties in the way of a closer commercial connection between the United States and Chile is in the lack of good shipping facilities. The passenger and much of the freight traffic of the entire west coast of South America is in the hands of two companies, the Pacific Steam Navigation Company, English, and the South American Steamship Company, a Chilean corporation. Both companies receive a subsidy from the Chilean Government and they alternate in the dispatch of ships between Panama and Valparaiso. Naturally they are in a combination or trust, and it seems difficult to bring about any change or improvement in their methods of doing business. When these steamers take from twenty-five to thirty days between Panama and Valparaiso it can readily be seen that American trade must suffer, for the trip could easily be made in ten days. So long as this condition exists and steamers can come from Europe almost as quickly it will be a difficult matter to increase American business on this coast."

OUR CONSUL AT MONTEVIDEO.

Consul O'Hara, at Montevideo, explains the relatively small trade between Uruguay and the United States as due primarily to lack of swift and regular steamship communication, and also to the fact that Great Britain, France, Germany, and Italy have merchants of their own nationality in Uruguay representing their steamships and pushing their goods and doing their utmost to prevent the sale of American merchandise. The consul says, in the Daily Consular and Trade Reports of December 11, 1905:

"The same people who push our merchandise aside and force that of others to the front push our country aside and say that while we are a great producing nation we have no facilities for marketing our products. Here we are forced to silence. The records show that during the fiscal year ending June 30, 1905, there were exported from this

country to the United States goods to the value of $3,998,175 American gold, and that not one dollar's worth of this amount left this port on an American vessel.

"It is estimated that not 1 per cent of North Americans who travel abroad include South America in their itinerary, while not more than 20 per cent of Latin Americans traveling abroad seek the United States in their voyaging. Although more of them come to us, except in the case of Mexico, than we send to them, interchange of travel is so small as to have little beneficial effect. There are several reasons for this condition, among which is our lack of steamship facilities.

"On this point, indeed, too much can not be said, not only because it is very important, but because it can and should be immediately changed. The advantage is now entirely with Europe, and the disadvantage is wholly with the United States. This is not in any sense an argument for or against so-called 'ship subsidies,' but a plain, square statement of fact. At the present time there is not one first-class, fast, up-to-date express passenger or mail steamer running between any North American port and the ports of the great nations of South America. In contrast to this is to be noted the remarkable fact that Europe has nine different lines of large, commodious, modern, fast steamers giving frequent and excellent service between its chief ports and those of Latin America. Many of these boats will rival those of the northern trans-Atlantic lines in the luxury of their accommodations."

"It is true that there seems to be an abundance of freight steamers between the United States and South America, but no South American—and the number of those who travel is increasing annually—will take a freight, cattle, or small steamer for the United States when he has the selection of many lines of passenger, express, and fast steamers."

In his annual report for 1906, our Postmaster-General speaks in the following emphatic manner concerning our postal facilities with South America:

Foreign governments are steadily increasing the speed of their fast mail steamers and requiring them to have fixed and regular sailings. The mail steamers of other countries leaving ports of the United States, will more and more absorb our foreign mail transportation until such time as the United States provides an adequate compensation for the outward voyage of steamers of equal speed and regularity of sailings. Congress authorized the Postmaster-General by the act of 1891, to contract with owners of American steamships for ocean mail service, and has realized the impracticability to command suitable steamers in the interest of the postal service alone by requiring that such steamers shall be of a size, class, and equipment which will promote commerce and become available as auxiliary cruisers of the Navy in case of need. The compensation allowed to such steamers is found to be wholly inadequate to secure the proposals contemplated. This is especially true as to Australasia and several of the countries of South America with which we have cordial relations, and which, for manifest reasons, should have direct mail-communication connections with us. The unprecedented expansion of trade and foreign commerce justifies the prompt consideration of an adequate foreign mail service. Expenditures to this end seem fully warranted also from the standpoint of a proper naval establishment, inasmuch as the vessels performing service are so built as to be readily converted into auxiliary cruisers. Favorable legislation on this subject is urgently needed.

The President of the United States, the Secretary of State, and the Secretary of Commerce and Labor have likewise recommended the establishment of speedy lines of mail communication.

Our ocean mail service now has annually to its credit a profit of about $3,000,000. We can afford to expend a portion at least of this for the further extension of our mail facilities upon the ocean, and I believe, sir, that first of all we should commence with our neighbors on the south. If I believed that this bill were in any sense a cargo subsidy or entering wedge for bounties from the Treasury, I should oppose it in toto. [Applause.]

Mr. GROSVENOR. Mr. Chairman, the debate that is about to terminate, as far as the general debate is concerned, has been a very interesting one, and I am now charged with the duty of completing it so far as the affirmative of this question is concerned.

Of course, it will be impossible for me to even refer to much of the argument and denunciation that have been made on the other side of this question, and I shall confine myself to a very few of the suggestions that have been made by the opponents of the bill, and answer, as far as I may be able, some of the objections.

I am very much surprised that the gentleman from Iowa [Mr. BIRDSALL], in the closing hours of the debate, should seek to prejudice me in the estimation of the House of Representatives by making any allusion in a critical manner to what I said about cornfield statesmen. Everybody who has read the papers understood that a certain Senator called himself, with much self-approbation, a "cornfield statesman." I referred to him, and everybody understood it, and it was neither magnanimous nor fair in the gentleman to criticise me. I have hoed more corn, and continued to hoe corn longer, in my young days than any other Member in this House, in my opinion, and I certainly have never sneered at anybody because he hoed corn. [Applause.] I do not believe interstate commerce could prevent the shipment of the corn, although I hoed it when I was only 16 years of age.

Mr. SULZER. We will accept the gentleman's apology. [Laughter.]

Mr. GROSVENOR. I may not have an opportunity to reply to the Bates bill argument put forth by the proxy of that gentleman on the floor, and therefore I will simply say that every proposition in it has been repudiated by men of all parties and all opinions upon this great question years ago.

We passed in this House since I have been a Member of it a very strong ship-subsidy bill. It was the real thing. It had been passed in the Senate; it came over to the House; it was fully debated; amendments were offered to it, and some of the amendments agreed to, and then the bill was passed. Fortunately, under our system of legislation we have a way of putting down a record of how men vote, and it may be that between this and the close of the five-minute debate I may have occasion to call the attention of one or two gentlemen to their record, and it will amuse the people of the country greatly when they read it.

Now, Mr. Chairman, in the few minutes I have I want to take up some of the objections. In the first place, yesterday it was stated that it was impossible to get out of the record of the Committee on Merchant Marine and Fisheries answers to certain questions that had been propounded in regard to the cost of running a ship, and various items in detail of everything connected with the ship. Eight thousand copies of the hearings before the committee, as I stated yesterday, were published, and here are detailed statements of the cost in the various shipyards of the United States of the building of the ships; and here is, down to the pay of the cooks and the coal heavers, the expense of running these great ships, every item, thoroughly itemized and set out.

COST OF MAINTAINING OCEAN MAIL STEAMSHIPS UNDER THE LAW OF MARCH 3, 1891.

On pages 372–380 of the hearings before the Committee on Merchant Marine and Fisheries, April 4 to 13, 1906, the Oceanic Steamship Company, of San Francisco, operating a mail service to Australasia under the law of 1891, submits detailed statements of the wages on its 6,000-ton 16-knot American steamers, as compared with British and Japanese steamers of the same class, and a summary of the entire cost of operation of the Oceanic Line, as follows:

*Statement showing annual loss operating on mail route No. 75.*

| | |
|---|---|
| Total value of vessels in service: | |
| Sierra | $921,539.91 |
| Sonoma | 923,546.95 |
| Ventura | 903,582.54 |
| Total | 2,748,669.40 |
| Fixed annual expenses not included in operating account: | |
| Interest on bonds, $2,405,000 at 5 per cent | 120,250.00 |
| Depreciation, 5 per cent per annum on $2,748,669.40 | 137,433.47 |
| Insurance, 2¾ per cent per annum on $2,748,669.40 | 75,588.40 |
| Taxes | 12,400.00 |
| Advertising | 13,452.00 |
| Offices and agencies management | 57,812.00 |
| Total | 416,935.87 |

*Total gross receipts from all sources.*

| | 1902. | 1903. | 1904. |
|---|---|---|---|
| Passengers, freight, mail pay | $1,364,159.63 | $1,484,205.55 | $1,452,918.53 |
| Total expenses operation | 1,318,184.52 | 1,436,390.53 | 1,385,948.10 |
| Net earnings | 15,975.11 | 47,815.02 | 66,970.43 |
| Fixed expenses | 416,935.87 | 416,935.87 | 416,935.87 |
| Less net earnings operating account | 15,975.10 | 47,815.02 | 66,970.43 |
| Net loss per annum | 400,960.77 | 369,120.85 | 349,965.44 |
| Average annual loss for past three years | | | 373,349.02 |

*American steamship Sonoma v. Japanese steamship America Maru.*

SONOMA; BETWEEN SAN FRANCISCO AND AUSTRALIA.

[Gross tonnage, 6,200 tons.]

| Number of men. | Rating (all-American crew). | United States gold. Rate per man per month. | United States gold. Amount of pay per month. |
|---|---|---|---|
| | Officers: | | |
| 1 | First officer | | $125.00 |
| 1 | Chief engineer | | 175.00 |
| 1 | Purser | | 125.00 |
| 1 | Doctor | | 60.00 |
| | Mate's department: | | |
| 1 | Second officer | | 75.00 |
| 1 | Third officer | | 55.00 |
| 1 | Carpenter | | 50.00 |
| 1 | Boatswain | | 40.00 |
| 4 | Quartermasters | $35.00 | 140.00 |
| 13 | Seamen | 35.00 | 645.00 |
| 3 | Cadets | 20.00 | 60.00 |
| 1 | Messboy | | 25.00 |
| 3 | Deck boys | 15.00 | 45.00 |
| | Engineer's department: | | |
| 1 | First assistant engineer | | 120.00 |
| 1 | Second assistant engineer | | 90.00 |
| 1 | Third assistant engineer | | 80.00 |
| 1 | Fourth assistant engineer | | 75.00 |
| 1 | Fifth assistant engineer | | 70.00 |
| 1 | Sixth assistant engineer | | 65.00 |
| 1 | Electrical engineer | | 70.00 |

*American steamship Sonoma v. Japanese steamship America Maru*—Continued.

SONOMA, BETWEEN SAN FRANCISCO AND AUSTRALIA—continued.

| Number of men. | Rating (all-American crew). | United States gold. Rate per man per month. | Amount of pay per month. |
|---|---|---|---|
| | Engineer's department—Continued. | | |
| 1 | Refrigerating engineer | ..... | $70.00 |
| 1 | Second refrigerating engineer | ..... | 60.00 |
| 3 | Water tenders | $60.00 | 180.00 |
| 3 | Oilers | 50.00 | 150.00 |
| 3 | do | 45.00 | 135.00 |
| 1 | Storekeeper | ..... | 40.00 |
| 3 | Cadets | 20.00 | 60.00 |
| 20 | Firemen | 50.00 | 1,000.00 |
| 24 | Coal passers | 40.00 | 960.00 |
| 2 | Mess boys | 25.00 | 50.00 |
| | Steward's department: | | |
| 1 | Chief steward | ..... | 100.00 |
| 1 | Second steward | ..... | 50.00 |
| 1 | Second-cabin steward | ..... | 40.00 |
| 1 | Steerage steward | ..... | 35.00 |
| 3 | Stewardesses | 25.00 | 75.00 |
| 1 | First cook | ..... | 75.00 |
| 1 | Second cook | ..... | 50.00 |
| 1 | Third cook | ..... | 40.00 |
| 1 | Fourth cook | ..... | 35.00 |
| 1 | Fifth cook | ..... | 30.00 |
| 1 | Sixth cook | ..... | 25.00 |
| 1 | First baker | ..... | 70.00 |
| 1 | Second baker | ..... | 50.00 |
| 1 | Third baker | ..... | 35.00 |
| 1 | First butcher | ..... | 55.00 |
| 1 | Second butcher | ..... | 35.00 |
| 1 | First pantryman | ..... | 40.00 |
| 1 | Second pantryman | ..... | 30.00 |
| 1 | Third pantryman | ..... | 25.00 |
| 1 | Porter | ..... | 30.00 |
| 1 | First messman | ..... | 30.00 |
| 1 | Second messman | ..... | 25.00 |
| 1 | Third messman | ..... | 25.00 |
| 1 | Saloon watchman | ..... | 25.00 |
| 1 | Steerage watchman | ..... | 20.00 |
| 1 | Second-cabin pantryman | ..... | 30.00 |
| 1 | Storekeeper | ..... | 50.00 |
| 1 | Silverman | ..... | 30.00 |
| 1 | Printer | ..... | 30.00 |
| 1 | Janitor | ..... | 20.00 |
| 25 | Waiters | 25.00 | 625.00 |
| 157 | Total per month | ..... | 6,510.00 |
| | Total per annum | ..... | 78,480.00 |

AMERICA MARU, JAPANESE LINE BETWEEN SAN FRANCISCO AND HONG-KONG.

[Gross tonnage, 6,307 tons.]

| Number of men. | Rating. | European or Asiatic. | Equivalent in United States gold. Rate per man per month. | Amount of pay per month. |
|---|---|---|---|---|
| | Saloon officers: | | | |
| 1 | First officer | European | ..... | $100.00 |
| 1 | Chief engineer | do | ..... | 150.00 |
| 1 | Purser | do | ..... | 100.00 |
| 1 | Surgeon | do | ..... | 60.00 |
| 1 | Freight clerk | do | ..... | 75.00 |
| | Deck department: | | | |
| 1 | Second officer | Asiatic | ..... | 55.00 |
| 1 | Third officer | do | ..... | 40.00 |
| 1 | Fourth officer | do | ..... | 15.00 |
| 1 | Junior officer | do | ..... | 7.50 |
| 2 | Do | do | $6.50 | 13.00 |
| 1 | Carpenter | do | ..... | 15.00 |
| 1 | Carpenter's mate | do | ..... | 11.50 |
| 6 | Quartermasters | do | 4 at 11.00; 2 at 10.00 | 64.00 |
| 1 | Boatswain | do | ..... | 15.00 |
| 1 | No. 2 boatswain | do | ..... | 11.75 |
| 2 | Deck engineers | do | 10.50 | 21.00 |
| 26 | Seamen | do | 6 at 6.75; 8 at 7.25; 6 at 8.25; 6 at 8.75 | 200.50 |
| 1 | Mess boy | do | ..... | 2.50 |
| 1 | Storekeeper | do | ..... | 10.25 |
| 1 | Lamp trimmer | do | ..... | 9.75 |
| | Engineer's department: | | | |
| 1 | First assistant engineer | European | ..... | 75.00 |
| 1 | Second assistant engineer | Asiatic | ..... | 65.00 |
| 1 | Third assistant engineer | do | ..... | 55.00 |
| 4 | Junior engineers | do | 1 at 45.00; 1 at 35.00; 1 at 30.00; 1 at 10.00 | 120.00 |
| 1 | Electrician | do | ..... | 25.00 |
| 12 | Oilers | do | 1 at 15.00; 1 at 12.00; 10 at 10.50 | 132.00 |
| 12 | No. 1 firemen | do | 9.00 | 108.00 |
| 16 | Firemen | do | 8.50 | 136.00 |

*American steamship Sonoma v. Japanese steamship America Maru*—Continued.

AMERICA MARU, JAPANESE LINE BETWEEN SAN FRANCISCO AND HONG-KONG—continued.

| Number of men. | Rating. | European or Asiatic. | Equivalent in United States gold. Rate per man per month. | Amount of pay per month. |
|---|---|---|---|---|
| | Engineer's department—continued. | | | |
| 16 | Coal passers | Asiatic | 5 at $7.50; 11 at 7.00 | $114.50 |
| 2 | Mess boys | do | 2.50 | 5.00 |
| 1 | Storekeeper | do | ..... | 10.50 |
| 1 | Boiler maker | do | ..... | 20.00 |
| | Purser's department: | | | |
| 2 | Assistant freight clerks | do | 1 at 25.00; 1 at 12.50 | 37.50 |
| 1 | Storekeeper | do | ..... | 25.00 |
| 1 | Steward | European | ..... | 90.00 |
| 1 | Steerage steward | Asiatic | ..... | 17.50 |
| 1 | Stewardess | European | ..... | 20.00 |
| 1 | Baker | Asiatic | ..... | 20.00 |
| 1 | Second baker | do | ..... | 7.50 |
| 1 | Butcher | do | ..... | 25.00 |
| 1 | Second butcher | do | ..... | 2.50 |
| 1 | Pantryman | do | ..... | 15.00 |
| 1 | Second pantryman | do | ..... | 7.50 |
| 1 | First cook, after galley | do | ..... | 22.50 |
| 1 | Second cook, after galley | do | ..... | 17.50 |
| 1 | Third cook, after galley | do | ..... | 7.50 |
| 1 | First cook, forward galley | do | ..... | 8.50 |
| 2 | Second cooks, forward galley | do | 7.50 | 15.00 |
| 2 | Third cooks, forward galley | do | 6.50 | 13.00 |
| 1 | Fourth cook, forward galley | do | ..... | 6.00 |
| 1 | Cook, steerage | do | ..... | 17.50 |
| 1 | Do | do | ..... | 12.50 |
| 1 | Saloon watchman | do | ..... | 12.50 |
| 1 | Steerage watchman | do | ..... | 10.00 |
| 5 | Steerage waiters | do | 3 at 7.50; 2 at 6.50 | 35.50 |
| 2 | Officer's mess men | do | 2.50 | 5.00 |
| 24 | Cabin waiters | do | 7.50 | 180.00 |
| 1 | No. 1 waiter | do | ..... | 17.50 |
| 1 | Barkeeper | do | ..... | 10.00 |
| 1 | Scullery man | do | ..... | 7.50 |
| 1 | Chow boy | do | ..... | .25 |
| 180 | Total per month | ..... | ..... | 2,509.00 |
| | Total per annum | ..... | ..... | 30,108.00 |

Excess of cost of wages per annum to American steamship, $48,372.

*Wages paid on Orient Pacific Liner Orizaba, 6,300 tons (British Australasian mail service).*

| | Rate per man per month. | Amount of pay per month. |
|---|---|---|
| 1 first mate | $60.00 | $60.00 |
| 1 second mate | 45.00 | 45.00 |
| 1 third mate | 40.00 | 40.00 |
| 1 fourth mate | 30.00 | 30.00 |
| 1 surgeon | 50.00 | 50.00 |
| 1 purser | 75.00 | 75.00 |
| 1 assistant purser | 31.25 | 31.25 |
| 1 carpenter | 41.25 | 41.25 |
| 1 carpenter's mate | 25.00 | 25.00 |
| 1 boatswain | 35.00 | 35.00 |
| 2 boatswain's mates | 26.25 | 52.50 |
| 2 masters at arms | 26.25 | 52.50 |
| 1 storekeeper | 22.50 | 22.50 |
| 24 able seamen | 20.00 | 480.00 |
| 4 ordinary seamen | 10.00 | 40.00 |
| 5 deck boys | 5.00 | 25.00 |
| 1 chief engineer | 105.00 | 105.00 |
| 1 second engineer | 80.00 | 80.00 |
| 1 third engineer | 65.00 | 65.00 |
| 1 fourth engineer | 55.00 | 55.00 |
| 1 fifth engineer | 50.00 | 50.00 |
| 1 sixth engineer | 45.00 | 45.00 |
| 1 seventh engineer | 52.50 | 52.50 |
| 1 eighth engineer | 60.00 | 60.00 |
| 1 electrician | 50.00 | 50.00 |
| 1 tenth engineer | 50.00 | 50.00 |
| 1 winchman | 27.50 | 27.50 |
| 1 storekeeper | 26.25 | 26.25 |
| 4 Lg. firemen | 25.00 | 100.00 |
| 1 chief steward | 67.50 | 67.50 |
| 1 second steward | 40.00 | 40.00 |
| 1 barkeeper | 20.00 | 20.00 |
| 1 assistant barkeeper | 15.00 | 15.00 |
| 1 storekeeper | 30.00 | 30.00 |
| 1 barber | .25 | .25 |
| 1 bedroom steward | 20.00 | 20.00 |
| 1 saloon waiter | 20.00 | 20.00 |
| 1 second saloon steward | 25.00 | 25.00 |
| 1 steerage steward | 25.00 | 25.00 |
| 1 printer | 20.00 | 20.00 |
| 6 general servants | 17.50 | 105.00 |
| 27 general servants | 15.00 | 405.00 |
| 1 general servant | 5.00 | 5.00 |
| 1 general servant | 7.50 | 7.50 |
| 4 stewardesses | 17.50 | 70.00 |
| 1 G. S. | 20.00 | 20.00 |
| 1 first-class pantryman | 25.00 | 25.00 |
| 1 second-class pantryman | 20.00 | 20.00 |

*Wages paid on Orient Pacific Liner Orizaba, etc.*—Continued.

| | Rate per man per month. | Amount of pay per month. |
|---|---|---|
| 1 chief cook | $50.00 | $50.00 |
| 1 second cook | 30.00 | 30.00 |
| 1 third cook | 20.00 | 20.00 |
| 1 vegetable cook | 15.00 | 15.00 |
| 1 scullion | 15.00 | 15.00 |
| 1 steerage cook | 25.00 | 25.00 |
| 1 assistant steerage cook | 15.00 | 15.00 |
| 1 baker | 45.00 | 45.00 |
| 1 second baker | 25.00 | 25.00 |
| 1 third baker | 15.00 | 15.00 |
| 1 butcher | 30.00 | 30.00 |
| 1 assistant butcher | 15.00 | 15.00 |
| 1 F. serang | 12.96 | 12.96 |
| 1 first tindal | 9.07 | 9.07 |
| 1 second tindal | 8.42 | 8.42 |
| 1 third tindal | 7.97 | 7.97 |
| 1 cassub | 7.97 | 7.97 |
| 1 donkeyman | 7.12 | 7.12 |
| 1 second donkeyman | 7.12 | 7.12 |
| 6 greasers | 6.48 | 38.88 |
| 36 firemen | 5.50 | 198.00 |
| 1 C. T. serang | 8.10 | 8.10 |
| 26 trimmers | 3.86 | 100.36 |
| 2 bliandary | 6.48 | 12.96 |
| 1 topass | 4.53 | 4.53 |
| Total per month | | 3,534.96 |
| Total per annum | | 42,419.52 |

NOTE.—The above monthly pay roll is 45.9 per cent less than the monthly pay roll of the Oceanic Steamship Company's steamer *Sonoma*.

Up to May 1, 1905, the mail subsidy paid by the British Government to the Orient Line was $425,000 per annum. After that date a new contract was made giving $600,000 per annum, the concessions made by the contractor being the employment of white crews only and a small increase in speed. The change from mixed crews to all white men will result in an estimated annual cost to the company of about $120,000.

*Comparison of wages—American Pacific Mail steamers—Cost of wages and maintenance with white crews and with present crews, part white and part Asiatic.*

[Statement of Mr. R. P. Schwerin, vice-president and general manager Pacific Mail Steamship Company. Report of the Merchant Marine Commission, vol. 3, p. 1407.]

| Steamer. | Actual cost per annum with present mixed crew of white men and Asiatics. | | |
|---|---|---|---|
| | Wages. | Feeding. | Total. |
| China | $38,106.24 | $12,410.00 | $50,516.24 |
| Korea | 61,032.36 | 20,140.00 | 81,172.36 |
| Siberia | 61,032.36 | 20,140.00 | 81,172.36 |
| Mongolia | 58,364.64 | 18,863.20 | 77,227.84 |
| Manchuria | 58,364.64 | 18,863.20 | 77,227.84 |
| Total | 276,900.24 | 90,416.40 | 367,316.64 |

| Steamer. | Cost if white men were substituted for Asiatics. | | | Increased expense, white men. |
|---|---|---|---|---|
| | Wages. | Feeding. | Total. | |
| China | $80,580.00 | $28,221.80 | $108,801.80 | $58,285.56 |
| Korea | 132,603.00 | 48,767.65 | 181,370.65 | 100,198.29 |
| Siberia | 132,603.00 | 48,767.65 | 181,370.65 | 100,198.29 |
| Mongolia | 120,903.00 | 45,230.65 | 166,133.65 | 88,905.81 |
| Manchuria | 120,903.00 | 45,230.65 | 166,133.65 | 88,905.81 |
| Total | 587,592.00 | 216,218.40 | 803,810.40 | 436,493.76 |

So much for that proposition. The most elaborate pains were taken to give to the country and to the House of Representatives the fullest possible information. But it was stated—and I now desire to go into that a little more in detail—that the operation of one of these great ships was a certain figure, which does not appear in the RECORD this morning, but I hope it will appear exactly as it was read yesterday, and then I will put into the RECORD the cost of running one of the North Atlantic 16-knot steamers on the proposed route from New York to Brazil; and the cost of the vessel is not $600,000. No man can build a ship that can carry this contract for $600,000 nor for less than twice that money. Why is it necessary to bring in padded figures to bewilder the listeners? I will read to you the statement and then I will read to you who makes the statement. It was handed to me by Admiral Bowles this morning. The cost of the vessel is $1,200,000, and you can not build one of these ships that can carry this mail under this contract for less money than that. For the wages of officers and crew of 118 men, subsistence of crew, repairs, depreciation 5 per cent, insurance, interest on investment, miscellaneous stores, and shore expenses, $384,815. So that you have built your ship at an expense of $1,200,000, and at the end of the year you have added $384,815 more to the outlay of the owner of the ship.

Mr. SHACKLEFORD. What is the tonnage of these ships?

Mr. GROSVENOR. The tonnage must be not less than twelve to sixteen thousand tons.

Mr. SHACKLEFORD. Is there anything in the bill that prescribes that?

Mr. GROSVENOR. It is the old law. They are to be built under the existing law. Think of that. Here we are just ready to vote, and I am asked a question how these ships are to be built! The bill itself is the law of the land and has been ever since 1891.

Mr. SHACKLEFORD. I just asked you about the tonnage of it.

Mr. GROSVENOR. It describes the size of the ship, it describes it must be built under the supervision of the Navy, it must be in condition to be turned into a war vessel, it must be built to carry four big guns—just such ships as the 20-knot ships now in the American Line. Two of those were built with a view to this identical statute, under which every one of these ships must be built. Now, then, this is a very curious way of computing. Here is a contract that will take, at least calculation, four ships, to be always fitted up and to be always ready to go, and when the gentleman wants to figure on it he takes the cost of one ship and the expense of running that ship one year, and then he puts down the subsidy for the mail contract and subtracts the cost of the ship and the cost of running it a year and says that the subsidy is too great, forgetting that he is figuring on one ship, while it will take not less than three and probably four to carry the contract.

Mr. TOWNSEND. I am very much interested in what the gentleman said in reference to the old law. As I understood the gentleman, he said it provided for a 12,000-ton ship.

Mr. GROSVENOR. No; I say they will be that, but you can not get the speed without increasing the size of the ship.

Mr. TOWNSEND. The highest provided in the law was 8,000 tons and 20 knots.

Mr. GROSVENOR. Yes; but they could not carry the mail at 16 knots an hour.

Mr. TOWNSEND. Those 16-knots-an-hour ships were only to be of 5,000 tons.

Mr. GROSVENOR. The law is just where it stands, and my point is this: When you add to the speed of the ship, you have got to add to the construction of the ship, and we have no 16-knot ships except these four American liners between New York and Europe.

Mr. TOWNSEND. I understand the gentleman, and I do not want to misunderstand him. I understood from his answer to the gentleman from Missouri [Mr. SHACKLEFORD] that the ship the estimated cost of which he was giving there would be of 12,000 tons.

Mr. GROSVENOR. I did—6,000 tons. I made an entire mistake from my own paper. It is 6,000 tons to a 16-knot ship. It is in the speed of the ship where the trouble comes.

Mr. WILSON. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield?

Mr. GROSVENOR. No; I have not time enough to yield. As four vessels of this type is the lowest number which will make the required schedule of twenty-six round trips per year in the Brazil service, allowing each vessel seven round trips, the annual cost of operation of the line will be $1,539,300. The proposed subvention of $600,000 is 38 per cent, or a very moderate proportion of the fixed charges. The conservative operation of such a line, to insure the regularity of schedule exacted under penalty by the law of 1891, would require at least one additional vessel, or five in all, for this Brazil line.

For the Argentine line larger steamers of greater cost would be required, and at least two more steamers would be necessary to maintain the same schedule—that is, they would have to have seven vessels in that line.

With due consideration to the additional distance of a thousand miles run on the outward voyage, the proposed subsidy of $800,000 for this line is a less proportion than the above. These estimates are vouched for by the New York Shipbuilding Company, the Boston Steamship Company, the Maryland Steel Company, the Fore River Shipbuilding Company, and the Newport News Shipbuilding Company. Then I will put into my remarks the estimate of the tons of coal to run a 16-knot steamer. Fuel consumed at an average speed of 15 knots, 120 tons per day. I have personally been on a ship where the fuel reports of the consumption of coal showed 240 tons of coal per day, and that is the lowest estimate to drive a ship 20 knots. I will put

this in my remarks. Then I will put in prices of the cost of coal, and you will find that there has not been an estimate made on this floor—though it had been sanctioned by whom I care not—that did not misrepresent the facts by more than 50 per cent of the actual cost of construction and maintenance. Now then, it has been said that there is necessity for only one line to South America. I never traveled over that route, but I have been furnished with some calculations. It seems to be necessary to explain that ocean steamers of the first class do not run on wheels. The subsidy is not for the purpose of constructing a line of double track to Rio and extend it to Buenos Ayres, but it is for the purpose of the construction and operation of a group of steamers running from New York, first, with passengers and freight for the ports of Bahia, Pernambuco, and Rio, and returning from Rio loaded with freight for American ports. Second, a group of steamers running from New York to Argentina with passengers and freight to that section of South America and returning loaded with the freight and products of that country for ports in the United States. No one line can efficiently serve both purposes. These separate lines are intended to serve large areas of productive country, the centers of which are a thousand miles apart. Now, that answers the whole of this proposition.

In the great subsidy bill passed by the House of Representatives in the Fifty-first Congress, for which so many gentlemen who are now opposing this bill voted so earnestly and so often, there was no such limitation of speed put into that bill as we are putting into this one. Now, it is said—and I only refer to these things to show what an accumulation of misinformation we have had—you could take the Ward Line, which is an American line, and carry this mail to South America with the Ward Line ships, and that a Ward liner, the *Morro Castle*, and others are available for the new route to South America. It is both absurd and impossible, because the fastest of these ships mentioned are under contract with the Government under five and ten year contracts, under the law of 1891, to carry the United States mail to Cuba and Mexico.

One of their contracts runs to 1912. These ships were built for that trade and they are adapted to that trade and they are needed in that trade. They could not be diverted to South America without destroying the Cuban and Mexican commerce of the Ward Line and without violating formal contracts with the Government for which penalties are imposed. As to two of these ships named in the piece read yesterday, they are only 14-knot steamers, while 16-knot steamers are expressly required under the operation of this bill. As to the vessels mentioned as under construction in the Morse Company, now let us see what pabulum we have been fed on. It was said there were some ships being built by the Morse Company that could be well taken right up and put in the South American trade to carry these mails down to the stormy ocean, to the stormy gulf, and deliver our mails at 16 knots an hour. Here are the ships, from Long Island Sound and New England, coast passenger steamships, high sided, of shallow draft, and almost as unfit as Mississippi River steamboats for the long routes to South America. They were not even remotely intended for long voyages at sea, but were designed to leave port at night and get to their destination the next morning. Not one of them could steam out to Brazil without burning her cabin and upholstery for fuel. Eight hundred thousand dollars for a line to Argentina and $600,000 for a line to Brazil may seem very large, but the British Royal Mail to the West Indies, Brazil, and Argentina required for its establishment years ago with small, slow steamers, scarcely half the size of those proposed in this bill, a subsidy of $1,350,000 a year. The German line of steamers established a few years ago to the East Indies by way of the Suez Canal is composed of small and less expensive steamers than those proposed in this bill, and has a subsidy for fortnightly service of one million three hundred and thirty thousand a year, and for four years has earned no dividend whatever. The British and German ships cost less to construct and less to maintain than do American ships. The opinion expressed by practical shipowners since this bill was framed is that these subventions are sufficient, but no more than sufficient, to create fast lines of 16-knot steamers to South America. Both of the steamers on subsidized lines from Europe to South America are of less than 16 knots. The requirements of this bill on American shipowners, therefore, are very severe.

Now, it has been said on this floor—and I know the source from which it has come—that Germany does not subsidize the Hamburg-American Line. No more misleading statement than that can be made by any living man. Not only is the mail pay of the Hamburg-American Line greater than the pay of any other line running out of Germany, but the Hamburg-American line has a contract with the German Government by which the German Government reduces the railroad charges to the emigrant and it goes as a subsidy to the Hamburg-American Steamship Line, and out of that source of revenue comes one of the most opulent of their profits. And the Government of Germany would no more permit one pound of her freight or one head of her passengers to be carried upon any ship other than a German-made ship than she would commit any other breach of duty that she claims to owe to her citizens.

Now, then, here is a very simple matter. A gentleman the other day read, or had read from the Clerk's desk, a leading editorial article from a New York paper opposing American ships, as several of them do, and advocating practically the turning over of the business of the country to foreign ships. I hold in my hand a page of that paper. Gentlemen will see some green checks over the advertisements. That entire speech is covered with the advertisements of ocean mail steamship companies and two or three coast-line companies. There is on that page, as permanent matter, the advertisements of seventy-four foreign steamships. How many American do you think? Thirteen; and two-thirds of those are coastwise. Now, certainly I do not claim that any great newspaper in the United States is ever actuated in any of its editorial performances by any money that they can make out of their position, but I will undertake to say that if this newspaper will stand for this bill and publish the arguments in favor of it it would lose a gold mine inside of fifteen hours after the first publication. If ever there was a lobby determined and persistent, hedging up and shutting up and closing up the avenues of information to the American people in favor of any measure or against any measure, we have had that to contend with in the case of this attempt to carry into execution the purpose of this bill. Not an hour of this session of Congress has been without their presence. The London Times correspondent has sent to his paper, and the clippings have come back to me, the most ardent wishes against the passage of this bill, and I put into the RECORD the day before yesterday, as a part of my speech, the declaration made in the London Times that it was the foreign steamship companies in this country to whom they were indebted for the defeat of the bill at the last session of Congress. There has not been one day during the last few months that this agent of a London newspaper has not sought for information to show to the people across the water that there was no danger that the American people would rise to their duty and do anything upon the subject of this subsidy bill.

Now, Mr. Chairman, we have presented this question fairly and fully to the House of Representatives. Let us state what it is. Let us state now, briefly and tersely and to the point, what this is all about. We adopted a system a great many years ago of paying a given amount of money in a round sum per annum to carry our mails into the foreign countries of the world. I said the other day that it was a Democratic proposition originally, and somebody on the other side of this House said that I said this was a Democratic measure.

I said nothing of the kind. I said that the idea, the principle, that we were carrying out in this bill was inaugurated by the Democratic party, and down to the Fifty-first Congress, when my friend from Ohio and I stood together and voted for one real ship-subsidy bill, the Democratic party had never made opposition in any form to the original purpose that was inaugurated in 1891 in the postal-service bill. We were not satisfied, and so there was passed in the Senate a thoroughbred, real ship-subsidy bill, a bill that gave subsidies upon the cargo; and a very large number of Republicans in this House stood for it. It was on that occasion, on that bill, that the Speaker of the House now, then a Member of the House, made the speech that was read by the gentleman from Tennessee [Mr. GAINES]; and he opposed the bill at that time upon special and distinct grounds that he stated; but in the end—and the gentleman did not do justice to the Speaker's position—when an amendment was put in the bill that changed its character very materially, the Speaker voted for the bill and I voted against it. I had voted for the bill at every stage in roll call after roll call as long as the semblance of the Senate bill was maintained; and when it was destroyed, as I thought, I voted against it. I made a very great mistake in judgment in doing so, for even had the bill passed in its emasculated form it would have developed to something of extreme value to the people of the United States. So that I congratulate any present Member of the House who was a Member of that House and voted for the bill that he was nearer right than I was. Then this is to carry out a line of policy of this Government which does not differ from this in principle. Supposing now that we were paying a subsidy—and as we are—to the American ships that carry our mail to Liverpool and we pass a bill providing that those ships should go——

The CHAIRMAN. The time of the gentleman has expired. All time has expired for general debate.

Mr. GROSVENOR. I had thirty minutes.

The CHAIRMAN. The gentleman's time has expired.

Mr. GROSVENOR. Certainly I have not occupied thirty minutes. I began at 10 minutes to 2 o'clock.

The CHAIRMAN. The gentleman began at 20 minutes to 2.

Mr. GROSVENOR. Ten minutes.

The CHAIRMAN. The Chair is informed that he began at 20 minutes to 2. The clock here indicates that.

Mr. GROSVENOR. That clock does not run very much.

The CHAIRMAN. Debate began at 10 minutes after 1 in the general debate, there being one hour left. Before the Clerk reports the bill the Chair, with the indulgence of the committee, will state that the proposition before the House is an amendment in the form of a substitute to Senate bill 529, and the Chair will treat it as one paragraph, to be read through entirely before amendments are offered.

Mr. BURTON of Ohio. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON of Ohio. Do I understand the ruling of the Chair to be that the whole substitute shall be read before amendments are offered?

The CHAIRMAN. The Chair would modify that by stating that the whole of the first section will be read. There are a large number of paragraphs in the first section, and the entire section will be treated as one paragraph.

Mr. BURTON of Ohio. Is it to be understood, Mr. Chairman, that there is not to be an opportunity to move to strike out one of those separate paragraphs, such as 1, 2, 3, 4, and 5?

The CHAIRMAN. After the reading of the first section is concluded, gentlemen will be recognized to offer amendments to any part of the section.

Mr. BURTON of Ohio. To any part, as if offered at the time of reading?

The CHAIRMAN. As if offered at the time of reading. All bills except revenue and appropriation bills are read by sections. The Chair will state, although it may not be necessary, that as this is a substitute amendment, only one amendment can be pending at a time. An amendment to an amendment offered here would be out of order as an amendment in the third degree.

Mr. GOULDEN. Mr. Chairman, I desire to read an article from the American Federationist for March, as a supplement to my speech of Tuesday last, and to have the same printed in the RECORD:

SHIP SUBSIDY—THE CHARLATANISM OF ITS "PROMOTERS."

In the January issue of the American Federationist we published an article in which was exposed some of the deception, forgery, and bribery as part of the methods of the "promoters" of ship-subsidy legislation. The exposure was so complete that it rather staggered the "promoters" and their hangers-on. In desperation the spokesman of the "promoters," Alexander R. Smith, of Cleveland (he who figured so conspicuously and unenviably in the exposé), issued a circular, which he sent to every Member of Congress. It was a labored effort to explain how he was caught in his scheme of meddling in the affairs of organized labor, trying to place it in a false position, and how he managed to play upon the weakness of an uninformed man. The circular then proceeds, by indirection, to declare that the American Federation of Labor and its representatives, and particularly its president, have not the interests of labor at heart.

Measuring men by his own standard, Mr. Smith, who never manifested activity in any public matter unless he was sure as to what there was in it for himself, insinuates that labor and its representatives are prompted by the same motives in regard to ship-subsidy legislation. Congressmen generally, and particularly those who have had some experience with Mr. Smith's former exploits, as well as his activity in the ship-subsidy promotion scheme, wholly disregarded his circular. Others, unacquainted with his tactics, desired information from the American Federation of Labor. Among the latter was the Hon. THOMAS SPIGHT, and to whose request a response was made. The letter is sufficiently comprehensive and important to warrant its publication, and we therefore print it here. It is as follows:

"HEADQUARTERS AMERICAN FEDERATION OF LABOR,
"*Washington, D. C., February 7, 1907.*

"Hon. THOMAS SPIGHT,
"*Member of Congress, House of Representatives,*
"*Washington, D. C.*

"DEAR SIR: Your letter to Mr. Arthur E. Holder, a member of our legislative committee, in which you inclosed copy of a circular issued by Mr. A. R. Smith, of the Merchant Marine League—in other words, one of the chief promoters of the ship-subsidy bill—was, as you requested, turned over to me. You desire an expression of opinion from me on the matters referred to in Mr. Smith's circular.

"You will, of course, note that Mr. Smith throughout the circular refers to the opposition of labor to the ship-subsidy bill as Samuel Gompers and his organization.' The very spirit of that designation is unquestionably intended to belittle the intelligence of the men composing the great trade-union movement of the country, which constitutes the American Federation of Labor, and also is intended to convey the notion that, regardless of the wishes or the interests of the men of labor, my personal prejudices or interests dominate the whole labor movement. I refer to this simply to call attention to the petty methods which Mr. Smith employs to cast odium upon the oft-repeated declarations of the rank and file of the organized wage-earners of our country.

"No one who knows the attitude of labor and how that attitude is ascertained; no one who has any knowledge of the efforts which I have endeavored to put forth in the interests of the working people and of all the people of our country, would for a moment give credence to any statement made by Mr. Smith which in any way reflects upon the labor movement or the cause which it represents, or myself, either personally or officially.

"Take Mr. Smith's own version of his negotiations with Mr. Weeks and it is quite clear then that he took advantage of the weakness of a poor and uninformed man. However, the affidavit voluntarily made by Mr. Weeks shows clearly that Mr. Smith wantonly undertook to suborn him, and tnat he (Mr. Smith) falsely made it appear that the organization of the Marine Trades Council of New York authorized the issuance of appeals to the labor organizations of America, when, as a matter of fact, no such authority was either asked or given; that a counterfeit letter head of the Marine Trades Council was made at the instance of Mr. Smith; that a new motto which he invented was placed on the head of the counterfeit letter head; that the name of Mr. Weeks was put to documents without his consent or the consent of the Marine Trades Council, from which body the appeal was supposed to have emanated.

"We are not wholly dependent upon the statement of Mr. Weeks, but it is corroborated by the voluntary affidavit of Mr. Story in the district attorney's office of the city of New York.

"As a matter of fact, the whole transaction is of a character which Mr. Alexander R. Smith is well known to have practiced on previous occasions.

"A little more than eight years ago, when Mr. Smith could neither persuade, cajole, nor bring his other 'peculiar' influences to force me into line to help ship-subsidy legislation, he left my office uttering threats as to what he would do. What he did do was to bring a lobby to the convention of the American Federation of Labor for the double purpose of having the convention change its attitude and declare for ship subsidy, and to punish me. Just before that convention I met with a serious railroad accident, and could only attend the convention for less than a half hour of the ten days' session; yet the convention rejected, with but one dissenting vote, the proposition to indorse ship subsidy, the author of the resolution being the only one who voted for it.

"It is one of the adroit tricks of those who have a bad case to abuse and asperse the motives of anyone who differs from them. It is a favorite trick of those who are antagonistic to the labor organizations to say, among other things, that it is foreign in origin and has no place in our country, forgetting, or trying to hide the fact, that like causes produce like results, and that the industrial conditions of our country naturally produce the great organizations of labor here.

"Organized labor of America favors the building of ships to the fullest in the United States. It believes in the fullest extension and development of our industrial resources. We have urged the passage of a bill to prevent the wholesale towing of unfit or undermanned vessels. The passage of such a bill would compel the building of an immense number of vessels properly manned and which would possess their own propelling power. What has Mr. Smith, or any of those who favor ship subsidy, said in the interest of such a bill? They have allowed it to remain in committee and have never uttered a word but in opposition to it.

"American workmen, I repeat, favor the building of American ships to carry American passengers and American commerce to any part of the world, but they do not believe that a subsidy is necessary to accomplish that purpose. They believe that the principle involved in the proposition of subsidy is vicious and contrary to American principles.

"The insinuation contained in Mr. Smith's circular that either other representatives of the American Federation of Labor or I are working in the interest of foreign shipowners in foreign countries is a malicious, false, and contemptible utterance. While I am not authorized to speak for any other men in the labor movement, yet I am confident they have never, and, so far as I am concerned, I am positive I have never, had any conference or communication, directly or indirectly, with any foreign shipbuilders, shipowners of foreign countries, by representatives or otherwise, upon any subject remotely referring to the question under consideration, or, for that matter, to any other question.

"Then, again, letters which organizations have sent favorable to the passage of the ship-subsidy bill were sent under the false impression that they were aiding a measure which was asked by organized labor of the country, and they were wholly unconscious that the circular was issued under a forged signature, upon a counterfeit letter head, and without authority or consent from the organization from which it purported to emanate, and that it avoided the mention of one of the particular features of the ship-subsidy bill (the conscription provision) to which labor is particularly opposed.

"Your attention is called to Senate bill 529, of the Fifty-ninth Congress, second session, Report No. 6442, upon that bill. Together with other representatives of labor, I had occasion to appear before the House Committee on Merchant Marine and Fisheries on several occasions, conveying labor's protest against the passage of the so-called 'ship-subsidy bill,' particularly upon the ground that it contained provisions which made conscription (compulsory naval service of seamen) a condition precedent to their employment on privately owned vessels.

"In discussing that bill, it may be necessary to call attention to the fact that the advocates of the bill questioned the accuracy of our contention on this latter point, and asserted that the naval service required is of a voluntary character.

"It is true that the language employed in the bill gives the superficial appearance that such service, if undertaken, would be voluntary; but upon an examination of the language and its practical application, there is no escape from the conclusion that it means, and is intended to mean, compulsory naval service in time of peace or war as a condition upon which seamen can find employment in privately owned vessels; in other words, that seamen would be required to sign articles enlisting in the naval reserve before they would be permitted to earn their own livelihood and to support those dependent upon them.

"For your information I quote the provisions of the bill bearing upon this subject. The bill is known as "Senate 529 of the first session of the Fifty-ninth Congress.' The provisions referred to are as follows:

"'That there shall be enrolled, in such manner and under such requirements as the Secretary of the Navy may prescribe, from the officers and men now and hereafter employed in the merchant marine and fisheries of the United States, including the coastwise trade of the Atlantic and Pacific and the Great Lakes, such officers, petty officers, and men as may be capable of rendering service as members of a naval reserve for duty in time of war. * * * These members of the naval

reserve shall be enrolled for a period of four years, during which period they shall be subject to render service on call of the President in time of war. They shall also possess such qualifications, receive such instructions, and be subject to such regulations as the Secretary of the Navy may prescribe.

"'A vessel shall not be entitled to the subvention (subsidy) above provided for unless, during the period of employment in the foreign or deep-sea fisheries, the following proportions of the crew of the vessel, after the dates specified, shall have been enrolled in the naval reserve.'

"The bill then proceeds to prescribe the continual increased proportion of the constantly increased number of those seamen employed in privately owned vessels 'who shall have been enrolled in the naval reserve.'

"It will be observed that the bill provides that enrollment of seamen is compulsory; that it prescribes that they shall be enrolled for a period of four years, compelled to render service in time of war, and subject, in times of peace, to the instructions and regulations prescribed by the Secretary of the Navy. And, further, that the vessels can not receive the subsidy unless there is a constantly increased number of seamen who shall have been enrolled in the naval service. It is not difficult to understand that if the owners of vessels can only receive the subsidy upon the condition that their seamen shall have enrolled themselves in the naval service, that these owners will insist upon their seamen signing the articles of enlistment in order that they may be employed.

"The theory, declared the American Federation of Labor at its last convention, upon which the bill is drawn and the reasons given by its advocates are that we have not the vessels needed as auxiliaries to the Navy and not all the men needed to man the Navy in time of war. Accepting these contentions as facts, it is contended therefore that the cost of building a vessel in an American shipyard and the cost of sailing a vessel under the American flag in the foreign trade is so much higher than that under other flags that a subsidy is necessary. It is further contended that with an adequate subsidy we shall have more vessels, and having more vessels, we shall have all the native or naturalized seamen needed.

"That we have not now the necessary number of native or naturalized seamen needed for the merchant marine and the Navy is a fact not disputed; it is patent to all who are at all acquainted with maritime conditions. The American boy is not seeking the sea as a means of livelihood, and the American man at sea is seeking and finding more agreeable and more remunerative employment on shore.

"There is employed at present, according to the census, about 120,000 men as seamen or deep-sea fishermen under our flag, and among the seamen from 10 to 15 per cent are either natives or naturalized; the rest are men owing allegiance to other flags and not subject to draft upon order of the President.

"If the seamen and fishermen employed in our fisheries and our coastwise and lake trades were either native or naturalized Americans, the number of men necessary for the Navy could at any time be obtained. The difficulty, therefore, lies not so much in the number of men as in the number of men available, and the primary cause is that for some reasons the American does not seek the sea or remain there. If the American does not seek the coastwise trade, where there is no competition with the foreign vessels, and small wages and onerous conditions are not caused thereby or an excuse therefor, there seems to be no reason why he should seek employment in the foreign trade, where the shipowner has the reason of competition for the wages and conditions which he imposes upon the seamen. The American ceased to go to sea because he could do better on shore than he possibly could at sea, where, no matter what his industry and thrift, he could not and can not earn sufficient upon which to keep a family.

"As to the cost of operating a vessel under the American flag, the contention that American vessels in the foreign trade provide better quarters, more and better food, that they carry more men and pay more wages than vessels under other flags, is not based upon facts. When the steamers *Paris* and *New York* were placed under the American flag, the number of firemen and coal passers and of able and ordinary seamen was reduced.

"The wages of sailors and marine firemen depend upon the port in which they are engaged and the voyage they are about to make, and not at all upon the flag under which the vessel sails; and our law, enacted in 1884, gave to the shipowner the right to hire his crew in a foreign port, bring them to the United States and back to a foreign port without reshipping them in the United States. This puts him on an absolute equality as to wages, exclusive of officers, with any country with which he trades. He pays English wages if he trades with England, French wages if he trades with France, and Chinese wages if he trades with China; the law gives him this privilege, and he avails himself of it to the fullest extent.

"The other costs of operating a vessel are coal, lubricating oils, and provisions; like other vessels, he buys it where it is cheapest. If it be a sailing vessel, it consists in spars, canvas, ropes, and blocks, and these things we furnish to other nations to a very large extent.

"Since the organization of our Government no industry has been as well cared for through absolute authority over the men employed therein, through immunities granted and special privileges conferred, as has been the merchant marine. By law enacted in 1790 the seaman was made the property of the vessel upon which he served. If he sought to withdraw himself from the servitude of his master, he could be and he was arrested, put in prison, there to remain until called for by such master. If he succeeded in escaping from his service and his master, he could be and he was pursued from State to State, or from one country into another, forcibly returned to his master, and compelled to continue the labor on pain of imprisonment. When involuntary servitude was taken off the negro by war and the thirteenth amendment and the statutes revised accordingly, the vessel's ownership of the seaman remained undisturbed. Conditions as to quarters on board, food, and working hours were by Congress left at the discretion of the owner. Some improvements have been made, but the seamen's status yet remains that of a serf or a peon. He is still compelled to live in a place 6 feet long, 6 feet high, and 2 feet wide. In this place he has to eat, to live, and to sleep, when off duty. It has been described as too large for a coffin and not large enough for a grave. He is still compelled to sign away in the foreign trade a certain sum of the wages to be earned in order to obtain employment. He must obey any order from the master or any other officer or go to prison. But if crippled for life by injury thereby received, he has no remedy. He must in obtaining employment compete with the unskilled and destitute, not only in this country, but from all nations and races. The vessels are undermanned, both as to skill and number, and the shipowner is resisting every improvement by every means within his power.

"In the meantime the shipowners have been relieved of risks arising from acts of God or dangers of the sea through a system of insurance; arising from piracy through the present imperfect policing of the seas; from those arising from popular local disturbances through damages paid by such localities or States; of liabilities to the shipper, passenger, or seaman through limited liability laws and judicial decisions; of taxes on floating property by several States; of fees to be paid for the enforcement of navigation laws, except in some unimportant instances; of care and cure of sick seamen, cost of which is now borne by the Public Treasury, and the burial of dead seamen, who are handed over to the coroner and then buried by the community; of the duty to carry a certain number of citizens in the crew of the vessel; of the duty of training men for the sea service now done by foreigners or in training ships at public expense. In addition to this he may carry as many or as few men as he pleases, with such skill or lack of skill as he chooses; he may carry as much cargo on deck and load his vessel to any depth that he thinks profitable. There are no laws or regulations on these subjects.

"He may hire and, in a foreign port in the foreign trade, by assistance of the police, keep the cheapest men that can be found in any part of the world.

"Under our coastwise navigation laws he has an absolute monopoly of all trade from one American port to another.

"Under the act of 1892 he may make contracts to carry the mail, through which he receives more pay for this service than he pays in wages to every man and boy employed on his vessel as a seaman in any capacity.

"Having been relieved of risks and liabilities, and having been given immunities as have been herein mentioned, and having driven the American from the sea, thereby weakening our Navy, and now employing and thereby training foreigners and men of alien and antagonistic races, making them ready to be employed by other navies, he insists upon continuing these conditions, while he urges Congress to further tax the whole American people to help him carry on his private business.

"The convention then reiterated its condemnation of any such legislation, and especially against this bill with its un-American provision for conscription.

"In passing, it may not be amiss to say that the workingmen of our country, the organized workingmen, are no less patriotic than any of our citizens in other walks of life. In all the great events and vicissitudes, when the honor, the interests, and the safety of our country have been at stake none more promptly, zealously, and patriotically enlisted and offered their services and lives under the flag of the Republic than did the men of labor. We have lost none of our love for and devotion to our country. The past is but a presage of what the toilers of America will do should the necessity ever arise, but we can not refrain from entering an emphatic protest against an attempt to subvert a principle of civilized government, and particularly republican institutions, by a system of conscription and compulsory military or naval service, especially in times of peace, even if conscription and compulsory service are hidden disingenuously behind the subterfuge that they are voluntary.

"You will please note the substitute for Senate bill 529, Fifty-ninth Congress, second session, that section 3 in its entirety is a practical restatement of the provisions of the compulsory naval-service feature of the original bill. Every organization in the boiler making, shipbuilding, and kindred trades has gone on record deliberately and repeatedly as opposed to ship-subsidy legislation. Mr. Smith in his circular quotes a so-called 'United Boiler Makers' Association.' You should know that this so-called 'united boiler makers' is composed of a few locals of the Brotherhood of Boiler Makers and Iron-Ship Builders of America, which seceded from the parent organization upon an entirely different subject and in no way related to the ship-subsidy proposition. It forms but a very insignificant part of the trade in the United States. It assumed this position simply as a matter of pique and antagonism because of the other differences which exist.

"I should be glad to submit to you originals and copies of the correspondence which passed between Mr. Smith and Mr. William J. Gilthorpe, secretary-treasurer of the Brotherhood of Boiler Makers and Iron-Ship Builders of America, in which it is clearly shown that the efforts of Mr. Smith, acting for the promoters of ship subsidy, in trying to suborn Mr. Gilthorpe and induce him to follow just such a course and practice with his organization were the same as he (Mr. Smith) used in his scheme to suborn Mr. Weeks.

"It may not be uninteresting for you to know that there is not a promoter of ship-subsidy legislation but who has antagonized in Congress every bill of a tangible character which might favorably affect the interests of the working people of our country—the eight-hour bill, the bill to regulate and limit the abuse of the issuance of injunctions, the bill to accord to seamen the right of ownership in themselves, and all other measures for which labor has asked at the hands of Congress.

"There are other additional interesting matters in connection with this subject which I hope for the opportunity to present to you for your consideration, but this letter is already too long to attempt at their incorporation here.

"Very truly, yours,

SAMUEL GOMPERS,
*"President American Federation of Labor."*

In the first session of the present Congress the ship-subsidy "promoters" brought a body of half dozen "labor" men to Washington, who, without authority, and, in fact, against the distinct declarations of their organizations, made a pretense that they were voicing the sentiments of labor when they hypocritically asked for ship subsidy "in the interest of labor." These "labor" men were and are well known to be out of touch and sympathy—and some out of membership—with organized labor. While in Washington at the time, they were seen and heard wrangling as to the money consideration they received from the ship-subsidy "promoters" for their dirty part in the dirty business.

It seems to be the part assigned by the "promoters" to Mr. Alexander R. Smith to seek out some poor, weak-kneed men in the labor movement to cajole, flatter, or hoodwink them; if these fail, to suborn or bribe them. In our efforts to advocate, protect, and further the interests of the toiling millions of our country we have at times run counter to these men, and in every instance the origin of their having "gone wrong" was immediately traceable to the ship-subsidy "promoters," of which Alexander R. Smith is the conspicuous figure.

We can find no more fitting description of the work and methods of the men engaged in the effort to fasten ship subsidy, and particularly conscription, upon the people than our opening characterization of them in the January article in the American Federationist: "In all our

country there is not a more corrupt gang than the well-known coterie who are engaged in the scheme to 'promote' ship-subsidy legislation."

We commend to ship-subsidy "promoters" the well-known, but oft despised, couplet:

"What a tangled web we weave,
When first we practice to deceive!"

The Clerk read as follows:

That the act entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce," approved March 3, 1891, be, and hereby is, amended by adding thereto the following section:

"SEC. 10. That the Postmaster-General is hereby authorized and directed to enter into contracts for a term of ten years, with citizens of the United States, for the carrying of mails on steamships hereafter built in the United States and registered in the United States, or now duly registered by a citizen or citizens of the United States (including as such citizens any corporation created under the laws of the United States or any of the States thereof, a majority of the stock of which shall be and shall continue to be owned by citizens of the United States), between ports of the United States and ports on the routes and for the amounts hereinafter prescribed.

"First. From a port or ports of the Atlantic coast of the United States to Brazil, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year.

"Second. From a port or ports of the Atlantic coast of the United States to Argentina, on steamships of the United States of not less than 16 knots speed, for a monthly service at a monthly compensation not exceeding $400,000 a year, or for a fortnightly service at a maximum compensation not exceeding $800,000 a year: *Provided*, That a vessel receiving compensation for mail service pursuant to contract on a voyage on this route shall not also receive compensation for mail service pursuant to contract on said voyage on the first route as described above.

"Third. From a port or ports of the United States on the Gulf of Mexico to the Isthmus of Panama, on steamships of the United States of not less than 14 knots speed, for a fortnightly service at a maximum compensation not exceeding $75,000 a year, or for a weekly service at a maximum compensation not exceeding $150,000 a year.

"Fourth. From a port or ports of the Pacific coast of the United States to the Isthmus of Panama, Peru, and Chile, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year.

"Fifth. From a port or ports on the Pacific coast of the United States via Hawaii to Japan, China, and the Philippines on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $350,000 a year or for a fortnightly service at a maximum compensation not exceeding $700,000 a year.

"Sixth. From a port or ports on the Pacific coast of the United States north of Cape Mendocino to Japan, China, and the Philippines on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $350,000 a year or for a fortnightly service at a maximum compensation not exceeding $700,000 a year.

"Seventh. From a port or ports of the Pacific coast of the United States via Hawaii and the Samoan Islands to Australasia, on steamships of the United States of not less than 16 knots speed for a service once in three weeks at a maximum compensation not exceeding $200,000 a year, in addition to the compensation now provided pursuant to contract under this said act of March 3, 1891: *Provided*, That the requirements of this section as to the rates of speed shall be deemed to be complied with if said rates are developed during a trial of four hours continuous steaming at sea in ordinary weather in water of sufficient depth to make the test a fair and just one and if the vessels are maintained in a condition to develop such speed at any time while at sea in ordinary weather. This trial shall be made under the direction and supervision of a board of naval officers which the Secretary of the Navy shall appoint upon the application of the owner or owners of the vessel to be tested: *And provided further*, That all the provisions of the first nine sections of this act are hereby made applicable in all respects to the services provided for in this section: *Provided, however*, That the specific rates of compensation described in section 5 of this act shall not apply to the services provided for in this section, and that all ordinary repair or overhauling of a steamship employed and paid for carrying mails under this section shall be made in the United States, except in cases where drydocking is necessary and no American dry dock of sufficient capacity shall be within a distance of 500 miles of the location of said ship when the repairs shall be needed."

Mr. LITTAUER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Add, in line 11, on page 16, the following:

"From a port or ports of the United States on the Gulf of Mexico to Brazil, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year."

Mr. LITTAUER. Mr. Chairman, the bill, as originally proposed, contemplated two lines from some port or ports on the Atlantic coast to the east coast of South America—one line to Brazil and one line to Argentina.

The purpose of the amendment I have offered is to give an additional line of communication between a port on the Gulf and Brazil. It has developed clearly here that a very substantial business is now going on and can be greatly promoted from some port on the Gulf to South America. To-day a very large tonnage, particularly of coffee, comes from Brazil to New Orleans. Moreover, it will give opportunity for the promotion of our commerce with South America, and enable the products of the great Mississippi Valley and the manufactures of the Central West to reach, in the cheapest way, the ports of South America. The two lines from the Atlantic coast provided for, with a fortnightly service, would give from the Atlantic ports to Rio Janeiro a weekly service, each one of those lines being proposed for fortnightly service, and no doubt the Postmaster-General, in his submission of proposals, would demand that those lines so arrange their time of departure that one vessel would leave the Atlantic coast each week for Brazil, of course with a continuation as far as Argentina and Uruguay every other trip.

Now, this connection of a line from a Gulf port will add a further fortnightly service to Rio Janeiro, where again the cargoes are transshipped on the fortnightly leaving ships for the more distant southern ports.

Mr. HINSHAW. Does not the gentleman believe that if this amendment which he now proposes is adopted one of the lines from New York could be abandoned, leaving one line simply from New York, by way of Rio Janeiro to Buenos Ayres.

Mr. LITTAUER. The gentleman's proposition is that if we establish this line from the outlet of the Mississippi Valley, from a Gulf port to Brazil, we could omit from the bill the provision for one of the lines from Atlantic coast ports to South America. I should very much regret to see that done. Of course, if in the judgment of the committee you want to keep this matter down to the lowest possible expenditure, that would be one phase of it; but if we are seeking here to do what we believe to be most necessary for the interests of the United States in the development of commerce with South America, it should be remembered that the greater part of the demand for our manufactures and the greater part of our commerce with South America will be on the east coast, and I think we could well provide for three lines running from our ports.

Mr. BIRDSALL. Why not provide that this line shall also touch in Central America?

Mr. LITTAUER. Right on that point, I want to say that all of these lines run from some given port to some other given port. There is nothing, however, that precludes their stopping on the way. There is no reason at all why the line running from the Gulf port to Panama should not stop at Honduras.

Mr. BIRDSALL. I agree with the gentleman perfectly, but the question is whether the Postmaster-General would require it under this provision.

Mr. LITTAUER. The Postmaster-General can require it, and then another thing, these mail subsidies are not given to pay all the expenses of the conduct of these lines. They must be made profitable by the carriage of passengers and freight, and surely the opportunity of getting more freight from an intermediate port will not be neglected by the line.

Mr. BIRDSALL. I believe that the Gulf line ought to touch at a Central American port.

Mr. LITTAUER. I believe it will, but what port would the gentleman suggest? If we attempt to suggest a particular port by legislation, I think we will make a mistake.

Mr. BIRDSALL. The point in my mind was that the amendment ought to say that it should touch at some Central American port.

[Here the hammer fell.]

Mr. GAINES of Tennessee. Mr. Chairman, this amendment makes this a better bill, or nearer to a constitutional bill from my standpoint, than the bill would be without it. It increases the number of ports from which these subsidized vessels are to go in carrying our commerce from this country and coming back into those ports in this country.

Mr. Chairman, the Constitution of the United States provides as follows:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another, nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

This constitutional question was discussed in February, 1879, by one of our great lawyers and statesmen, and at that time, of course, a Member of this House, John Randolph Tucker. He took the position that a similar provision in the then pending bill to the one now offered and various other propositions was giving preference to one port over those of another, and was clearly in the face of this constitutional provision. He spoke to the amendment that provided for a subsidy to a ship running from New York to a port in his own State, Virginia. With the kind indulgence of the House, I shall read the words of that great man:

Now, I am for privileges to none and equal justice to all. The proposition is to grant this aid or subsidy for a steam line between New York via the city of Norfolk, in my own State of Virginia, to Brazil; and a steam line from New Orleans via Galveston to Brazil. This is giving a preference to the ports of one State over the ports of another

State, which are in competition in the matter of commerce with foreign countries. The Constitution inhibits any preference given to the ports of one State over another by any regulation of commerce. I therefore am bound, even if this was a subsidy to my own loved Commonwealth of Virginia alone, to vote against it, because I am bound to support the Constitution of the United States. I therefore shall vote against it, although there is a bait to me as a Virginian, for there is to be a steam line to go from New York to Brazil by way of Norfolk.

Now, sir, it is not only this, but as the gentleman from Indiana [Mr. Baker] has shown from a description of the character of vessel that is to carry the mails, it is for John Roach, and John Roach alone. It is a contract for ten years to give a privilege to John Roach over all the other citizens of this country in the carrying trade between the United States and Brazil. I can not vote for it, therefore, because it gives preference to one State over another and because it gives preference to one citizen of the United States over all the other forty-eight millions of citizens. For these reasons I shall vote against these propositions.

I do not know what became of that bill; I think it was finally defeated. And now we have in this bill the exact proposition. I do not find in the debates on this bill in 1879 anywhere—and I have run through them in the House—where any man in the House disputed Mr. Tucker's proposition of law. Here is a proposition in this bill to subsidize ships going away from certain ports in the United States to other ports, *not all*, in the United States. It gives preference over ships that go to those ports; it gives preference over the commerce that goes to those ports; it gives especial privileges to those ports and to the commerce that goes thereto and the ships that are regulated by this subsidy.

It seems to me it is a very plain proposition that we are making fish of one and fowl of another unless we subsidize all the vessels from all the ports of the United States. Under the authority I have quoted, under the words of the Constitution, we are flying into the face of the Constitution, which prohibits these invidious distinctions and preferences to some over other ports.

Mr. POLLARD. Mr. Chairman, I would like to be heard on the amendment. I have prepared an amendment which accomplishes practically the same result. If the amendment of the gentleman from New York [Mr. LITTAUER] carries, there will be two lines running from the Atlantic seaboard to South America—one to Brazil and another to Argentina.

Now, then, Mr. Chairman, I have an amendment which I should like to see adopted and the amendment of the gentleman from New York voted down. Should that be done, we will have only one line on the Atlantic seaboard running to Argentina, with stops at Brazil or Rio Janeiro, and another line running from the Gulf of Mexico to Brazil.

When we come to examine our trade relations with those countries we find that practically all of our exports to Argentina are manufactured products. That is natural in view of the fact that Argentina has the same climatic conditions as the United States. Practically all of our exports to Brazil are food products. We ship some manufactured products also, but the great percentage of exports to Brazil are food products.

The natural outlet from the United States for our food products is to the Gulf. I believe that two lines to South America are ample. If this amendment of the gentleman from New York [Mr. LITTAUER] should be voted down and mine should then be adopted, this bill would add to the amount of mail subsidies that are now provided $1,443,000, making a total of $5,250,000 a year. That compares well with the subsidies paid by the most progressive countries of the world.

Mr. LITTAUER. How does the gentleman get at the $5,250,000?

Mr. POLLARD. We already pay $1,500,000 a year under the act of 1891, and the present bill carries $3,750,000, making a total of $5,250,000, or thereabouts. That, as I say, will place the United States on a comparatively equal footing with the most progressive countries of the world. England pays in mail subsidies $6,000,000 annually. France pays $5,000,000 in mail subsidies and three and a half million in tonnage subsidies. The most progressive nations of the world to-day are only paying subsidies for fast-mail service, no subventions being paid on tonnage subsidies other than by France; and it seems to me that all that is needed at this time is for the United States to stand shoulder to shoulder or in the same rank with Great Britain in the matter, and we will do that if we carry no more than is now contained in the bill. Consequently I hope the amendment of the gentleman from New York will not prevail.

Mr. PAYNE. Would it not answer the same purpose that the gentleman has in view, if the amendment of my colleague should be adopted, by moving afterwards to amend by striking out one of these other lines? If the House would agree to that, it would accomplish the same purpose.

Mr. POLLARD. It would accomplish the same purpose.

Mr. PAYNE. I do not mean to intimate that I am for that later motion, but that would leave the parliamentary situation the same in the thing to be accomplished; so that the better way, it seems to me, would be to adopt my colleague's amendment, and then the gentleman would be in order to move to strike out one of these lines.

Mr. LITTAUER. As I understand the gentleman's proposition, it is preferable to have a line to Brazil running from a Gulf port than from the Atlantic coast proper?

Mr. POLLARD. Yes.

Mr. LITTAUER. If my amendment should be adopted, then the gentleman may offer an amendment striking out that part of the amendment as amended.

Mr. POLLARD. That will be all right. I am content with that action.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from New York.

Mr. BENNET of New York. Let us have the amendment again reported.

There was no objection; and the amendment was again reported.

Mr. SHERLEY. Mr. Chairman, before beginning to speak to this amendment I should like to ask unanimous consent that I may proceed for fifteen minutes.

The CHAIRMAN. Is there objection?

Mr. GROSVENOR. I object.

The CHAIRMAN. Objection is made.

Mr. GROSVENOR. Does the gentleman want to speak to this amendment?

Mr. SHERLEY. I shall speak partially to the amendment. My request, however, I do not care to have granted upon condition. I have not yet spoken to the bill, and if the gentleman from Ohio desires to object, I hope he will exercise that privilege without attempting to put conditions upon my speaking.

Mr. GROSVENOR. I will withdraw the objection.

The CHAIRMAN. Objection is withdrawn, and the gentleman is recognized for fifteen minutes.

Mr. SHERLEY. Mr. Chairman, I shall vote for this amendment, and when I shall have voted for the amendment, if it is incorporated in the bill and the bill comes before the House, I shall take great pleasure in voting against the entire bill. I do that because I believe, if we are to have subsidies, there is no reason why the country as a whole should not be treated equally. Subsidies are bad enough in any way. They are worse when they become simply sectional subsidies. Therefore I shall do what I can to perfect this subsidy bill, and shall then do what I may be able to defeat the bill.

Now, it is proper that I should give somewhat briefly, as I must, within the time I have, some of the reasons why I shall oppose the bill as a whole. In my humble judgment it proceeds upon an entirely wrong conception of the subject. It does not undertake to change in the slightest the conditions under which the American merchant marine now operates. It does not undertake to make conditions favorable for the building of American ships, for the operation of American vessels, or the growth of the American merchant marine. It does undertake simply to provide that as to certain lines the Government will agree to pay, in consideration of the carrying of mails, certain sums, and by the payment of those sums it undertakes to make profitable what is assumed in advance is an unprofitable business, for it follows, as a matter of course, that no subsidy can be decently sought for a line that could be operated profitably without that subsidy. It follows that when you give a subsidy you pay it on the assumption that the line is necessarily an unprofitable one. Now, my belief is that a great American merchant marine will never be created until we make conditions such that the business itself is profitable as a business for carrying freight from nation to nation, and not simply profitable by virtue of a special Government contract. You can create a merchant marine by subsidies to the extent that you open the Treasury of the country, and to that extent only. You can not build any single line beyond what you pay to exist, and to the extent that you create a particular line by paying it a false bonus for work performed, you put every competing line at a disadvantage.

Every line that is subsidized under this bill makes more difficult the operation of American ships in competition with that line between the ports that it will serve. In my humble judgment, some day the American people will approach this question on a broad scale. Heretofore we have been engaged in supplying largely a home market. To-day, despite our boasting, the exports of the United States per capita do not compare favorably with many countries much less in size and in greatness. The export business of the United States, outside of that covered by agriculture and the products of agriculture, is almost insignificant in comparison with the size and magnitude of the country. Now, there will be ships to carry trade when there is trade to be carried, and not before. You can in a meas-

ure help by communication between country and country, but, speaking broadly, it follows that the ships will be there when the trade is there, and will not before the trade is there. So when America reaches, as she is now reaching very rapidly, the point where her manufacturers will not be content any longer with the home market, but will be seeking the markets of the world, then something will be done to enable American ships to carry that surplus product. As it is to-day we can not build an American ship in competition with foreigners, and we can not build it because this great economic truth lies at the root of it. What is one man's finished product is another man's raw material, and to the extent that you give protection to one man's finished product you handicap the man who has to use that finished product as a raw material. The testimony taken by the Merchant Marine Commission showed the very great handicap American shipyards were under by virtue of the exorbitant prices charged for steel by the steel trust. The raw material of the shipbuilder is the finished product of the steel trust, and that product has been protected by our tariff laws from the original pig iron through each stage of its manufacture up to the finished steel, and as each bit of protection has added its quota to the cost, the shipbuilder, being the last user of the article, is heaviest handicapped. But the gentleman from Ohio [Mr. GROSVENOR] boasted a day or two ago that the shipbuilder had free raw material for ships intended for the foreign trade. Now, there is no deception so great as a half truth. He failed to tell the whole story. Fortunately, the gentleman from Illinois [Mr. RAINEY] very clearly set forth in his speech the real facts relative to the use of foreign material duty free in shipbuilding. The provision in the law that permits foreign materials to be purchased duty free also provides that ships built of such material shall not engage in the coastwise trade for more than two months in any one year. The gentleman showed by the letters he put in the RECORD that shipowners are not willing to buy ships that can not be transferred to the coastwise trade should conditions make it advisable.

No man is going to build an American ship out of foreign steel brought in bond, when as a result of that he must forever keep that ship out of the coastwise trade, no matter what may happen in the future. If we had free the materials for shipbuilding, not only for ships engaged in the foreign trade, but in the coastwise trade, the American shipyards would not only be furnishing the ships for the American merchant marine, but they would be furnishing ships for the world at large. The reason we can not build now is not so much the cost of labor as it is the fact that the shipbuilders are not able to standardize the different pieces used in constructing a ship, and they are not able to standardize because the demand for American ships is not sufficiently great; but once let them be in a position where they can compete, not only for ships for America but ships for the world, and they will be able to standardize. They will be able to do then what they have already done on the Great Lakes—build a ship as cheaply as it can be built anywhere in the world. It is a curious fact that to-day our coastwise trade is nearly one-half composed of wooden vessels, and yet the day of the wooden vessel has gone, never to return. We are using wooden vessels because in the coastwise trade, where we have given a monopoly to our American ships, the price of building the iron ships is prohibitive, and shipowners, in order to get from under this prohibition, are using antiquated wooden vessels. If the shipyards were given a fair opportunity, not to build a few ships at an extravagant price, made possible by a contribution out of the Public Treasury, but were given an opportunity to get their material as cheaply as any other people can get it, American ingenuity, American labor, the cheapest because the most intelligent, would be able to build ships cheaper than any other country in the world.

It has been well said that the building of a modern ship is but the uniting of a steam engine and a steel bridge, and this statement shows the absurdity of the argument that because of the price of labor, American-built ships must cost more than foreign-built ones. We build steel bridges and locomotives cheaper than any other country. The added price of labor is more than compensated by its intelligence and, consequently, productiveness. The real trouble lies, as I have said, in the cost of material, held at an artificial price by tariff protection and the steel trust, and by the limited demand, which prevents standardizing. But I must leave the general subject to notice the particular bill now under discussion, and the arguments now put forth in its behalf. Much has been said about subsidizing certain ships solely for the purpose of providing better mail facilities. The old idea of a subsidy for all ships, the tonnage idea, was abandoned by the committee, and they now hope by this disguise to get the nose of the camel into the tent, and subsequently bring in the whole animal. But if you will examine the provisions of this bill you will find that it can not stand justification on the ground that they now claim for it. There was not a line of testimony heard, and despite the statement made just a few minutes ago by the gentleman from Ohio [Mr. GROSVENOR], there is absolutely now no evidence before our committee or before the Committee of the Whole House showing the material, essential facts—what the ship will cost in the first instance. They can not figure that cost, because there is nothing that determines what the size of the ship shall be. This bill provides that the ships shall be able to maintain upon certain lines a speed of 16 knots. It does not say whether the ship shall be a 5,000-ton ship or a 16,000-ton ship. It does not provide for any limitation in this regard whatever, and even if the provision of the act of 1891 applied to this law in regard to the size of the ships, which is open to grave doubt, it would only require as a minimum size for 16-knot ships 5,000 tons, a ridiculously small ship.

I ask any man of intelligence how he is going to determine what is a fair sum to pay for a subsidy that will enable a line to be operated at a fair profit upon the investment, when he does not know in the first instance what the investment is going to be? Unless you can start out with knowledge of how much money is necessary to build the ships, all your other data falls. You not only do not know that, but not knowing the size of the ship, it is impossible to determine what the operating expenses are going to be. Not only is that true, but there is not a bit of evidence in regard to what the receipts will be from freight carried—not even an estimate. That is necessarily a matter that must be left in some doubt. But some of us, before we vote away the money of the country, would like to have a little bit nearer figure than the statement made by the gentleman from New York [Mr. LITTAUER], that because the British Government gave to the Cunard Line a contract, which, according to his figures, represents the payment of 10 per cent upon the amount invested, therefore we should pay these sums for these lines. The Cunard contract provides for the fastest steamers afloat—for 24 to 26 knot steamers. The very moment you go from a 12-knot steamer up every additional knot of speed adds greatly to the cost of running. When you get up to ships of 20-knot speed, the additional cost for additional speed becomes almost prohibitive; and yet, upon that flimsy basis, upon the basis that the British Government has seen fit to vote 10 per cent to the Cunard Company for the fastest ships afloat, we are told that we must vote a 10 per cent subsidy to these people. And we are told that without having any real proof as to what the cost of these ships is going to be. Is there any man within the sound of my voice who dares to stand here and say that he knows and can guarantee that these ships will of necessity cost a given sum, that the operating expenses will amount to a certain sum, and that the amount of trade will yield, even approximately, a certain revenue, all the things that should be known in order intelligently to make a contract?

Why not throw off the mask? Why not quit talking about giving a subsidy for mail service and that you are only giving what you think is necessary in order to enable the lines to endure? What you are doing is this: You are simply compromising down to the point where you could get a bill on this floor voted for. [Applause.] In committee you put in everything you could make stand and stick, and then you bring the bill out and undertake to demonstrate that it is based on scientific principles. I am violating no secrets of the committee when I say that the bill was offered by a Member who was that day made a member of the committee and was immediately voted out of the committee. And this House is to expend what amounts to thirty-odd millions of dollars upon that sort of information. For my part, even though I believed in the principle, I should not be willing to vote thus ignorantly the people's money. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILSON. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky be allowed ten minutes more.

Mr. WATSON. Mr. Chairman, I object.

Mr. SHERLEY. Mr. Chairman, I shall not ask that indulgence.

Mr. WALDO. Mr. Chairman, unless I am allowed the same time, I shall have to object.

Mr. WATSON. Mr. Chairman, I object.

The CHAIRMAN. Objection is made, and we do not need to discuss that.

Mr. PAYNE. Mr. Chairman, I make the point of order that the debate is exhausted on this amendment.

The CHAIRMAN. The Chair sustains the point of order.

The question is on agreeing to the amendment offered by the gentleman from New York [Mr. LITTAUER].

Mr. SHERLEY. The following statement, taken from the report of the superintendent Division of Foreign Mails of the Post-Office Department, shows the actual mail service now had:

CONTRACT OCEAN MAIL SERVICE.

The contract ocean mail service upon the eight routes now in operation has been performed to the satisfaction of the Department and of the contractors.

The distance traversed, the amount paid as mileage, the weights of the mails, and the amount which would have been paid for the same service at the allowance of the full sea and United States inland postage upon the eight routes in question are as follows, viz:

| | |
|---|---|
| Route 36, New York to La Guaira, 26 trips; statute miles traveled, 63,315½; mileage paid, at $1 a mile | $63,315.20 |
| Weights of the mails conveyed: Letters and post cards, 16,051 pounds; other articles, 248,637 pounds; amount of the full sea and inland postage thereon | 45,572.56 |
| Excess of cost of contract service on route 36 | 17,742.64 |
| Route 37, New York to Maracaibo, 27 trips; statute miles traveled, 68,760.9; mileage paid, at 66⅔ cents a mile | 45,840.60 |
| Weights of the mails conveyed: Letters and post cards, 2,835 pounds; other articles, 59,561 pounds; amount of the full sea and inland postage thereon | 9,300.88 |
| Excess of cost of contract service on route 37 | 36,539.72 |
| Route 57, New York to Southampton, 51 trips; statute miles traveled, 190,659⅔; mileage paid, at $4 a mile | 762,638.40 |
| Weights of the mails conveyed: Letters and post cards, 449,194 pounds; other articles, 2,397,901 pounds; amount of full sea and inland postage thereon | 910,542.48 |
| Excess of sea and inland postage over cost of contract service on route 57 | 147,904.08 |
| Route 69, New York to Tuxpan, 52 trips; statute miles traveled, 130,884; mileage paid, at $1 a mile | 130,884.00 |
| Weights of the mails conveyed: Letters and post cards 8,465 pounds; other articles, 155,066 pounds; amount of the full sea and inland postage thereon | 25,949.28 |
| Excess of cost of contract service on route 69 | 104,934.72 |
| Route 70, New York to Habana, 53 trips; statute miles traveled, 72,398; mileage paid, at $1 a mile | 72,398.00 |
| Weights of the mails conveyed: Letters and post cards, 818 pounds; other articles, 16,908 pounds; amount of the full sea and inland postage thereon | 2,661.44 |
| Excess of cost of contract service on route 70 | 69,736.56 |
| Route 74, Boston, Philadelphia, and New York to Port Antonio, Jamaica, 98 trips; statute miles traveled, 172,162; mileage paid, at 66⅔ cents a mile | 114,774.66 |
| Weights of the mails conveyed: Letters and post cards, 4,211 pounds; other articles, 51,589 pounds; amount of the full sea and inland postage thereon | 10,864.72 |
| Excess of cost of contract service on route 74 | 103,909.94 |
| Route 75, San Francisco, Cal., to Sydney, New South Wales, 15 trips; statute miles traveled, 124,942½; mileage paid, at $2 a mile | 249,885.00 |
| Weights of the mails conveyed: Letters and post cards, 24,499 pounds; other articles, 540,483 pounds; amount of the full sea and inland postage thereon | 82,437.04 |
| Excess of cost of contract service on route 75 | 167,447.96 |
| Route 76, San Francisco to Tahiti, 10 trips; statute miles traveled, 42,180; mileage paid, at $1 a mile | 42,180.00 |
| Weights of the mails conveyed: Letters and post cards, 382 pounds; other articles, 5,208 pounds; amount of full sea and inland postage thereon | 1,027.84 |
| Excess of cost of contract service on route 76 | 41,152.16 |
| Aggregate excess of cost of contract service | 393,559.62 |

Under date of February 14, 1905, bids were invited for the service from San Francisco to Tahiti for a period of ten years from July 1, 1905, and on the 1st of June, 1905, the bid of the Oceanic Steamship Company to perform the service (10 trips a year), at the rate of $1 a mile, was accepted.

The ocean mail contract service should be credited also with the carriage of the closed mails of foreign origin forwarded during the year from this country by means of steamers under contract with this Department.

The weights of said closed mails amounted to 27,465,589 grams (60,561 pounds) of letters and post cards and 123,759,003 grams (272,889 pounds) of other articles, for the conveyance of which steamers not under contract would have been entitled to compensation at the rate of 5 francs per kilogram of letters and post cards and 50 centimes per kilogram of other articles; or to a total sum of $38,447.04. Deducting that sum from the "aggregate excess of cost," we find as the net excess of cost of the contract service $355,112.58.

TRANSATLANTIC MAILS.

As heretofore, the mails for Great Britain and the Continent of Europe have been dispatched by every fast steamer, and when two fast steamers sail on the same day or succeeding days, the mails have been as a rule assigned to the one whose previous record gave reason to believe that it would deliver the mails sooner on the other side of the Atlantic. Other things being equal, preference has been given to steamers sailing under the flag of the United States, and especially to those under contract with this Department, at a compensation of $4 for each mile traveled from New York to Southampton.

Steamers flying the flag of the United States, but not under contract, are allowed for their services all the postage collected on the mails they carry from this country; that is to say, 5 cents a half ounce ($1.60 a pound, or $3,200 a short ton) for letters and post cards and 1 cent for 2 ounces (8 cents a pound, or $160 a short ton) for other articles. In the case of a steamer conveying the mails under a foreign flag compensation for the service is allowed at the rate of 44 cents a pound (or $880 a short ton) for letters and post cards and 4½ cents a pound (or $90 a short ton) for other articles, calculated on the actual net weight of the mails conveyed.

The transfer service in New York Harbor, whereby the fast mail steamers arriving from Europe are met at the quarantine station by a special mail steamer, which receives the mails and conveys them as rapidly as possible to the various wharves, whence the mails for the city of New York are immediately sent to the post-office in that city, and those for inland destinations are forwarded by the first outgoing trains, has been continued without accident or interruption.

CENTRAL AND SOUTH AMERICAN AND WEST INDIAN MAILS.

There have been no radical changes in the service to these countries during the year. Our communication with the west coast of Central and South America has been regular and reliable, about eight times a month, by means of steamers plying between New York and Colon; and to Venezuela we have a weekly service, by means of the Red "D" Line, which is performing contract service between New York and La Guaira and other ports of Venezuela, under the provisions of the act of Congress aproved March 3, 1891. Contract service is also performed once a week by the New York and Cuba Mail Steamship Company between New York and Habana, and once a week between New York and certain Mexican Gulf ports via Habana. Besides, there is additional through service with Cuba by means of steamers plying three times a week from Tampa, Fla., and once a week from New Orleans, La., and Mobile, Ala., to Habana, Cuba, and by means of steamers of the Munson Line sailing from New York twice a month for northern Cuban ports. The service from Tampa is performed under a domestic contract, and does not come under the provisions of the act of March 3, 1891. With Porto Rico we have mail communication regularly once a week by means of steamers of the Red "D" Line and by means of steamers of the New York and Porto Rico line, which sail on alternate Saturdays from New York and irregularly twice a month from New Orleans, the latter service being performed under a domestic-mail contract from New York for San Juan, and also irregularly about once a month from New York to Porto Rico.

With Jamaica we have contract ocean-mail service by means of steamers of the American Mail Steamship Company, sailing twice a week from Boston or Philadelphia for Port Antonio, Jamaica. Besides, Hamburg-American steamers of the Atlas Line sail regularly every Saturday from New York for Kingston, and steamers of the Royal Mail Line sail every two weeks from New York to Kingston.

Communication with the other West Indian islands has been maintained without material change, and principally by means of the New York and Cuba Mail, Quebec, Hamburg-American (Atlas), Clyde, Booth, Royal Dutch West India Mail, Trinidad, Bahamas, Demerara, Royal Mail, Peninsular and Occidental, and Earn lines of steamers.

With British Honduras (Belize), Guatemala, and the Republic of Honduras we have regular communication by means of steamers which sail every Thursday from New Orleans. By steamers sailing from the same port every Thursday for Nicaragua and every Friday for Costa Rica we have regular weekly communication with Nicaragua and Costa Rica and frequent, although irregular, communication with Costa Rica, Nicaragua, Republic of Honduras, and Panama; and from Mobile, Ala., we have frequent, although irregular, service with Progreso, Mexico; Bocas del Toro, Panama; Belize, British Honduras, and the Republic of Honduras.

By means of the Lamport and Holt, Sloman, American Rio Plata, Norton, Barber, Prince, Booth, Tweedie Trading, and Houston lines, mails for Brazil and the River Plata countries have been dispatched 177 times by steamers sailing from New York for those countries direct—for Brazil 83 times, and for the River Plata countries 94 times. Correspondence for Brazil and the River Plata countries is not, however, held for dispatch by these steamers, but is forwarded via England when that course will expedite its delivery at destination.

TRANSPACIFIC MAILS.

By means of steamers sailing three or four times a month from San Francisco and three or four times a month from Seattle or Tacoma, mails for Japan and China have been dispatched not less than seven times a month.

These mails have included articles for the Philippines, but mails for the Philippines have also been dispatched by Army transports, which sailed from San Francisco for Manila about every twenty days. Correspondence for Japan and China has also been forwarded to Vancouver, British Columbia, for dispatch per steamers leaving that port about every three weeks, when the delivery of the correspondence would be thereby expedited.

Mails for the Australasian colonies have been dispatched from San Francisco once every three weeks by means of the contract steamers of the Oceanic Steamship Company, the transit time from San Francisco to Sydney being twenty-one days, and mails being delivered en route at Pago Pago.

Advantage is also taken of the opportunities offered for the dispatch of correspondence for those colonies by means of the Canadian Line of steamers sailing from Vancouver, British Columbia, once every four weeks.

The Oceanic steamers and those from Vancouver, above referred to, call at Honolulu, and most of the steamers en route from San Francisco to Japan and China usually call at Honolulu. Including the service under domestic mail contracts between San Francisco and Honolulu, there were from seven to ten opportunities a month for communication by mail with Hawaii, and generally there are not less than eight.

Mails for China, Japan, and the Australasian colonies are forwarded from San Francisco to Honolulu, to be transferred there to steamers sailing from Vancouver and calling at Honolulu en route to those countries; and mails for the United States arriving at Honolulu by steamers bound for Vancouver are transferred to steamers sailing from Honolulu to San Francisco. By such transfers the delivery of the mails so transferred is expedited by three or four days.

Inasmuch as great stress has been laid on the statement that under contract service on route 37 the Government made a saving of $147,904.08, it may be well to call attention to the fact that if the 449,194 pounds of letters and post cards and the 2,397,901 pounds of other mail matter had been carried by the faster steamers of the foreign lines it would have cost the Government $305,550.90, or $457,087.50 less than was paid the subsidized American line. The profit claimed in the Post-Office

report is based on the idea that if not carried by the subsidized American line it would have had to be carried at the sea and inland postage rate of $1.60 a pound for letters and 8 cents a pound for other articles, whereas it could have been carried for 44 cents and 4 cents a pound, respectively, the price paid foreign ships.

*Statement showing list of steamers from New York to Montevideo, Buenos Ayres, and Rosario during 1906.*

| Sailing date. | Name of steamer. | Net registered tons. |
|---|---|---|
| January 1 | Sierra Blanca | 2,338 |
| January 5 | Soldier Prince | 2,029 |
| January 10 | Silvia | 1,295 |
| January 12 | Repton | 1,852 |
| January 13 | Whitgift | 2,842 |
| January 24 | Homer | 1,641 |
| January 26 | Hostilius | 2,025 |
| January 27 | Merchant Prince | 2,021 |
| January 31 | Etona | 1,600 |
| January 31 | Hampstead | 2,207 |
| February 3 | Jessie Burns | 2,211 |
| February 12 | Ardova | 2,271 |
| February 12 | Gymeric | 2,159 |
| February 15 | Ripley | 2,508 |
| February 17 | Koborius | 2,126 |
| February 20 | St. Quentin | 2,170 |
| February 24 | Pilar de Larrinaga | 2,691 |
| February 26 | Queen Olga | 2,146 |
| February 28 | Melderskin | 2,538 |
| March 2 | Milton | 1,676 |
| March 3 | Italian Prince | 1,998 |
| March 13 | Hellenes | 2,029 |
| March 14 | Taurus | 2,763 |
| March 20 | Domingo de Larrinaga | 2,651 |
| March 29 | Sark | 2,304 |
| April 7 | Coronda | 1,779 |
| April 14 | Casilda | 2,519 |
| April 22 | Mercedes de Larrinaga | 2,700 |
| April 26 | Hilarius | 1,993 |
| April 26 | Crown Prince | 1,626 |
| May 6 | Hornby Castle | 2,359 |
| May 6 | Equita | 2,139 |
| May 12 | Beatrice | 2,139 |
| May 15 | Norman Prince | 2,235 |
| May 17 | Avonmore | 1,629 |
| May 18 | Otto Sverdurp | 2,291 |
| May 19 | Linda | 1,562 |
| May 22 | St. Hugo | 2,290 |
| June 4 | Arabistan | 2,045 |
| June 6 | Horace | 2,133 |
| June 10 | Hortensius | 2,125 |
| June 10 | Croydon | 2,410 |
| June 13 | Miguel de Larrinaga | 2,668 |
| June 13 | Etona | 1,600 |
| June 21 | Pilar de Larrinaga | 2,691 |
| June 21 | Hostilius | 2,025 |
| June 23 | Merchant Prince | 2,021 |
| July 4 | Whitgift | 2,842 |
| July 11 | Sallust | 2,308 |
| July 11 | Italian Prince | 1,998 |
| July 12 | Asuncion de Larrinaga | 2,693 |
| July 19 | St. Irene | 2,028 |
| July 19 | Ripley | 2,508 |
| August 1 | Horatius | 2,297 |
| August 4 | Coronda | 1,779 |
| August 5 | Coniston | 2,173 |
| August 7 | Drumgarth | 2,353 |
| August 10 | Cavour | 3,151 |
| August 14 | Mercedes de Larrinaga | 2,700 |
| August 17 | Tronto | 3,055 |
| August 21 | St. Quentin | 2,170 |
| August 25 | Welsh Prince | 3,218 |
| August 29 | Sandhurst | 2,768 |
| September 1 | Christian Bors | 2,788 |
| September 2 | Casilda | 2,519 |
| September 8 | Taurus | 2,765 |
| September 9 | Hilarius | 1,993 |
| September 13 | Rauma | 1,953 |
| September 20 | Strathairly | 2,783 |
| September 27 | Otto Sverdurp | 2,291 |
| September 30 | Hornby Castle | 2,359 |
| October 2 | Queen Louise | 2,170 |
| October 5 | Etona | 1,600 |
| October 7 | Croydon | 2,410 |
| October 7 | African Prince | 3,183 |
| October 10 | Balaclava | 2,745 |
| October 17 | Woodfield | 2,306 |
| October 18 | Canova | 3,009 |
| October 25 | Archmaree | 3,078 |
| October 28 | Pecine | 1,463 |
| November 1 | Volga | 2,851 |
| November 4 | Whitgift | 2,842 |
| November 4 | Hortensius | 2,125 |
| November 22 | Cavour | 3,151 |
| November 24 | Athalie | 1,404 |
| November 26 | Arabistan | 2,045 |
| November 27 | Italian Prince | 1,998 |
| December 1 | Honorius | 2,126 |
| December 5 | Miguel de Larrinaga | 2,668 |
| December 9 | Auchenarden | 2,351 |
| December 11 | Soldier Prince | 2,029 |
| December 15 | Persiana | 2,616 |
| December 16 | Coronda | 1,779 |
| December 23 | Drumlanrig | 2,772 |
| December 26 | Christian Knudson | 2,489 |
| December 27 | Harmodius | 2,213 |

*Statement showing shipping facilities, etc., from New York with Brazil.*

NORTH BRAZIL.

Booth Line to north Brazil, Booth & Co., agents, have steamers about every ten days to Para, Manaos, Maranham, Ceara, and Parnahyba. This line uses British steamers, the carrying capacity of which will average about 3,000 tons. The rates on general cargo are about 25 cents to 40 cents per cubic foot; case oil, about 35 cents per case; lumber, about $15 per 1,000 superficial feet.

BRAZIL.

The following lines, Lamport & Holt Line, Busk & Jevons, agents; Prince Line, Busk & Javons, agents; Sloman Line, Funch, Edye & Co., agents, work together, and their sailings are about as follows: Lamport & Holt Line, a sailing monthly; Prince Line, three sailings every two months; Sloman Line, three sailings every two months. The ports at which these steamers call are Bahia, Rio de Janeiro, Santos, Pernambuco, Macelo, and Victoria. Each steamer does not call at all ports, the lines arranging the order of ports as best suits the trade. The carrying capacity of these steamers will average about 3,000 tons.

In opposition to these lines are the Lloyd Brazileiro, John C. Seager Company, agents; Tweedie Line, Tweedie Trading Company, agents. The Lloyd Brazileiro is subsidized by the Brazilian Government, and we understand when first started it was their intention to run only Brazilian steamers; but these were rather small for the trade, and, owing to the success they have met with, the New York agent of this line has found it necessary to charter at least two steamers a month to Brazil ports. The Lloyd Brazileiro steamers will carry on an average of about 2,500 tons each, but the steamers which the line charter will average in carrying capacity about 4,500 tons each. This line has only been in operation since about September last.

The Tweedie Trading Company, in both the River Plata and Brazil trades, carries on a more or less guerilla warfare. Their service is not regular, and most of their steamers which sail from New York call at a southern United States port for rosin or lumber; consequently the service is not desirable for ordinary general cargo shipments.

The rates of freight on general cargo vary from 18 to 30 cents per cubic foot; lumber, $15 per 1,000 superficial feet; case oil, 20 cents per case, free from alongside—that is, shippers have to send lighters to take the freight from the steamer; rosin, $1.10 per barrel of 280 pounds.

With the exception of the Lloyd Brazileiro, the steamers used in this trade by the above firms are practically all British steamers. Occasionally a Norweigan steamer is chartered, and the Lamport & Holt Line at times use some Belgian steamers, which they operate.

The Lamport & Holt Line employ the *Tennyson* and *Byron*, which are passenger steamers, in this trade and have practically a monopoly of the passenger traffic between New York and Brazil and River Plata ports, as well as the passenger traffic homeward. These steamers alternate in monthly sailings.

*Statement showing shipping facilities, etc., from New York with Argentine Republic, Uruguay, Paraguay, and Bolivia.*

These countries are reached by the steamers which load here for River Plata ports, i. e., Montevideo, Buenos Ayres, and Rosario. Occasionally a steamer will stop at Bahia Blanca or La Plata.

The lines operating the River Plata service are: Norton Line, Norton & Son, agents; Lamport & Holt Line, Busk & Jevons, agents; Prince Line, Busk & Jevons, agents; Houston Line, R. P. Houston & Co., agents, which lines have a weekly service, each line having a steamer every four weeks. Tweedie Line, Tweedie Trading Company, agents; Barber Line, Barber & Co. (Incorported), agents; American Rio Plata Line, Howard Houlder, Rowat & Co. (Limited), agents, which latter three lines work in opposition to the first four named lines, and while they have no definite set date for the dispatch of their steamers, they advertise them as nearly as possible to the expected sailing date. I would mention that it is very rarely that these steamers sail on their advertised sailing dates, as they do not leave until they are fully loaded, and, of course, condition of deliveries and weather conditions always affect sailing dates, but are never taken into consideration when the date advertised is fixed.

I inclose herewith a list giving the name and net registered tonnage (taken from Lloyd's) of each and every steamer which sailed during 1906 from the port of New York to River Plate ports. Taking these steamers on an average of about 6,000 tons freight capacity each, would show that about 600,000 tons of carge was shipped from New York to River Plate ports during the year 1906. I think you can figure that there was at least this amount, and I should not be surprised if it reached 750,000 tons. I have not had an opportunity to go into the carrying capacity of each individual steamer.

All of these steamers are foreign ships, and over 90 per cent of them fly the English flag.

The Norton Line, Lamport & Holt Line, Prince Line, Houston Line, and American Rio Plata Line are operated by English firms, the representatives here being merely agents. The Tweedie Line and the Barber Line are operated by New York firms, they chartering the steamers necessary to load on the berth; and while they are apparently independent, I am inclined to think that both of these firms are supported by English owners.

All of these steamers from New York to River Plate ports carry United States mail, being paid according to the quantity carried.

There is no direct passenger service between New York and River Plata ports, as the American passenger laws are too stringent. In fact, these steamers have no passenger accommodations; but if they had, under the British Board of Trade regulations, even this would not permit of their carrying passengers under the requirements of the United States law. All passengers from New York to Argentina go by way of Brazil by the Lamport & Holt Line of steamers, or via Europe.

*Rates of freight.*—The last three lines mentioned above are in opposition to the first four named, and consequently rates have been fluctuating during 1906 and also during 1905, owing to this competition. Rates have varied during the year from 7 to 20 cents per cubic foot on ordinary general cargo. Included under the heading of "General cargo" is a considerable quantity of agriculturals and binder twine, shipped from this country to the Argentine Republic, on which rates vary from 12 to 16½ cents per cubic foot, depending entirely upon the kinds of implements shipped; on lumber, $11 and $12 per 1,000 superficial feet; rosin, about 80 cents per barrel of 280 pounds; case oil, about 20 cents per case; plain and barbed wire and nails, $3.60 per ton of 2,240 pounds. Steel rails and car material, which, of course, go forward in large quantities, are usually booked under special con-

tract. These rates would be considered fair under normal conditions; but unfortunately the River Plate ports are congested, owing to the large quantity of cargo being imported into the Argentine, the facilities there being limited, and steamers have been experiencing delay in the discharge of from two weeks to three months. While I state above that the rates would be considered fair, there has been no money made, owing to these conditions and because the lines were fighting among themselves. Statistics will show you how the importations from the United States into the Argentine through River Plate ports compare with imports from other countries.

The Norton Line and the Houston Line steamers and some of the steamers of the Barber and Tweedie lines are the only ones which carry cargo from the River Plate ports to Boston and New York via ports in Porto Rico and Cuba. The steamers of the other lines taking freight from New York to the River Plate carry cargo from River Plate ports to European ports or go to Brazil for a cargo to Europe or the United States.

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[Journal of Commerce and Commercial Bulletin, February 25, 1907.]

MISLEADING REPORTS ON SHIPPING FROM CONSULS—MARITIME INTERESTS BELIEVE INTENDED TO AID SUBSIDIES—CONSUL-GENERAL IN THE ARGENTINE CREDITED WITH SAYING THAT ALL AMERICAN GOODS IMPORTED ARE SENT BY WAY OF ENGLAND—THE SITUATION IN BRAZIL SET FORTH.

Shipping interests at this port identified especially with South American trade are astounded at statements regarding shipping that are being printed from time to time in the Daily Consular and Trade Reports, issued by the Bureau of Manufactures. They are very frank in saying they believe the object of such erroneous statements is to bolster up the schemes of the subsidy hunters with information which, for the reason it is published by the Government, will be regarded as authentic.

The head of one of the largest shipping firms in this city said in course of a conversation on Thursday:

"The Consular Reports published by the Government under date of February 21 include a statement by the consul-general of the United States situated in the Argentine that is incomprehensive in that it is absolutely contrary to facts, and coming from such an official source and published as it is officially by the Government, the document is in every way erroneous, misleading, and a danger to the actual conditions, as the information is distributed broadcast throughout our country under the official cloak of our Government, and must necessarily be accepted by nine hundred and ninety-nine people out of one thousand as truthful.

"The consul-general states that all American goods imported in the Argentine Republic from the United States go by the way of England. Both our own Government and everybody in the trade know that this statement is absolutely without foundation, and that no goods whatsoever in the ordinary course of trade are dispatched to the Argentine Republic via England or any other European port. There is almost a daily service of steamers direct from the United States ports to the Argentine Republic, ranging from 3,000 to 10,000 tons capacity each.

"In the same issue of the Consular Reports we turn to the United States consul in Brazil making statements that are almost as contrary to the facts as the statements that we have alluded to above.

"One can not help but think that the trend of all this published matter is in furtherance of the subsidy schemes now being pushed before Congress, and one hesitates to think that the public servants of the United States Government would so belittle themselves and pervert the truth for political purposes. Furthermore one must criticise most severely the General Government for publishing such glaring false statements."

In part, the item regarding shipping to Argentina referred to follows:

"Consul-General Alban G. Snyder calls attention to the fact that there is practically no direct trade communication between the United States and Buenos Ayres, all American goods imported being sent by way of England. Mr. Snyder shows the bad effects of this situation, and tells in the following letter what should be done toward improving American trade in Argentina:

"'The service between Europe and Buenos Ayres is regular and the trips are frequent, taking but from sixteen to twenty days, whereas voyages to the United States frequently take from twenty-five to fifty days. The chief improvement in the matter of shipping facilities between the United States and Buenos Ayres should be the establishment of a fast steamship line between the two countries, as the present service may be considered the greatest drawback to the upbuilding of American trade with the Argentine Republic.

"'During the year 1905 but one cargo of lumber and one of car materials arrived in Buenos Ayres from the United States, this being about from 1 to 2 per cent of the number of foreign vessels arriving at this port. In the same period of time eight American sailing vessels left Buenos Ayres for the United States, none carrying cargo. Only one American steamship has called at the port in the past two years. During the year named 143 (mostly English) vessels cleared from Buenos Ayres carrying hides and skins, hair, quebracho wood, extract of quebracho wood, and wool. While there are but five American export and import firms in Buenos Ayres, American goods are handled by many commercial houses, which number about 300.

"'The principal imports into Buenos Ayres are dry goods, preserved goods, manufactured articles, oils, machinery and tools, agricultural implements, lumber, and railroad materials. Of these England furnishes 34 per cent; Germany, 15 per cent; United States, 13 per cent; Italy, 10 per cent, and France, 9 per cent.'"

The report of Consul-General George Anderson, as reported in the Daily Consular and Trade Reports, is as follows:

"Consul-General George E. Anderson, under date of December 29, furnishes the following in regard to lack of United States tonnage in the trade with Brazil:

"'For several months past there has been a notable lack of tonnage in shipping from the United States to Brazil. This state of things is not only unusual, but it reflects most significantly upon the general shipping situation between Brazil and the United States. The bulk of such trade has consisted of coffee, which has long employed many thousands of tons of shipping each year. In earlier days the flour, lard, and preserved-meat trade of the United States with Brazil offered considerable employment for this shipping on a return trip from the United States to Brazil after voyages with loads of coffee for American ports. The shipping between the two countries was profitable and prosperous. Gradually, however, the trade of the United States with Brazil in flour and provisions has declined until there is very little employment for ships on that account sailing from American for Brazilian ports. In the meanwhile American consumption of coffee has continually increased, causing a one-sided situation, with no return freight. A three-cornered trade route was then built up, vessels sailing with coffee from Brazil to an American port, thence to an European port with American products, then to Brazilian ports with European goods. This triangular route caused a further decline in America's Brazilian sales, with the decreased freight facilities for shipments of goods. Thus it has been difficult to improve steamship service between the two countries, and talk of and, perhaps the necessity for, a ship subsidy to aid American interests in this line have followed.'"

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[Journal of Commerce and Commercial Bulletin, February 25, 1907.]

GOVERNMENT SERVICE FOR SUBSIDY GRAFTERS.

Has the Government Printing Office and the consular service been put to use to help the ship-subsidy grafters in their effort to reach into the Public Treasury for profits for a new combination of capital? A pamphlet of 44 pages has been issued from the Government Printing Office with the label "Memoranda of the Committee on the Merchant Marine and Fisheries on the substitute for S. 529." It is not an official document of the committee and has never been submitted to the House or to any public authority and "ordered printed." By whom it was prepared does not appear, but it is made up of a farrago of statements, quotations, and references after the exact manner of the "campaign documents" of the Merchant Marine League in support of the subsidy policy. It is not sent out in the ordinary way as an official document for the public, but is distributed privately for the evident purpose of affecting public opinion and securing support for the pending subsidy bill. Is this a legitimate use of the Government Printing Office and the resources provided for the service of the public?

Is it a mere coincidence that in the single number of the Daily Consular and Trade Reports for February 21 there appeared simultaneously in front of everything else quotations from reports from consuls at leading South American ports complaining of a lack of shipping facilities, a lack that notoriously does not exist unless "under the American flag" is to be implied, and suggesting the need of such facilities to help American trade to those ports? It certainly is not a coincidence that much more is implied in the editorial sentences introducing these quotations than can be found in the quotations themselves. For instance, on the front page the editor in Washington starts off with the statement: "Consul-General Snyder calls attention to the fact that there is practically no direct trade communication between the United States and Buenos Ayres, all American goods imported being sent by the way of England." This statement is so notoriously contrary to fact that one naturally scrutinizes the passage quoted from Mr. Snyder's report for the basis of it. No ground for it is to be found there, though Mr. Snyder does say, being thereto prompted, perhaps, from Washington, that "the chief improvement in the matter of shipping facilities between the United States and Buenos Ayres should be the establishment of a fast steamship line between the two countries." The fact is that there is regular and frequent communication with all the River Plata ports, ample for all the trade requiring them.

Consul-General Anderson is said to furnish "the following in regard to lack of United States tonnage in trade with Brazil." The "following" in this case conforms better than the other with the introductory line, but is almost equally far from the facts. It represents that the Brazilian trade is dependent upon the triangular route via Europe, and says that much of the extra tonnage employed late last year in bringing coffee here from Rio de Janeiro "has been unable to meet the present demand in American ports for tonnage for South America, particularly for Brazil." Evidence of this inability to meet the demand is not found in the American ports themselves.

Skipping over to Chile, the Washington editor of this consular information finds that Consul Winslow, at Valparaiso, reports that "the shipping facilities between the United States and Chile are not what they should be in order to develop business between the two Republics." What this consul says is that the two lines from New York "under the British flag" charge a rate that is "fair" and render a service that is "very satisfactory, considering everything." But he is prompted to add, whether by suggestion from superior authority does not appear, that "there should be one or two lines for this coast sailing under the American flag," and that "something should be done to encourage American shipping if the United States is to get the trade it should have in this part of South America." He conceals the fact that the lines "under the British flag" are owned and managed by Americans and anxious to do all they can to develop the trade, and would gladly carry the American flag if the benevolent Government did not make it impossible.

The lively editor jumps back to Montevideo, and remarks that Consul O'Hara reports that "American trade communication with Uruguay appears to be limited and insufficient." Mr. O'Hara says nothing to imply that, unless "American trade communication" means communication by American vessels, though he does say, under the prompting that seems to have gone along the South American coast with remarkable simultaneousness, that "one of the first steps to be taken in improving the commercial relations between the United States and Uruguay would be to establish a first-class steamship line between the two countries."

It is evident on the face of these publications that the Government service and the public money have been used directly in these cases, not to furnish facts and information for the public and enable it to form a fair judgment for itself, not even to serve a partisan purpose for the Administration, which would be sufficiently reprehensible, but to promote the efforts of that clique of capitalists and promoters who are hunting for subsidies from the public Treasury to give them a promise of profit in their schemes. It is a disreputable business, for which it is to be hoped the head of the Administration or any Department thereof is not responsible and which ought to be discountenanced and reprimanded.

The question was taken; and the amendment was agreed to.

Mr. LITTAUER. I offer the following amendment.

The Clerk read as follows:

Amend page 15, line 21, omit the words "in the United States;" page 15, line 22, omit "or now duly registered."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BURTON of Ohio. I do not believe the committee know what they are voting upon, and I ask the Clerk to report the amendment again.

The Clerk read as follows:

Page 15, line 21, omit "in the United States;" page 15, line 22, omit "or now duly registered."

Mr. LITTAUER. Mr. Chairman, the purport of this amendment is to prevent the use of any ship now built upon any of the lines proposed to be established by this bill. Now, the entire intent of this amendment is that those vessels can not be used to carry out the purposes of any of these three routes. The omission of the words "in the United States" is simply to perfect the English. The omission of the words "or now duly registered" would prevent shipping on any ship that now sails the sea on any of these lines, and gentlemen can easily understand its bearing——

Mr. KAHN. Would it affect the ships that are now the property of the Oceanic Steamship Line?

Mr. LITTAUER. It would. Mr. Chairman, with the permission of the committee, I would like, for the time being, to withdraw my amendment that I may perfect it.

The CHAIRMAN. Without objection, the amendment will be considered as withdrawn.

Mr. JONES of Washington. I reserve the right to object.

Mr. LITTAUER. It has been withdrawn.

Mr. JONES of Washington. I reserve the right to object, and it can not be withdrawn without unanimous consent.

Mr. LITTAUER. I am asking unanimous consent.

Mr. JONES of Washington. I have not given my consent.

The CHAIRMAN. Does the gentleman from Washington object?

Mr. JONES of Washington. I reserve the right to object until I have an opportunity to hear from the gentleman on the construction of his amendment.

Mr. SULLIVAN. I object to this.

Mr. JONES of Washington. What purpose does the gentleman pretend to effect by his amendment? I think it would except the ships now running in the Oceanic Line.

Mr. LITTAUER. Why the very purpose of this bill in its seventh section is to add an additional amount of subsidy for the continuation of this line, in order that it may continue. I know that there will be given two additional ships to carry on the Oceanic Line, but there is no valid reason, if the committee will continue the Oceanic Line, why three ships of 16 knots speed, meeting the very requirements of ships that have been built in the United States should not be included.

Mr. JONES of Washington. I believe I shall object to the withdrawal of this amendment.

Mr. WILLIAMS. Mr. Chairman, I desire to ask the gentleman from New York a question. If the object of this bill be to obtain transportation of mail, what difference does it make whether the mail be transported on ships already built or ships hereafter to be built?

Mr. LITTAUER. The primary object of the bill is mail transportation; one of the incidental objects is to build up the shipbuilding interest of the United States in connection with it.

Mr. WILLIAMS. Now, Mr. Chairman, the gentleman has answered my question, and I have elicited the information which I desired, to wit, that one of the incidental objects was to build up, at the expense of the people generally, this particular business, and the mask of this bill to transport the mail is off. [Applause.]

Mr. POLLARD. As I understand, the gentleman from New York has offered two amendments, one to line 21 and another to line 22. I want to make inquiry if the vote will be first taken on the first one that is offered?

The CHAIRMAN. If the gentleman calls for it, it is divisible, and that demand would be in order.

Mr. POLLARD. I call for a division.

The CHAIRMAN. The question will then be on the first amendment, which the Clerk will report.

The Clerk read as follows:

Amend page 15, line 21, by striking out the words "in the United States."

The question was taken; and the amendment was agreed to.

The CHAIRMAN. The Clerk will now report the second amendment.

Mr. LITTAUER. I would like to inquire whether I have the right to withdraw the amendment.

Mr. WILLIAMS. I object.

Mr. LITTAUER. Can not I perfect it?

The CHAIRMAN. If the committee will be in order, the Chair will endeavor to explain the situation. The committee will simply suspend business until order is restored.

Mr. LITTAUER. Mr. Chairman, before the vote is taken on this amendment, I desire to state that if it be adopted I will offer a further amendment excepting the ships of the Oceanic Line.

Mr. WILLIAMS. We will consider that when we get to it. But I object to its being withdrawn.

The Clerk read as follows:

Page 15, line 22, after the words "United States," strike out the words "or now duly registered."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KAHN. Division! [After a pause.] I withdraw the demand for a division.

The CHAIRMAN. The request for a division is withdrawn. The ayes have it, and the amendment is agreed to.

Mr. LITTAUER. Mr. Chairman, I move to add after the words "United States," in line 22, the words "excepting the *Sonoma*, *Ventura*, and *Sierra*, of the Oceanic Line."

The Clerk read as follows:

Line 22, after the words "United States," insert "excepting the *Sonoma*, *Ventura*, and *Sierra*, of the Oceanic Line."

Mr. SULLIVAN. I wish to offer an amendment to the amendment.

The CHAIRMAN. The gentleman is out of order. This is an amendment in the second degree.

Mr. SULZER. I should like to have some explanation of this amendment.

Mr. LITTAUER. I will be pleased to give the gentleman an explanation. The object of this amendment is——

Mr. SULZER. It seems to be to make flesh of one and fowl of the other.

Mr. LITTAUER. Are you going to do this answering? My answer to the question that you ask——

The CHAIRMAN. Gentlemen should refer to their colleagues in the third person.

Mr. LITTAUER. My answer to the question asked by my colleague from New York is that the object here is to except the three ships of the Oceanic Line, so that they may be continued in their present service. They are ships already under contract, for which one of the provisions of this bill provides more ample mail subsidy.

Mr. SULZER. Are not these ships that are specially excepted already in commission?

Mr. LITTAUER. They are.

Mr. SULZER. Then why except them?

Mr. LITTAUER. Because they are ships built in the United States, performing a service such as this bill seeks simply to amplify, and meet all the desirable objects to be attained from the purposes of this bill.

Mr. PAYNE. The intention is to provide for additional ships.

Mr. LITTAUER. In order to take advantage of the provisions of the bill more ships will have to be built.

Mr. SULZER. I desire to say to my colleague from New York that it seems to me to be a very strange procedure to exempt these three ships of the Oceanic Line, and not exempt two or three ships of Mr. Hill's line, such as the *Dakota* and *Minnesota*.

Mr. LITTAUER. I should like to call the attention of my colleague to the fact that they are already exempt in this bill, in another place.

Mr. SULZER. Why not exempt them all?

Mr. LITTAUER. I do not believe it would be desirable. The purpose of the amendment just adopted is that all the ships that take advantage of the other provisions of this bill shall be newly built in the United States.

Mr. SULZER. These are newly built.

Mr. WANGER. Is it not the purpose of your amendment to make these three ships eligible for route No. 7?

Mr. LITTAUER. Yes.

Mr. WANGER. Then why not offer your amendment at the other place, so that those steamships will not be withdrawn from the service in which they are now engaged and put upon route No. 1 or one of the other routes than No. 7?

Mr. LITTAUER. I do not think that is a contingency which we need to provide against.

Mr. WANGER. It seems to me they need not be confined to that particular route.

Mr. KAHN. These three ships that are excepted are running on route No. 75. The ships of the Harriman line and the ships of the Hill line have never accepted a contract from the United States to carry the mail. They are not in the service of the United States to-day.

Mr. SULZER. Supposing one of them came in and accepted one of these contracts?

Mr. LITTAUER. They can not do it.

Mr. SULZER. Why not except all the Oceanic Steamship Company's vessels?

Mr. LITTAUER. Because they are already in the service, receiving a subsidy under the act of 1891.

Mr. SULLIVAN. Mr. Chairman, I am informed that these ships of the Oceanic Steamship Company, which, according to the statement of the gentleman from California, are operated at a loss, are losing because they were voted to be built on a single hearing by the board of directors without sufficient examination of their design; that their construction is faulty, that it takes twice as long to load and unload them as competing merchant ships, and for that reason it is impossible for them to succeed in competition with properly constructed ships.

Mr. LITTAUER. But they do sail at 16-knot speed.

Mr. SULLIVAN. And for that reason the Government is asked to step in and pay for the blunders of the company which built them. Is that true?

Mr. LITTAUER. Not at all, as far as my information goes.

Mr. SULLIVAN. Have you inquired upon that point?

Mr. LITTAUER. All I know is that they do meet the requirements of the act of 1891, which allows a mail subsidy to 16-knot ships.

Mr. FORDNEY rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. FORDNEY. I want to speak on this amendment.

The CHAIRMAN. Does the gentleman wish to oppose the amendment?

Mr. FORDNEY. I do.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. FORDNEY. Mr. Chairman, the amendment just offered excludes from the former amendment introduced by the gentleman from New York the three ships, the *Sonoma*, the *Ventura*, and the *Sierra*. They are the three ships running from San Francisco to Australia under their contract under the law of 1901. That same company, the Oceanic Steamship Company, have two other ships that have a speed of 16 knots.

Mr. LITTAUER. Will the gentleman yield to me for a question?

Mr. FORDNEY. I will.

Mr. LITTAUER. What are the names of the two other ships?

Mr. FORDNEY. I have not the names of the two ships here.

Mr. WILLIAMS. The *Sibeosa*, the *Manchuria*, and the *Korea*.

Mr. FORDNEY. I say the Oceanic Company has five ships to-day, as shown by the report of the Commissioner of Navigation, which have a speed of 16 knots. The Pacific mail have five ships of 16 knots, and you are excluding all those ships except the three mentioned simply to give to the other side of the House a little bit of sop to get them to vote for a line from New Orleans. [Laughter.]

Mr. Chairman, some gentlemen here have stated that the Oceanic Steamship Company is likely to go into the hands of a receiver unless additional aid is given at once. Let me call the attention of gentlemen that have referred to the condition of the Oceanic Steamship Company's financial condition, and ask them if they have any proof that the funds of the company have not been handled in a like manner as those of the Chicago and Alton Railroad have, as was shown by the papers this morning, by Mr. Harriman? You have not offered a scintilla of evidence as to the judicious management of the funds of that company, although that company themselves show, as I stated before, they have received from the Government in subsidies over $60,000 more than the entire cost of their labor employed on these three ships now operating from San Francisco to Australia.

Mr. WILSON. And they receive a subsidy from Australia.

Mr. FORDNEY. And receive a subsidy from Australia, the gentleman says. As I said before, what became of the money received from the freight that this company carried? They claim that they have increased our trade with Australia over $43,000,000 in the last three years. Gentlemen, this is absolutely absurd to exclude all other ships sailing under the American flag to-day, in favor of those three ships owned by what is known as the "Spreckels Line."

In the name of common sense, what good reasons do you give why these three ships should be favored and all others excluded? You are too late, my friend [Mr. LITTAUER], in discovering your error on the first amendment, and you are trying to get back to where you started from. [Laughter.]

Mr. LITTAUER. Before the gentleman sits down, I understood the gentleman from Michigan to say that the subsidy now paid this line is greater than the amount paid out for wages.

Mr. FORDNEY. I say that the subsidy paid last year to that line, as shown by their own statement, is over $290,000, and by their own statement they show the cost of labor on these three ships to be $235,400.

Mr. LITTAUER. In that connection let me say that there was paid $235,000 for wages and $283,000 or $293,000 for subsidies. Now, the gentleman asks what becomes of the money paid for freight that the ships carried. Does not the gentleman know that there are other expenses in running a steamship line besides wages? Doesn't he know that the crew have to be fed, and do not the furnaces have to be fed?

Mr. FORDNEY. Oh, yes; they have to be fed and they have to be clothed, and so do my wife and children, but I am not asking the Government of the United States to subsidize me for it. [Laughter.]

Mr. GROSVENOR. Mr. Chairman, these matters are not so complicated that they should cause a disturbance of the peace. The amendment offered by the gentleman from New York was to get rid in this bill of the cry that the gentleman from Michigan and others have been making that we were subsidizing the Hill and Harriman lines. It had been shown how enormously rich these two lines were, and it was thought that in building new American ships it might be well to exclude from the operation of this subsidy any ships that are now built—that is, exclude them from what?

Why, exclude them from making contracts to carry the mail? That is all. Now, in the case of the Oceanic Line, it turns out that the gentleman from Michigan [Mr. FORDNEY] did not know—or he would not have made this impassioned speech—the Government has a contract with that line to continue to carry the mail for seven years more. Now, then, let us look at it. The Government made this contract with the Spreckels Line, if you please, to carry this mail for ten years, and three years of it have expired. During those three years they have constructed three fast ships, at a cost of nearly two million and three-quarters. Would it not be beautiful—and I would like to have the gentleman from Michigan answer this question—would it not be a plain violation of the contract of the Government with the Spreckels Line to now come in here and say that those three ships that they built under the contract, complying with the contract, should not carry the mail under the contract that the Government itself has made with the Spreckels line? That is the condition we are in.

Mr. FORDNEY. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. No; I will not yield.

Mr. FORDNEY. I thought the gentleman asked me a question.

Mr. GROSVENOR. The gentleman did not seem to know that we had a contract running seven years with the Spreckels Line to continue to carry the mails.

Mr. FORDNEY. Oh, I know it as well as the gentleman does.

Mr. GROSVENOR. Then I will ask the gentleman a question. Would you come in here with an act of Congress and destroy the instrumentalities which that contract was being complied with?

Mr. FORDNEY. That company entered into a solemn contract to do a certain thing, and when you enter into a contract with me you expect me to carry it out to the letter of the law, but the gentleman's bill now proposes to increase that amount to be paid them under their contract $200,000 beyond the amount they agreed to carry the mail for. [Applause.]

Mr. GROSVENOR. Why, certainly. Is there any doubt about that? It has been done a thousand times; it will be done a thousand times, when the gentleman from Michigan and myself are forgotten.

Mr. FORDNEY. Will the gentleman permit me a question?

Mr. GROSVENOR. Yes.

Mr. FORDNEY. Suppose that the Government discovered that that steamship company was making a profit of $200,000 above a reasonable amount; would it be reasonable for the Government to come and ask them to pay it back under the contract?

Mr. GROSVENOR. Oh, no such conditions exist.

Mr. FORDNEY. Oh, no; but the shoe is now on the other foot.

Mr. GROSVENOR. It is so easy to get up and make declaratory statements of facts that are not facts. Imagination runs riot here—pure imagination. We know that the ships of the Oriental Line have been offered in the market for sale.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRD. Mr. Chairman, I would not attempt a speech upon this occasion did I not deeply feel the responsibility that should rest upon every Member of this House. This measure, in my judgment, is the culmination of the evils of protection. It is the beginning of a governmental policy of paternalistic greed hitherto unknown, and which is unwarranted either by the letter or the spirit of the Constitution. It is boldly proposed to tax all the people from thirty to sixty millions of dollars within the next decade to swell the fortunes of less than a dozen millionaire shipowners. Republican graft and robbery have been presented in many hideous forms, but this is the climax of political debauchery. If the great masses of the

people could fully understand and appreciate the full effect of this measure, there would be a revolution of public sentiment such as was never known before. Or if they understood the clandestine and tyrannical methods adopted to rush this measure through this House—giving in the closing hours of the session only five hours for the discussion of a policy carrying millions of dollars—they would sweep the party in power into oblivion at the very next turn of the political wheel.

No one not blinded by avarice or stupefied by that imbecility resulting from long political wrongs can contemplate this measure without misgivings of its virtue. Those who believe in equal rights to all and special privileges to none will condemn it, and likewise will be the verdict of the toiling millions, who believe it is nothing less than robbery to take the fruit of one man's toil and give it to another. It is condemned by all political philosophy. No class of statesmen, save those now swaying the rod of empire, ever dared such a usurpation. The teachings of Jefferson, Jackson, Lincoln, as well as all other American statesmen who have had the welfare of the American people at heart, are diametrically opposed to such a policy. The greatest jurists of the country have written its condemnation in letters of gold. Judge Cooley wrote:

> However important it may be to the community that individual citizens should prosper in their industrial enterprises, it is not the business of government to aid them with its means. Enlightened states leave every man to depend for his success and prosperity in business on his own exertions. * * * It may therefore be safely asserted that taxation for the purpose of raising money from the public to be given or even loaned to private parties in order that they may use it in their individual business enterprises is not recognized as a public use. In contemplation of law it would be taking the common property of the whole community and handing it over to private parties for their private gain, and consequently unlawful.

The Supreme Court, in the case of the Loan Association *v.* Topeka (20 Wallace), speaking along this line, said:

> The power to tax is, therefore, the strongest, the most pervading of all the powers of government, reaching directly or indirectly to all classes of the people. * * * This power can as readily be employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there is no implied limitation of the uses for which the power may be exercised. To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it on favored individuals to aid private enterprise and build up private fortunes is none the less a robbery because it is done under the forms of law and is called taxation.

It will be remembered that when this measure came from the Senate it had all the brands and earmarks of an outright ship-subsidy bill, but its friends, in order to hoodwink the public and to deceive the rebellious members of the dominant party, have changed the dress of the monster by giving it the appearance of necessary ocean mail legislation. To further intensify this deception the chairman of the committee says:

> It can not be too strongly emphasized that all that is proposed in this present bill is to apply the well-established policy of the United States to ocean routes not reached in a satisfactory way by existing ocean mail legislation.

Now, to the unwary this seems very plausible. Indeed, all will admit that in this day of commercial expansion our ocean mail facilities should be extended in keeping with the ever-growing commerce of the world; but while on the surface this measure purports to be legislation in behalf of our ocean mails, underlying it are to be found all the hideous provisions of an outright ship-subsidy bill.

The amount appropriated per annum may appear, when compared with the naval or pension appropriation, insignificant to some, but all such should remember that it is to be a continuing subsidy and will, in the fixed period of ten years, amount to perhaps $60,000,000. And also, they should remember that it is the initiation of a permanent system of graft that will increase as the years come and go. From the few millions per annum at present it will grow into tens and even hundreds of millions in the near future. When we embarked upon our present Philippine policy no one thought that in less than a decade it would have cost approximately $700,000,000, nor did anyone believe forty years ago that the small amount then appropriated for pensions would ever have grown to $150,000,000 per annum; nor that when the Government undertook to provide for the rivers and harbors that that appropriation would ever have been increased to the enormous sum of $90,000,000 now carried by the bill recently passed. So it must be apparent to everyone that this measure, bearing upon its face a modest sum and apparently for legitimate purposes, will some day grow to be a monster of iniquity to scourge our children.

But just here let me say a word to the distinguished gentleman from Ohio [Mr. GROSVENOR] who, in response to the gentleman from Kentucky [Mr. JAMES], intimated that the representatives of the cornfield in this body were incapacitated to pass upon the merits of this question. In this he may be partially correct. But he should remember that behind these cornfield statesmen is an honest yeomanry, earning their bread in the sweat of their faces, and that with them forbearance has almost ceased to be a virtue; that one of these days they will rise in their might and cause his political kith and kin to cry for the mountains to fall upon them and hide their iniquity. That statesman is either blinded by ignorance or pompadored by vanity who fails to reckon with the rights of the farmer in his legislative deliberation. They are, indeed, the salt of the earth and contribute more of the taxation for the support of the Government than any other class of American citizens. They have been taxed in season and out of season.

They have never reaped any substantial benefits from any policy inaugurated by the party in power. In truth, every act of the Republican party has been diametrically opposed to their well-being. It has made it possible for the trusts to rob them of the greater part of their earnings and has isolated their products from the markets of the world; yet in spite of this they have prospered. God has given them energy, intelligence, and fertile fields from which, together with unremitting toil, they are enabled to reap the fruits of many rich harvests. They are the coming factors in American politics, and many who now scorn them will live to tremble at their power.

Mr. Chairman, there is another proposition involved in this bill, and that is the entire appropriation will be gobbled up by the steamship lines now in operation. These lines belong to the owners of the Northern Pacific, the Southern Pacific, the Standard Oil Company, and a few other railroad companies. According to Lloyd's Register the Standard Oil Company owns sixteen ships engaged in international commerce. The Great Northern Railroad, owned by Mr. Hill, owns a large number of steamers plying between Seattle and Hongkong, and the Southern Pacific, or Mr. Harriman, owns quite a number operating between New Orleans and the West Indies. These are the real beneficiaries under this bill. It is for them and not the public that this measure is being railroaded through Congress.

But it is contended that the owners of these ships can not share in this bounty because their ships do not make the required time of 16 knots per hour. This argument is puerile. How long would it take them to convert their slow-going vessels into vessels making the required 16 knots per hour; or how long would it take them to add one or more vessels to their present number, and thereby reap the full amount of this appropriation?

It is said by the friends of this measure that it is intended to provide adequate mail facilities to South America and the Orient, and it proposes to give the shipowners a subsidy of hundreds of thousands of dollars to make from twelve to twenty-four trips per year over each of the mail lines mentioned, and that this is to continue for a period of ten years. And to one of the lines from the Atlantic seaboard to Argentina it is proposed to give $800,000 annually to carry the mail bimonthly, or $33,333 for each trip. Practically a similar rate of pay is provided for all the other lines mentioned in the bill. In the period of ten years Rockefeller, Harriman, Hill and company will receive $8,000,000 on the line from New York to Argentina, and on all the lines provided for in the bill they will practically receive $60,000,000—a sufficiency not only to provide the few mail steamers required, but will equip for themselves a great commercial fleet. This is, indeed, a handsome present that our Republican friends propose to make these multi-millionaires out of the earnings of millions of our hard-pressed people.

Then, too, Mr. Chairman, the test required by this bill to determine whether or not the ship makes 16 knots per hour is a fraud upon its face. The bill says—

> That the requirements of this section as to the rates of speed shall be deemed to be complied with if said rates are developed during a trial of four hours' continuous steaming at sea in ordinary weather in water of sufficient depth to make the test a fair and just one.

This provision virtually means that in a calm sea and on a quiet day in the presence of the naval officers there shall be a test made, and any ship that can then and there make 16 knots per hour for four hours will be entitled to a share of this appropriation. One must be silly indeed not to see the fallacy of this provision. If the friends of this measure were dealing honestly with the American public they would provide a system of deduction for every ship that did not make passage from point to point as required at the rate of 16 knots per hour. The railway mail service is required to make the scheduled time or they suffer a deduction from their pay, and why should not mail ships be controlled by the same rule? It does seem that if the necessity for the transmission of mails between this country and the point mentioned in the bill were so eminent and urgent as to necessitate this rape upon the Treasury that it would be a far better policy for the Government to press into service some of our fast-going cruisers that are now rusting, in the time of peace, at the various naval stations of the country.

Mr. Chairman, all the wealth of the Treasury voted into the pockets of the millionaire shipbuilders of America would never replace our lost merchant marine. Ships are built to carry commerce, and without it there can be no merchant marine. Commerce between nations, as between individuals, is created by reciprocal trade benefits. As long as England and Germany make concessions for the South American trade not made by the United States they will dominate and control that trade. In other words, so long as their markets are thrown practically open for all the products of the South American republics, while our doors are locked and barred by protection, they will continue to be masters of that fruitful field of commerce. Nor will the multiplied millions to be spent on the Panama Canal or in fostering this infamous subsidy policy ever change our humiliating commercial exclusion from the markets of our sister republics.

At the close of the Boxer trouble in China, when Russia, Germany, and other nations of Europe wanted to dismember that Empire, President McKinley boldly championed the cause of maintaining the integrity of China and equal trade privileges to all nations. He not only saved the tottering throne of China, but saved us our richest foreign market. Since that remarkable event our cotton-goods trade alone has grown from practically nothing to many millions of dollars, as is shown by the following from the Department of Commerce and Labor:

In manufactured cottons China is by far our largest customer. The total value of all cotton manufactures exported in the fiscal year 1906 was, as above indicated, $53,000,000, in round terms, of which about thirty millions went to China. Practically all of the cotton goods sent to China were in the form of cloth, the total value of cotton cloths exported to China in the year being $29,641,188, and of other cotton goods $172,887. The exports of cotton cloths to China in the *fiscal year 1906* exceeded, both in quantity and value, that of any other earlier year, the value in 1906 being about $2,000,000 greater than in 1905, and the number of yards about 24,000,000 greater than in 1905. China's rank as a purchaser of American cottons is indicated by the fact that of the 711,000,000 yards of cotton cloths exported in 1906, 498,000,000 went to China, while about 133,000,000 yards went to the American countries south of the United States and 25,000,000 to Asia other than China and Oceania.

Would that a few rays of McKinley's wisdom could pierce the brains of the latter-day rulers of his party.

We admire the dashing, wild courage of the powerful man in the White House. We believe that in many respects he is a great President, but we must be permitted to question his wisdom or sincerity in his advocacy of this ship-subsidy measure as well as in his attempted prosecution of the trusts. It does seem that instead of throwing the power of the Executive behind this measure under the guise and pretense of replacing our foreign commerce that he would come to the front and advocate a policy that would open the doors of this country to the markets of South America and the Orient. Such an act on his part would do far more to replace our merchant marine and to reinstate our lost commerce than the expenditure of a hundred millions for ship subsidies.

What assurance does he give this House or the country that our trade will be increased a single dollar when he shall have secured the passage of this, his pet measure, and shall have placed his subsidized mail steamers on the bosom of the ocean? How can he expect to drive England and Germany, the masters of the South American commerce, from that field so long as those people are not permitted to bring their products into our country without paying at least 25 per cent of their value for the privilege of entering, while at the same time they can send them elsewhere free of cost? The President may in some respects be a great man, but he is twenty years behind the masters of his own party. Blaine and others thirty years ago looked across the coming years and prophesied the present conditions in our foreign commerce. Only a few days ago our great Mr. Root waked up from his Rip Van Winkle nap and uttered sentiments in reference to the importance of our commerce with South America which are precisely the same as those given to the world by Blaine thirty-odd years ago.

Why have they slept all these years? Why is it that they now not only want to pass this infamous measure, but they dare to go so far as to favor a maximum and minimum tariff, which we prefer to the system of taxation now in vogue? But this is only another attempt to blind the public. This advanced step has been taken for no other purpose than to appease the wrath of the outraged millions whose products are rotting in the fields and factories for the want of the rich markets of the world long since closed to them by protection.

Mr. Chairman, wherein arises the necessity for this useless expenditure of the people's money? Our foreign commerce has never suffered a day for the want of transportation facilities. Other nations with their ships are ready to handle the small amount of trade we have with the countries mentioned in this bill at much less cost than is proposed by this measure. We propose to donate money enough to build the ships of private citizens and then send them upon the high seas to charge the same freight rates as are now charged by foreign competitors. In other words, this is another tax placed upon the foreign commerce of the nation—on the cotton, the wheat, and other products shipped abroad.

At the last session the Republicans vied with the Democrats in their efforts for railroad rate legislation, and when the Hepburn bill passed they loudly blew their trumpets in the willing ears of the farmer and other shippers who are being robbed by unjust railroad rates, yet in less than one year from that time they come forth with this measure and propose to make the same classes pay an extra tax of several millions per annum for the privilege of shipping their products abroad. What manner of statesmen compose this party? Has consistency ceased to live within its ranks? Just here let me say that if the party in power desires to really free the people from the burdens resulting from the want of adequate transportation facilities, why does it not do something to relieve the situation on land instead of embarking upon the high seas? Almost every industry is suffering for the want of interstate transportation, the farmers' cotton as well as the manufacturers of lumber, and a great many other industrial enterprises are suffering serious losses for the want of additional cars and railroad trackage. The wheels of commerce are being clogged by the inability of the railroads to handle our increasing freight. New roads should be constructed. Those now built should be double tracked and the rolling stock should be largely increased. Along this line some real good can be done for the people. Why not pass a law compelling the railroads to provide adequate transportation facilities for the commerce of the country? Why not make it possible for them to construct and equip their lines at much less than the present cost by destroying the steel trust, by removing the duty on iron and steel? Next to labor, steel and iron enter more largely into railroad construction and equipment than any other item of cost. Railroads are the largest consumers of iron and steel. The construction of a mile of single-track railway requires 141 tons of rails, weighing 80 pounds to the yard.

Ten years ago these could have been bought for $17.40 per ton, or $2,491.75 per mile. The present price is from $28 to $30 per ton, or from $3,948 to $4,230 per mile. Prices of joints, bolts, spikes, and all other steel used in track construction have gone up in proportion. There is on an average one locomotive for each 4.5 miles of railway line. Ten years ago the average locomotive cost about $12,000. To-day the average cost is from $16,000 to $20,000. Making an allowance for the increase in size, there is an advance of from $4,000 to $5,000 on each locomotive, due entirely to the advance in the price of steel made by the steel trust behind the sheltering wall of the Dingley tariff. This amounts to an increase of about $1,000 per mile in the cost of equipping a railroad. There is one passenger coach for each 5.3 miles of line. The cost per coach has increased about $3,000, or $566 per mile, due to the advance in prices of steel and lumber. There are 8.3 freight and company cars, built of steel and wood, per mile of line, costing an average of fully $450 more per car, or $3,735 per mile, than ten years ago, making due allowance for the increase in the size of cars.

This marvelous increase in the price of steel is due to the steel trust that is barricaded behind the Dingley tariff law, and it is doing more to retard the industrial development of the country than any other cause. It is an additional tax upon the shippers, not only those of the present time, but those yet to be born. The railroads are constructed by interest-bearing bonds sold upon the markets of the country and which are never paid. The interest thereon becomes a perpetual charge upon the products to be transported. You should not believe for one moment that any part of this extra burden is assumed by the railroads. It is always shifted by them on the people.

But, before returning to my subject, let me conjure my Republican friends to free the people from the clutches of the trusts and railroads before thrusting upon them this ship-subsidy burden.

But it is contended that other nations subsidize their merchant marine and that thereby they have become the commercial mistresses of the world; that means they have appropriated unto themselves the commerce of the world. England, the greatest commercial power on the face of the globe, has acquired her wonderful domination of the world by her open-door policy, and Germany, while a protective nation, has appropriated unto herself the commerce of many of the richest countries of the world by suspending and modifying her tariff policy whenever it interferes with her commercial power.

It takes more than a subsidized merchant marine to make commerce. We annually pay for carrying our ocean mail about $3,000,000, and no one can say that it has increased our foreign trade. We have paid hundreds of thousands of dollars

annually for sending the mail from San Francisco to Australia, yet our commerce with that country is frightfully insignificant. Germany pays scarcely more than the United States for her ocean mail service, though her commerce is expanding tenfold more rapidly than ours. The same is true with England; while there is France, with her heavily subsidized merchant marine, making less progress in this regard than any other first-class nation. Let me here read an interesting article from the New York Journal of Commerce and Commercial Bulletin about foreign subsidies and their effect upon commerce, since we have heard so much in this debate about the liberal ship-subsidy policy of England, Germany, and France:

The letter from Hamburg which we published yesterday showed conclusively what has been shown many times before, that German shipping owes absolutely nothing to Government subsidies. The only subsidies paid are moderate ones for a mail service to China, Japan, Australia, and the German colonies of Africa, and those have produced little, if any, effect upon trade with those countries and none whatever upon the development of German shipping. Those particular lines of service are not profitable, and the Hamburg-American, the most successful of all German companies, gave it up after a brief trial. We know very well what has not built up German shipping, and now it is more important to know what has done it.

The most important influence is its freedom. German shipowners are free to buy their vessels where they can get them to the best advantage, and German shipbuilders get their materials free of duty. For some years after this policy was adopted the vessels were mostly built in British shipyards, but German capitalists had the enterprise to enter into competition with them, and beginning with repairs and the less important vessels they have built up an industry that vies with that of Great Britain, and first-class steamers are now built in German yards. It is the fruit of energy, skill, and free competition. It is sometimes said that German shipping is favored by lower rates on the Government railroads for commodities intended for export than upon those for domestic markets. The trade upon which it thrives may be favored in that way, but the same discrimination in favor of both exports and imports is shown by railroads in this country. That explains nothing as to the development of shipping.

The most potent influence has been a scientific study of the subject and an unremitting application of enterprise, skill, and managing ability in the shipping trade and in shipbuilding. But a fundamental difference between the conditions in both Germany and Great Britain and those in this country is to be considered as the decisive factor. Owing to the natural resources and relatively undeveloped industrial condition of this country both capital and labor find more profitable fields in internal development and activity. It is that condition that explains the higher wages of labor and the larger profits of capital. In Germany, with a smaller area than Texas and a population equal to more than two-thirds of that of the United States, there is a competition which makes wages, prices, and profits lower, and energy and capital feel the need of extending their energies outside of the borders of the country. There they must compete with others, and this they are able to do by their capacity for the necessary effort and not by the help of the Government at the expense of the people whose work is on shore. In prosecuting their industry on the seas they are ready to do carrying for all nations and to and from all ports at a less cost than that at which it could be done by American capital and labor. That is why they do it and why we let them do it; why, in fact, it is to our advantage to have them do it. There is no need of subsidies to explain the building up of either German or British shipping.

On a former occasion I stated on this floor that the greatest evil following in the wake of protection is the fact that it closed to our increasing products the fruitful markets of the world, and that if we were only permitted to feed and clothe the hungry and naked of the earth we would never be otherwise than prosperous, and since hearing the great debate on this subsidy measure I am more thoroughly convinced of the correctness of my position. It has been conclusively demonstrated that the cotton, corn, and wheat products of the South and West, as well as the manufactures of every section, have so far outstripped home consumption as to produce an alarming condition. These products are in the warehouses decaying for the want of markets. This is a dreadful state of affairs, indeed, and will ultimately result in closing our factories, driving the plowshare from the fields, and turning upon the country an army of begging laborers who now live upon the earnings of their daily toil. It will soon sweep away the wealth of the rich in a panic and bring untold misery to the poor. [Applause.]

In the face of this impending calamity, why not unlock our barred doors to the world, in order to induce the world to consume our great surplus, and thereby make our prosperity as enduring as time itself. Our crops never fail; we can feed and clothe the world and can furnish the machinery for her every industrial enterprise. Yet, in the face of all this, we are "standing pat" by a policy that is intended for no other purpose than to enrich the already rich. The rights of 80,000,000 people, as well as the commercial destiny of the nation, is being sacrificed at the throne of avarice. Can it be that this policy will never change? Will the people never be aroused to the full appreciation of the iniquities of Dingleyism? Will they always be blinded by such paltry subterfuges as this ship-subsidy fraud. May God forbid!

Much success hath made our Republican friends mad, or they would not have attempted this rape upon the rights of the people. Long-continued success has sharpened their avarice to such an extent that they will dare the most grievous political crime with the apparent innocence of an unsuspecting child. Like the wild Indian hunter of the Andes, who scales the dangerous cliffs and walks upon the brink of the gaping abyss, unconscious of the impending danger, they are boldly rifling the pockets of the masses to swell the coffers of the classes, little realizing how dangerously near they are approaching the pitfall of political destruction.

Sir, your party has committed many political crimes—you have given the public domain to the railroad corporations; you have subsidized the coal trust with all the coal fields of the people; your vassals have robbed the Treasury of the nation; you have debauched the electorate to acquire the Chief Magistry of the nation—all of which the people have borne with patriotic patience; but on to-morrow, when your votes are registered in favor of this infamous ship-subsidy steal, you will have sinned against the Holy Ghost and there will be naught left for you to do but to "fold your tents and steal silently away." [Loud applause.]

Mr. WILLIAMS. Mr. Chairman, if the gentleman from Ohio [Mr. GROSVENOR] wants to offer an amendment in the line of his argument he would offer an amendment not in keeping with that offered by the gentleman from New York [Mr. LITTAUER], but an amendment that "nothing in this bill should affect any contract now existing between the United States Government and any line of steamships." The amendment offered by the gentleman from New York is to pay this contracting line $200,000 more than the present contract calls for. If this attempt be based upon the ground that these vessels of this line are 16-knot ships and up-to-date, the reply is that the *Siberia* and the *Manchuria* and the *Korea* in another line are better ships—infinitely better and faster. If the object be to exempt ships on account of their merits as transportation agencies, those latter ships would be the ones to be excepted; but the object of this amendment is neither what was stated by the gentleman from New York nor what was stated by the gentleman from Ohio.

Whatever its object may be, its effect will be, if adopted, simply to prevent any other line offering to do the work cheaper from getting the work to be done and to forestall in advance the chances of other would-be contracting parties, and to fix it so that the only existing ships upon the Pacific coast that can receive the benefit of the payments under this bill are these three ships mentioned in the amendment. Now, if the gentleman from Ohio [Mr. GROSVENOR] really wants to exempt these ships because they now have a contract with the Government and want to be able to carry out that contract, the proper form of the amendment is, as I say, to provide that nothing in this bill shall affect that contract, referring to it specifically in sufficiently specific terms.

Mr. Chairman, one other word. The gentleman from Michigan [Mr. FORDNEY] has just sent a sharp dagger to the very heart of the iniquity and the pretense of this legislation. The pretense of this legislation is to take the money out of the Treasury for the purpose of making up the difference between American sailors' and ship employees' wages and salaries and those paid to foreigners, and the gentleman from Michigan has demonstrated that in the case of this particular line the subsidy already granted absolutely exceeds not only the difference between the wages on these and other ships, if any difference exists, but the entire wage and salary bill of the line.

The gentleman from Michigan produced figures——

Mr. KAHN rose.

Mr. WILLIAMS. The gentleman from California can not shake his gory locks at me with the result of putting Banquo down. He must first down the figures furnished by the gentleman from Michigan, and such is my confidence in the gentleman from Michigan that I know he can not do it.

Mr. KAHN. The gentleman from Michigan, as I understood it, simply referred to the wages paid on the ships. Is that the total expense of running a line of steamers?

Mr. WILLIAMS. Nor did I state it was. I stated that it was greater than the wages, not greater than all the expenses. The gentleman from California seems to want a subsidy equal to all the expenses of owning and operating a ship line.

Mr. KAHN. You said the wages; that is not nearly all. Now, a word as to the two steamers the gentleman from Michigan spoke of. They are the *Mariposa* and *Alameda*. They are 3,000-ton ships. They could not begin to enter this particular service, because they could not make the time. They have not the coal capacity. They can not carry the coal that is required to make the time, and they never have been able to make 16 knots heretofore, and they could not be used for this purpose.

Mr. FORDNEY. Will the gentleman permit a question?

Mr. KAHN. Certainly.

Mr. FORDNEY. Is it true the very ships you have men-

tioned were running from Australia to San Francisco before this contract?

Mr. KAHN. Yes; they made 13 trips a year, and the present ships make 17 trips.

Mr. FORDNEY. That cuts no figure.

Mr. KAHN. It does cut a figure, because the *Mariposa* and the *Alameda* could not make 17 trips per year.

Mr. FORDNEY. They were good enough to run there——.

Mr. KAHN. And they made money while they were running. The Oceanic Steamship Company then took this contract, and it has not been able to make a dollar since. In fact, it has lost money constantly ever since then. Now, I want to call the attention of this House to the fact that Congress repeatedly has come to the assistance of contractors with the Government where under unforeseen conditions the amount allowed under the contract was found insufficient. Take the case of the Baltimore fire. There was a contractor there who, by reason of that fire, could not meet the conditions of his contract, and then the Government came to his aid and allowed him considerably more than his original contract price in order that he might be able to complete the contract. I merely cite that as an instance.

The gentleman from Michigan has stated that possibly there was some juggling in the management of this company's affairs, so as to make it appear it was insolvent. I resent the imputation. Any man in the State of California who owns a single share in that company—and the stock is worth only $2 a share—can demand a full investigation of the entire management of the Oceanic Line. They can easily determine whether there is crookedness or manipulation or juggling. On the contrary, I believe that the line has been well managed. It has given a good service to the country, but it has been constantly running behind. It has lost money hand over fist. It owes $2,000,000 over and above its bond issue and its stock issue——

Mr. WILSON rose.

The CHAIRMAN. Does the gentleman yield?

Mr. KAHN. I only have a moment or two, but I will yield.

Mr. WILSON. I just wanted to ask the gentleman a question. Is this same line now receiving a subsidy from any other foreign country?

Mr. KAHN. Yes, sir; it is receiving $75,000 from New Zealand, where prior to the time it built these ships it was receiving $118,025 a year from the same country for thirteen voyages a year. If it had been paid in the same proportion for seventeen voyages, the company would have received $154,333 a year as a subsidy; instead of that the New Zealand Government, the moment the company put on these American ships, cut the subsidy down to $75,000. In brief, the company is now being paid less subsidy for a greatly improved service.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment.

The question was taken; and the Chair announced the "ayes" appeared to have it.

Mr. SHERLEY. Division, Mr. Chairman.

The committee divided; and there were—ayes 97, noes 108.

[Applause on the Democratic side.]

Mr. KAHN. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from New York [Mr. GOULDEN] and the gentleman from California [Mr. KAHN] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 112, noes 127.

So the amendment was rejected.

Mr. GOULDEN. Mr. Chairman, I desire to offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 15, line 21, after the word "steamships," insert the words "of the highest American rating known to maritime commerce."

Mr. GOULDEN. Mr. Chairman, in advocacy of the amendment I desire to say, first, that the highest rating known to maritime commerce, as provided in section 4 of the ocean-mail act of March 3, 1891, does not carry out the intention of the proposed amendment in its benefits to American shipping unless the words "American rating" are added, to exclude foreign ratings, especially in the case of Lloyds, which is largely interested in the merchant marine of Great Britain; second, the last paragraph of section 10 of the proposed amendment, providing that "all ordinary repairs or overhauling, etc., shall be made in the United States," would imply American inspection and rating, which condition should also apply to new vessels by the words "American rating;" third, the conversion of vessels into auxiliary cruisers—as mentioned in section 4 of the mail act of March 3, 1891—according to plans to be agreed upon by owners and the Secretary of the Navy, if rated by a foreign society would give that society the privilege of inspection of such conversion.

I therefore trust that the amendment may be adopted, as I believe it to be necessary to perfect that section and give a proper and efficient rating.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GROSVENOR. Mr. Chairman, I would like to have the amendment again reported.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. GOULDEN. It is simply to add the words "of the highest American rating known to maritime commerce." It makes it so that our vessels shall be inspected by our own inspectors and not by foreigners. I believe that the amendment is a good one and I hope the gentleman on the other side will accept it.

Mr. GROSVENOR. I do not rise to oppose the amendment, but I would like to have the gentleman tell the committee what the difference is in the highest rating of the Lloyds standard and that which the gentleman now proposes to put into this bill.

Mr. GOULDEN. I will simply give the third reason that I gave a few moments ago when the gentleman was otherwise engaged.

Mr. GROSVENOR. I was not otherwise engaged.

Mr. GOULDEN. To repeat, the arguments for this are in brief as follows:

First. The highest rating known to maritime commerce, as provided in section 4 of the ocean-mail act of March 3, 1891, does not carry out the intention of the proposed amendment in its benefits to American shipping unless the words "American rating" are added, to exclude foreign ratings, especially in the case of Lloyds, which is largely interested in the merchant marine of Great Britain.

Second. The last paragraph of section 10 of the proposed amendment providing that "All ordinary repairs or overhauling, etc., shall be made in the United States," would imply American inspection and rating, which condition should also apply to new vessels by the words "American rating."

Third. The conversion of vessels into auxiliary cruisers (as amended in section 4 of the mail act of March 3, 1891), according to plans to be agreed upon by owners and the Secretary of the Navy, if rated with a *foreign society* would give that society the privilege of inspection of such conversion.

Mr. LITTAUER. I would like to ask the gentleman a question.

Mr. GOULDEN. Certainly.

Mr. LITTAUER. The gentleman stated certain matters in relation to the rating. On what authority does he state those as facts?

Mr. GOULDEN. Under the mail act of March 3, 1891, you will find that that is provided for in that act.

Mr. LITTAUER. I appreciate that; but you said that there are certain changes following that. Has not that act worked well in connection with such ships as have taken advantage of it?

Mr. GOULDEN. Not satisfactory; and I think we ought to guard against foreign societies and inspectors who have the privilege of inspecting anything we might convert.

Mr. LITTAUER. Was there any such experience during the Spanish war?

Mr. GOULDEN. I think there was. I can see no harm to the amendment.

Mr. LITTAUER. I do not know that there is any harm in it.

Mr. GOULDEN. It is a good American amendment, and every American should approve of it.

Mr. GROSVENOR. You would have two standards of insurance. If you wanted to insure in a British company you would have no standard except the Lloyds standard. If you wanted to insure in an American company, you could not insure under the Lloyds standard. What is the use, unless the gentleman can state that our standard, if we have one—and I do not know that we have—is better than the old standard or is higher or lower or cheaper—some reason besides the mere name?

Mr. GOULDEN. I think our standard is higher, or should be, than the Lloyds standard.

Mr. GROSVENOR. Then it would defeat insurance in any of these companies of any other country in the world.

Mr. GOULDEN. No; not necessarily, and aside from that I think we have enough American companies to attend to the business. I would always favor American institutions; and believing this amendment to be along that line, I have introduced it. It is of no personal interest to me, and the committee can do as they see fit with the proposition.

Mr. GROSVENOR. This seems to be in the interest of American ship insurance companies.

Mr. GOULDEN. It is in the interest of American institutions

and in behalf of the American flag, that we are talking about so much.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GOULDEN. Division, Mr. Chairman.

The committee proceeded to divide.

Mr. GOULDEN. It has been suggested, Mr. Chairman, that I strike out the word "American."

Mr. LOUDENSLAGER. You can not take it out while the vote is being taken.

The CHAIRMAN. The gentleman from New York can not do that. If he withdraws the call for the division——

Mr. GOULDEN. I insist on the call for the division.

The CHAIRMAN. The Chair will count, then.

The question was taken; and there were—ayes 61, noes 94.

So the amendment was rejected.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 16, line 4, after the word "prescribe," add "*Provided*, That no money shall be paid under the provisions of this act to, for, or on account of any vessel operated or owned in whole or in part, directly or indirectly, by or for or in connection with any railroad, railroad corporation, company, or system."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GROSVENOR. Mr. Chairman, we could not hear that amendment, and I ask that it be again reported.

The amendment was again reported.

The CHAIRMAN. The committee will rise for the purpose of considering a conference report.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 529 and had come to no resolution thereon.

### RETURN OF BILL TO THE SENATE.

The SPEAKER laid before the House the following request of the Senate; which was read, considered, and agreed to:

IN THE SENATE OF THE UNITED STATES,
*February 28, 1907.*

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 8556) to authorize the Pensacola and Northwestern Railroad Company, a corporation existing under the laws of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

### ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I submit the following conference report, and ask unanimous consent that the statement be read.

The SPEAKER. The gentleman from Iowa presents the conference report on the Army appropriation bill, and asks unanimous consent that the statement may be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23551) making appropriation for the support of the Army for the fiscal year ending June 30, 1908, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: On amendment numbered 25 the committee of conference has been unable to agree.

J. A. T. HULL,
RICHARD WAYNE PARKER,
JAMES HAY,
*Managers on the part of the House.*

F. E. WARREN,
J. B. FORAKER,
JO. C. S. BLACKBURN,
*Managers on the part of the Senate.*

The statement was read as follows:

### STATEMENT.

Conferees report a disagreement on amendment No. 25, which provides for promoting paymasters' clerks to first lieutenancies in the Army and placing them on the retired list after thirty-five years of service.

J. A. T. HULL,
RICHARD WAYNE PARKER,
*Managers on the part of the House.*

Mr. HULL. Mr. Speaker, I will say that the gentleman from Virginia [Mr. HAY], temporarily absent from the Chamber for some reason, I know not what, also agrees with us in this statement, and I want to state to the House that we have had conference after conference in this matter, and we are met with the proposition that the Senate will not recede from its amendment unless the House will agree with an amendment. The provision in the Senate amendment is that any paymaster's clerk who had served thirty-five years in that position should, on reaching that length of service, be commissioned as first lieutenant in the Regular Army and placed upon the retired list with the rank, pay, and allowances of that grade. The House conferees did not believe that upon an Army appropriation bill, or any appropriation bill, civilian employees of the Government should be taken and commissioned in the Army and placed upon the retired list. The House conferees believe that if this Congress or any future Congress desired to deal with the question of a civilian retired list, it ought to be independent of the Army and where all the clerks of all the Departments would be upon an exact equality; so they could not agree to the Senate provision. The Senate conferees did finally agree that if we were willing to adopt this amendment, which I will read to the House, they would agree to this as a change of the language of their amendment:

That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint E. Russell Mears, now a paymaster's clerk in the Army, who has rendered thirty-eight years' faithful service as such, a first lieutenant, mounted, United States Army, and to place him on the retired list thereof as of that rank.

I want to say, Mr. Speaker, that to me this would be a vast improvement on the other provision; but on that subject my judgment is the same as that of the other House conferees—that it is not right to take a civilian employee of the Government who had not had Army service and place him, as an officer of the Army, on retired pay for life when he reaches the age of 64 years or after thirty-eight years of service as a civilian employee. Unless some one desires to make a motion or to be heard on the subject——

Mr. PAYNE. Will the gentleman yield for a question?

Mr. HULL. Certainly.

Mr. PAYNE. I understand this last proposition is to take a certain civilian clerk, by name, and make him a lieutenant, for the purpose of putting him on the retired list, or, in other words, giving him a pension.

Mr. HULL. No; it is not a pension.

Mr. PAYNE. It amounts to that.

Mr. HULL. It will be more than that.

Mr. PAYNE. It amounts to a large pension, does it not?

Mr. HULL. To an annuity, in the form of retired pay of an officer of the Army.

Mr. PAYNE. An annuity. Now, Mr. Speaker, if I may be allowed——

Mr. HULL. I yield to the gentleman five minutes.

Mr. PAYNE. I am not willing for one to yield to any such proposition. It can not be that any legislative branch in this country will hold up a great appropriation bill in an attempt to compel the coordinate legislative branch of the Government to surrender and agree to an annuity to a certain individual, I do not care who that individual may be. For one, I do not propose to be coerced into any such position as that. [Applause.]

If it is in order, I should like to move that the House adhere to its disagreement to this amendment.

Mr. HULL. I propose to make that motion myself in the event of no one presenting any other motion of higher privilege.

Mr. PAYNE. And not ask for a conference.

Mr. MANN. Will the gentleman yield for a question?

Mr. HULL. I will.

Mr. MANN. I understand the gentleman's committee has recently reported adversely a bill to place one Daniel Robertson, practically as a second lieutenant in the Army, upon the retired list, after fifty years of service as a hospital steward, or something of that sort.

Mr. HULL. I will say to the gentleman right there that personally I believe he ought to be placed on the retired list with the grade of second lieutenant, but the Committee on Military Affairs thought otherwise. Robertson goes on the retired list under law now.

Mr. MANN. The policy of the committee in that case will undoubtedly be adhered to by the House, and that policy is to refuse to place this man, who has been in active service, upon the retired list. So I hope the gentleman will see that a civilian employee is not given any better treatment than this man, who has served for fifty years.

Mr. HULL. I want to say to the gentleman that as far as the conferees are concerned the House must take it out of our hands in order to place clerks on the retired list of the Army.

I yield five minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. I do not want five minutes. I simply want to say that I thoroughly agree with the position of the gentleman from Iowa and that I am unalterably opposed, and I believe this side of the House is unalterably opposed, to beginning a system which means a civil-pension list. [Applause.] That is what this means, and that is all I want to say.

Mr. HULL. Mr. Speaker, if no other gentleman desires to speak, I move that the House adhere to its disagreement to Senate amendment No. 25. There is nothing to adopt.

The SPEAKER. The gentleman moves that the House do adhere to its disagreement to Senate amendment No. 25.

Mr. HULL. And I call for a division, so that we may have a rising vote.

The House divided; and there were—ayes 241, noes none.

The result of the vote was received with applause.

Mr. HULL. Mr. Speaker, a parliamentary inquiry. I understand that when the House adheres to its disagreement to an amendment there is no necessity for any further conference?

The SPEAKER. Not at all.

Mr. HULL. I do not ask any.

The SPEAKER. The action of the House would seem to exclude a conference.

### HOMER QUICK.

The SPEAKER laid before the House the bill (H. R. 22210) to correct the military record of Homer Quick, with a Senate amendment thereto.

Mr. CAPRON. I move that the House concur in the Senate amendment.

The motion was agreed to.

### MONROE STREET NE.

The SPEAKER also laid before the House the bill (H. R. 10703) authorizing the extension of Monroe street NE., with a Senate amendment thereto.

Mr. CAMPBELL of Kansas. I move that the House concur in the Senate amendment.

The motion was agreed to.

### METROPOLITAN POLICE OF THE DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House the bill (H. R. 25630) to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906, with a Senate amendment.

The Senate amendment was read.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

### WITHDRAWAL OF PAPERS.

Mr. MOON of Tennessee, by unanimous consent, was given leave to withdraw from the files of the House without leaving copies the papers in the case of J. R. Harris, Fifty-ninth Congress, no adverse report having been made thereon.

### LEAVE OF ABSENCE.

Mr. BENNETT of Kentucky, by unanimous consent, was given leave of absence indefinitely, on account of sickness in family.

### MERCHANT MARINE BILL.

The SPEAKER. The Committee of the Whole House on the state of the Union will resume its session.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the merchant marine bill, with Mr. CURRIER in the chair.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, I wish briefly to explain the object of this amendment. It has been frequently charged on the floor of the House that the object of this bill was largely to grant a subsidy to Mr. Hill and Mr. Harriman. We have already adopted an amendment that excludes any but American ships hereafter built, and I want now to have this amendment made so that it will be impossible not only to use the ships that Hill and Harriman and other railway corporations now have, but such as may hereafter be built to run in connection with railroads.

I agree with the gentleman from Mississippi [Mr. WILLIAMS] in what he said a while ago, that it did not make any difference what ships carried our mail so long as they performed the service. But there seems to be in this House, among certain Members, an idea that if this bill is passed it will inure to certain corporations, and what I desire to do is to make it impossible for that thing to happen, in order that when we come to the Pacific lines we may be able to keep a few ships on that ocean, at least, to run to the Philippine Islands.

Mr. PAYNE. Will the gentleman yield?

Mr. HUMPHREY of Washington. I will.

Mr. PAYNE. I would like to ask the gentleman from Washington if he does not think his amendment goes farther than that? Does he not think that it would preclude railroad corporations and shipping corporations from making a contract for freight—say from Chicago to Yokohama—over the two lines when he cuts off all connection and business relations between railroad corporations and shipowners?

Mr. HUMPHREY of Washington. I do not think the amendment goes that far. If the railways shipped freight to San Francisco and an independent ship, owned by an independent company, received it, I do not believe that such ship would be a ship operating for the railroad within the meaning of the proposed amendment.

Mr. PAYNE. No; but they make a freight rate from Chicago through to Yokohama, and any amendment that would cut that off ought to be avoided. It is for the interest of commerce, the interest of the country that that thing should be continued. I think the gentleman's amendment cuts it off. It goes too far. I think enough has been done already to cut off these companies and all fear and apprehension on the part of any Member of the House; and I think that there can be no question about the construction of the bill under the amendments that have been made. I am afraid that the amendment of the gentleman from Washington goes so far as to cut off that class of contracts which ought to be encouraged.

Mr. HUMPHREY of Washington. I had no desire to do that. I gave the most careful consideration to this amendment. I don't think it is open to the objection that the gentleman from New York makes. I did not intend to restrict through freight rates or work any hardship on commerce.

Mr. PAYNE. I remember in the gentleman's amendment the words "in connection with any railroad."

Mr. MINOR. Mr. Chairman, I want to say to the gentleman from Washington and to this House that more than twenty times, on different occasions and at different places, the vice-president of the Pacific Mail Line and general manager, one and the same, told me that under no circumstances would his company consider a mail subsidy for that line unless it provided for twelve hundred thousand dollars, and I told him he couldn't have it, and that ended it.

Mr. POLLARD rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. POLLARD. I would like to discuss the amendment.

The CHAIRMAN. Does the gentleman rise to oppose the amendment?

Mr. POLLARD. Yes.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. POLLARD. Mr. Chairman, in my time I would like to have the pending amendment read.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection; and the Clerk again read the amendment.

Mr. POLLARD. Now, Mr. Chairman, the wording of that amendment is such that it certainly will make it utterly impossible to bill goods through from Chicago or any other port of origin in the United States to a point in Australia, Hawaii, or any other port in the Pacific Ocean. It seems to me the committee does not desire to amend the bill in that way. All we want to do is to so amend the bill that these great railroad magnates can not own and operate these mail lines. I have an amendment here that is very simple that does that and has nothing whatever to do or no connection whatever with through billing, and that certainly ought not to be interfered with. I will read the amendment, which I shall offer if this amendment is voted down. It is as follows:

*Provided*, That no part of the money herein appropriated shall become available for any person or any corporation, joint stock company, or association that has among its stockholders, directors, or officers any person that is now or may become at any future time an officer or director in a railroad company.

That, Mr. Chairman, meets the same objection, and it does not prevent through contracts.

Mr. FORDNEY. Mr. Chairman, I want to speak in opposition to the amendment. Let me say to the House that at the present time the Great Northern Steamship Company, which company owns the *Minnesota* and the *Dakota*, known as the Hill Line, running from Puget Sound to the Orient, and the

Pacific Mail Steamship Company, now operating a line from San Francisco to the Orient, have the best ships sailing on the Pacific Ocean, and if this amendment prevails and this bill becomes a law those ships will be excluded from any benefit under this measure. Those ships are running to-day and running without a subsidy, carrying United States mails to the Orient.

Mr. WATSON. Will my friend point out to me how they could take advantage of it anyway? We have already excluded all existing ships.

Mr. FORDNEY. Oh, I know so far as that amendment is concerned that it will amount to a fly speck on the map of the world. It will be wiped out when we go into the House and get the yeas and nays. There is no doubt of that. Those lines would be excluded from any benefits under this measure. Those lines are running to-day and carrying United States mails, and last year carried 140 shipments of mails from the Pacific Coast to the Orient. There is no reason why the Great Northern Steamship Company, owned directly or indirectly by the Great Northern Railroad, or the Pacific Mail Steamship Company, owned or controlled by the Southern Pacific, should not carry United States mails if they would do it as cheaply as any other company; no reason in the world why a wealthy corporation or a wealthy man should not receive consideration at our hands just the same as any other party.

A few minutes ago the gentleman disputed the correctness of my statement about certain fast ships of certain speed. The Pacific Mail Steamship Company—and I have the record here—has five fast ships. There are thirty-eight American ships in existence on salt water to-day that have a speed of 16 knots or more. I have the names of the company and the number of ships owned by each company.

Mr. LITTAUER. Thirty-eight ships on salt water?

Mr. FORDNEY. Yes; of 16 knots or more. I will give you the names of the companies and the number of ships. The International Mercantile and Marine Company has six. The New England Navigation Company has four. The Pacific Mail Steamship Company has five. The New York and Cuban Mail Steamship Company has five. The Hudson Navigation Company has two. The Central Railroad Company of New Jersey, one. The Oceanic Steamship Company, five. The Metropolitan Steamship Company, one. The New York and Texas Steamship Company, one. The Merchant and Marine Transportation Company, four. C. H. Mallory & Co., one. The Maine Steamship Company, two. There may be a few of those ships that are not on salt water, but the records of Lloyds gives them there. I took the last and most official statement of it, the insurance company's statement, giving the home office of the company and the name of the ship and the owners, and I say that they would be excluded under the provisions of this bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington.

The question was taken; and the amendment was rejected.

Mr. TOWNSEND and Mr. POLLARD rose.

The CHAIRMAN. For what purpose does the gentleman from Michigan rise?

Mr. TOWNSEND. To offer an amendment.

The CHAIRMAN. For what purpose does the gentleman from Nebraska rise?

Mr. POLLARD. To offer an amendment.

The CHAIRMAN. The Chair will recognize the members of the committee to offer an amendment first.

Mr. FORDNEY. Mr. Chairman, I offer the following amendment, which I send to the desk, and ask to have read.

The Clerk read as follows:

Strike out all after the word "that," in line 13, page 15, and insert the following:

"There shall be enrolled, in such manner and under such requirements as the Secretary of the Navy may prescribe, from the officers and men now and hereafter employed in the merchant marine and fisheries of the United States, including the coastwise trade of the Atlantic and Pacific and the Great Lakes, such officers, petty officers, and men as may be capable of rendering services as members of a naval reserve, for duty in time of war, and who are willing to undertake such service, to be classified in grades and ratings according to their capacity as shown at time of enrollment. No man shall be thus enrolled who is not a citizen of the United States, either by birth or naturalization. These members of the Naval Reserve shall be enrolled for a period of four years, during which period they shall be subject to render service on call of the President in time of war. They shall also possess such qualifications, receive such instructions, and be subject to such regulations as the Secretary of the Navy may prescribe. The Secretary of the Treasury is hereby authorized and directed, upon proper audit by the Auditor for the Navy Department, to pay, out of any money to be annually appropriated therefor upon estimates to be annually submitted to Congress in the Book of Estimates, to each officer, petty officer, or man thus enrolled and employed in the merchant marine or fisheries, including the coastwise trade of the Atlantic and Pacific and the Great Lakes as hereinafter provided, an annual retainer as follows: For each officer of the line or Engineer Corps, having the rank of lieutenant of the Naval Reserve, $110; for each officer of the line or Engineer Corps, having the rank of lieutenant (junior grade) in the Naval Reserve, $90; for each officer of the line or Engineer Corps, having the rank of ensign in the Naval Reserve, $80; for each man with a rating of chief petty officer, $70; for each man with a rating of petty officer, first class, $60; for each man with a rating of petty officer, second class, $48; for each man with a rating of petty officer, third class, $40; for each seaman, first class, $36; for each seaman, second class, $30; for each seaman, third class, $24. Such retainer shall be paid at the end of each year of service on certificate, by the Secretary of the Navy, that the member of the Naval Reserve has satisfactorily complied with the regulations, and on certificate by the Secretary of Commerce and Labor that such member has served satisfactorily for at least six months of the preceding twelve months on vessels of the United States in the merchant marine or in the deep-sea fisheries. The total number of officers, petty officers, and men enrolled in the Naval Reserve shall not at any time exceed 10,000.

"SEC. 2. That in the interest of the national defense and for the performance of the public services hereinafter specified, after July 1, 1907, the Secretary of the Treasury is hereby authorized and directed to pay, subject to the provisions of this act, out of any money in the Treasury, to be annually appropriated therefor, upon estimates to be annually submitted to Congress in the Book of Estimates, to the owner or owners of any steam vessel of over 1,000 gross tons, and of any sail vessel of over 200 gross tons, hereafter built and registered in the United States or now duly registered by a citizen or citizens of the United States (including as such citizens any corporation created under the laws of the United States or any of the States thereof, engaged exclusively as a common carrier for the service of the public, subventions as hereinafter provided—that is to say, (a) the sum of $5 per gross registered ton for each vessel which has been engaged in the foreign trade by sea or the deep-sea fisheries for a period of twelve months, including time necessarily consumed in receiving or discharging cargo, or not to exceed two months in making annual or extraordinary repairs; (b) the sum of $4 per gross registered ton for each vessel which, during any twelve consecutive months has been engaged in the foreign trade, by sea or the deep-sea fisheries for a period of nine months or over, but less than twelve months, including time necessarily consumed in receiving or discharging cargo, or not to exceed one month in making extraordinary repairs; (c) the sum of $2.50 per gross registered ton for each vessel which during any twelve consecutive months has been engaged in the foreign trade by sea or the deep-sea fisheries for a period of six months or over, but less than nine months, including time necessarily consumed in receiving or discharging cargo, or not to exceed one month in making extraordinary repairs.

"A vessel receiving a subvention under this section shall not receive any other subvention, subsidy, or bounty from the Treasury of the United States.

"SEC. 3. That before receiving any subvention under the provisions of section 2 of this act the owner or owners of any vessel shall contract, in writing, with sufficient sureties, with the Secretary of Commerce and Labor to fulfill each and all of the following obligations:

"First. That said vessel may be taken and used by the United States for the national defense or for any public purpose at any time upon payment to the owner or owners of the fair actual value of the same at the time of the taking or a fair rate of hire to be agreed upon. And if there shall be a disagreement as to such fair actual value or fair rate of hire between the United States and the owner or owners of such vessel, the United States is hereby authorized and empowered to take the vessel at once, leaving the fair actual value or fair rate of hire to be determined thereafter by two impartial appraisers, one to be appointed by each of said parties, they to select a third, who shall act in such appraisement in case the two shall fail to agree, and the provisions of this subdivision shall be embodied in every contract between the vessel owner or owners and the United States.

"Second. That said vessel shall carry free of charge the mails of the United States, when the Postmaster-General shall so require, for the whole or any part of a voyage for which subvention shall be claimed.

"Third. That a vessel employed in the foreign trade shall maintain during the period so employed at least class A1 if a steam vessel, and class A1½ if a sail vessel, as such classes are now established by either the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit.

"Fourth. That all ordinary repair or overhauling of said vessel shall be made in the United States, except in cases where dry docking is necessary and no American dry dock of sufficient capacity shall be within a distance of 500 miles of the location of the ship when the repairs shall be needed.

"SEC. 4. That the contracts provided for in section 3 shall be for a period of one year and shall be renewed from time to time. At the expiration of each annual contract the owner of the vessel shall be required to prove to the satisfaction of the Secretary of Commerce and Labor, in such manner as the said Secretary shall prescribe, that its obligations, each and all, have been satisfactorily complied with. The Secretary of Commerce and Labor shall thereupon certify to the Secretary of the Treasury the amount of subvention to which said owner shall be entitled in fulfillment of said contract and of the provisions of this act, and the Secretary of the Treasury upon proper audit shall thereupon pay the subvention due.

"SEC. 5. The subventions provided for in this act shall apply exclusively and be paid to the owner or owners of vessels engaged in foreign trade between ports in the United States and ports in South America.

"SEC. 6. That this act shall take effect on July 1, 1907.

"SEC. 7. That Congress reserves the right to alter, amend, or repeal this act, in whole or in part, whenever in its judgment the public interests shall so require, without, however, impairing in any wise the obligation of any specific contract then in force which shall have been entered into under the provisions of sections 2 and 3 of this act."

During the reading of the amendment the following occurred:

Mr. SHERLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHERLEY. I understand the Clerk is reading section 3 of the bill. We have not yet reached section 2 nor finished with section 1. Do I understand it is in order——

The CHAIRMAN. The Clerk is reading an amendment offered by the gentleman from Michigan

Mr. SHERLEY. But, as I understand, the amendment relates to section 3 of the substitute.

The CHAIRMAN. The Chair understands, if the gentleman from Kentucky will permit, that this proposition covers all propositions in this bill, and that the gentleman from Michigan offers this as an amendment to the first section, giving notice as he will, that if it is adopted he will move to strike out the other sections of the bill as they are reached.

Mr. SHERLEY. I asked in order to understand this did not preclude further amendments to the first section.

Mr. GROSVENOR. Mr. Chairman, I make the point of order against this amendment that it is not germane to the bill under consideration.

The CHAIRMAN. The Chair will hold that if the amendment is germane either to the substitute amendment or to the Senate bill it is in order, and the Chair overrules the point of order, and the Clerk will read.

The Clerk resumed and concluded the reading of the amendment.

Mr. FORDNEY. Mr. Chairman, may I be heard in support of the amendment a few minutes?

The CHAIRMAN. The Chair will recognize the gentleman from Michigan. The Chair states, however, that this amendment will be held pending, and the question will not be put to it until all amendments have been passed upon which are offered to perfect the proposition.

Mr. FORDNEY. Mr. Chairman, the amendment, then, will be in order to be discussed after all other amendments have been passed upon.

The CHAIRMAN. Yes; the Chair will recognize the gentleman.

Mr. SMITH of Iowa. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Iowa offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Page 19, at the end of line 8, insert:
"*Provided*, That subject to the foregoing provision every contract hereunder shall be awarded to that responsible bidder who will contract, under penalties prescribed by the Postmaster-General, for the highest running speed between the points named in this contract."

Mr. SMITH of Iowa. Mr. Chairman, it was suggested upon the floor yesterday that although this bill provides for 16 and 14 knot ships, there is no provision in the bill binding the companies taking these contracts to operate these ships at the speed they are capable of. The object of this amendment is twofold. It is to get the highest possible speed, even if the contract be let for 16 or 14 knot ships, as provided in the bill, and, if possible, to secure bids for even more speedy vessels than those at the same price. It simply applies a rule now in use with reference to the railway mail. Between the city of Chicago and the Missouri River, where I live, there are six trunk lines of railroads. The Government does not offer any price above the regular one for fast mail service over those roads, but it lets the contract for the through mail to that road that will contract to carry it in the shortest time, and this amendment simply provides that, subject to all the foregoing provisions, the contract shall be let to that responsible bidder who will bind himself to give to the Government the highest speed between the points named in the contract.

Mr. GROSVENOR. I will say to the gentleman I am decidedly in favor of this amendment, unless there is a defect about it, which I know the gentleman will understand. Is it so guarded in its language that a contract might be given to a bid that was not the highest rate of speed? May there not be other conditions that would be indispensable to the safe carrying of mail that might be overlooked for the mere question of speed?

Mr. SMITH of Iowa. I think not; because it provides that it must be subject to all of the foregoing provisions. I feel confident the committee has safeguarded the matter in that respect.

Mr. GROSVENOR. The gentleman thinks that would protect it from the mere question of speed alone?

Mr. SMITH of Iowa. I inserted it deliberately with that purpose in mind.

Mr. GROSVENOR. I have not any objection.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Iowa.

Mr. GILL. Mr. Chairman, I desire to be heard on the amendment.

The CHAIRMAN. The Chair desires to recognize a gentleman to speak in opposition to it.

Mr. GILL. No; I desire to speak in favor of it.

The CHAIRMAN. The Chair will recognize some one who desires to speak in opposition to the amendment, if there be such a Member.

Mr. GILL. Mr. Chairman, I ask unanimous consent to have the amendment reported again.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to furnish the House of Representatives, in compliance with its request, a duplicate engrossed copy of the bill (S. 1462) to establish one more fish-cultural station on Puget Sound, State of Washington.

The message also announced that the Senate had passed joint resolution and bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 91. Joint resolution adjusting the status of certain officers of the Army as to their period of service, required by the act of Congress approved June 30, 1882, to entitle an Army officer to retirement on his own application;

S. 8583. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

S. 8584. An act permitting the building of a dam across the Savannah River at Hattons Ford;

S. 8581. An act permitting the building of a dam across the Savannah River at Trotters shoals;

S. 8580. An act granting land to Anna Johnson;

S. 8572. An act permitting the building of a dam across the Savannah River at Andersonville shoals; and

S. 7382. An act to encourage the holding of an Alaska-Yukon-Pacific exposition at the city of Seattle, State of Washington, in the year 1909.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Senate recedes from its amendment No. 25 to the bill (H. R. 23551) making appropriation for the support of the Army for the fiscal year ending June 30, 1908.

Also:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return the bill (S. 6078) entitled "An act granting an increase of pension to Elijah B. Hudson."

SUBSIDY BILL.

The committee resumed its session.

Mr. GILL. Now, Mr. Chairman, I desire, as a part of my remarks and in my time, to have read an amendment which I had prepared and proposed to offer to this section of the bill, covering in part the proposition contained in the amendment now before the committee.

The CHAIRMAN. The amendment will be read for the information of the committee:

The Clerk read as follows:

Amend by striking out all after the figure "10," in line 18, page 15, of the bill, up to and including the word "prescribe," in line 4, page 16, and substituting in lieu thereof the following:
That the Postmaster-General is hereby authorized and directed to advertise for proposals by any citizen or citizens of the United States for the carrying of mails on steamships hereafter built in the United States and registered in the United States, and the Postmaster-General shall contract for the carrying of mails, as hereinafter provided, with the citizen or citizens of the United States who shall offer in his or their bid the most expeditious service at the lowest cost to the Government for the carrying of mails to such ports in foreign countries as are hereinafter set forth; and said contract shall not be made to cover a longer period than five years.

Mr. GILL. Now, Mr. Chairman, I desire to call the attention of the committee to the fact that in this bill as it has been presented to this House by the committee it is absolutely in the hands of the Attorney-General to award the respective contracts provided for in this bill to any citizen or citizens or corporation or corporations that the Postmaster-General may prefer.

Now, I do not desire to say that the Postmaster-General in dealing with this matter will bestow these contracts unfairly, but I do say that the opportunity is open to the Postmaster-General. And I do say—and I am sure it is known to every Member of this House—that importunity will be made to the Postmaster-General to give these contracts to certain existing corporations controlling, at least on the Atlantic coast, all the vessels that we now have engaged in foreign trade, and owning, I may say, almost all the steam vessels engaged in our home trade.

Now, Mr. Chairman, as I say, this bill leaves this matter open

to the Postmaster-General to prefer an individual or to prefer a corporation

The CHAIRMAN. The time of the gentleman has expired.

The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. SMITH].

The question was taken; and the amendment was agreed to.

Mr. BURTON of Ohio and Mr. SULZER rose.

The CHAIRMAN. The Chair will recognize the gentleman from Ohio [Mr. BURTON].

Mr. BURTON of Ohio. Mr. Chairman, I ask unanimous consent that I may proceed for fifteen minutes.

The CHAIRMAN. Is there objection?

Mr. WATSON. I would like to ask my friend whether or not he proposes to talk on the general subject or to confine himself to the amendment proposed by the gentleman from Iowa [Mr. SMITH].

Mr. BURTON of Ohio. I desire to speak upon the general subject of subsidy, a question immediately raised by the amendment offered by the gentleman from Michigan [Mr. FORDNEY] and now pending.

The CHAIRMAN. Is there objection?

Mr. WATSON. I shall not object.

Mr. WILLIAMS. What is the request, Mr. Chairman?

The CHAIRMAN. The request is that the gentleman from Ohio have fifteen minutes. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Ohio [Mr. BURTON] is recognized for fifteen minutes. [Applause.]

Mr. BURTON of Ohio. Mr. Chairman, the idea of subsidy or any bounty or subvention for the support of private enterprise is repugnant to the great majority of our citizens. We are becoming the industrial sovereigns of the earth, and this position is due to our unparalleled advantages and to the force of individual initiative and energy. On the subject of subsidy that great Republican leader, President Garfield, said in some remarks in this House in 1870:

> There is one feature of this bill, the subsidy provision, which is odious to the American people. It is a feature, I think, which no man in the House—certainly no Representative of an inland district—can support and sustain himself before his constituents.

The argument is made to Republicans that such a measure as this is in line with a protective tariff. I deny it. In the first place, there is the essential distinction that while a tariff brings money into the Public Treasury a subsidy pays it out. [Applause.] Then there is a stronger distinction in the very nature of the case. You can build a wall around a country; you can enforce any kind of a domestic policy; you may levy a tariff in figures so great as to be prohibitive, but you can not exercise any such control over all the seas. There competition is unlimited and fitness and cheapness must prevail. We may cite Byron's apostrophe to the ocean:

> Man's control
> Stops with the shore.

So there is no reason why one who favors a protective tariff should favor such a bill as this. Let us note another essential distinction.

Mr. WATSON. Will the gentleman allow me to ask him a question?

Mr. BURTON of Ohio. Certainly.

Mr. WATSON. Is it not a fundamental principle of the protective-tariff system of the United States that our nation should make everything, produce everything that its climate, its soil, its genius, its natural resources, and its capital will enable it to make?

Mr. BURTON of Ohio. No; and I will go right on with that now.

It is conceded that this measure is for the purpose of making up a difference in the cost of construction and operation of ships, which will continue for all time. It may be remarked incidentally that it will not make transportation cheaper. You can not ship a bushel of wheat or a ton of iron for any less under this subsidy bill than you can now. You simply make a new class of ships, manned and owned by Americans, and bring them into the field of competition.

Now, my theory of the American protective tariff is not that it causes us to enter into competition for all time where we will be at a disadvantage. A nation would be, if not bankrupted, greatly hampered by such a policy. What has been the result of our protective tariff? It has created two sources of supply where only one existed before. It has enabled us to develop the capabilities of our people and to enjoy the wealth of all our latent resources. What has followed? In the majority of the items included in our tariff schedules the prices have lowered and employment has been increased. Particularly is this true in the cases of iron and steel. How is it with your shipping? Can American ingenuity make it any easier to climb a rope; can American invention diminish the cost of handling and repairing ships? There is no analogy between these items in a protective tariff and shipping. I want to say that I should not be in favor, and I do not believe this House would be in favor, of continuing a tariff for all time on articles where there is to be a perpetual disadvantage in competition with other countries. True, in our tariff schedules there are items which have been included as a matter of compromise and some a matter of experiment, where the prices are made higher and continue higher than they were before, but not as in the case of shipping.

I desire to say a word just here about a misapprehension that has gone abroad. That is that foreign shipping is built by subventions and subsidies. That is absolutely not correct. What does England pay for? For fast service for mail and for a naval auxiliary. The great body of her commerce is carried by her tramp steamships, and, in the language of one of their owners, these steamships receive no more subsidy or help from the national treasury than the outcast human beings from whom they are named. How about the German shipping? In Germany there are two great lines—the North German Lloyd and the Hamburg-American Line. The North German Lloyd receives a subsidy, the Hamburg-American Line does not; and yet it is the more prosperous and pays the larger dividends of the two. How, in the face of that, can you say that the merchant marine of Germany has been built up by subsidies? And you will find the world over that gain in merchant marine and the ownership of ships is not due to subsidies, but to some collateral fact, such as an increase in wealth or products for sale or in the interest or preferences of the people. One of the witnesses before the British commission said, in respect to the German merchant marine: "I think the interest taken in shipping in Germany, from the Emperor down, has done more to stimulate it to action and success than subsidies. This help is moral rather than material." And so elsewhere success has not been dependent upon subventions.

These do not cause a healthy plant to grow. Our own experience in this country in the matter of subsidies has not been free from failure on the part of those who have taken advantage of them, or free from corruption in the relations between the Government and those who desired them. In dwelling upon reasons why we have not more vessels in the merchant marine of this country, if I had more time I would like to go more into the detail. Some say it is due to our protective tariff because our vessels have no return cargoes. But whatever may be the importance of this cause, it is very small in comparison with certain other disadvantages which exist in the very nature of the case. In the first place, the products of our country are largely raw material, and the outgoing cargoes are much heavier than the incoming. I have prepared some figures on this, and I find that even in the port of New York, the great import harbor of our country, the weight of the outgoing cargoes exceeds by a million tons those which come in.

When we come to Galveston, the weight of the exports is twenty-four times that of the imports. From Savannah, the value of the exports is thirty-five times that of the imports.

I will insert a table comparing tonnage or values at leading ports.

*Tonnage or value of freight entering and clearing at leading ports.*

| | Imports. | Exports. |
|---|---|---|
| New York, year ending June 30, 1906.....tons.. | 4,160,000 | 5,206,000 |
| Boston, calendar year 1905.....do.... | 974,712 | 1,294,815 |
| Philadelphia, calendar year 1905.....do.... | 1,365,245 | 3,267,439 |
| New Orleans, calendar year 1905.....do.... | 633,131 | 2,155,143 |
| Baltimore, year ending June 30, 1906.....value.. | $30,655,000 | $109,801,000 |
| Galveston, year ending June 30, 1906.....tons.. | 57,966 | 1,433,641 |
| Savannah, calendar year 1905.....value.. | $1,706,000 | $62,546,000 |

Now, it is desirable in all kinds of transportation that the freight carried both ways should be as nearly as possible equal; but just so long as conditions are as they now are we shall labor under this disadvantage of inequality in shipments. What would be the result of a subsidy the purpose of which is that some may go under the American flag? Those American ships that did not receive the subsidy would be placed at a disadvantage. The foreign tramp steamer would turn aside in many of its trips from our country and go from England, France, or Germany, not to the United States, but to the Argentine Republic or some other place where it could obtain charters more advantageously.

Then there is another disadvantage of the American merchant

marine. The cargoes are not so varied. The demand is not so great as in western and northwestern Europe, where there is a constant demand, where there are all the routes to the Mediterranean, to the Black Sea, to the Orient, to South America, and to the Cape, as against the more limited routes of commerce in this country. This advantage makes it possible for boats to receive quicker employment.

I desire to say, in regard to a subsidy or any treatment of the American merchant marine, that the question is so complicated with other problems—railroad rates on products to the seaboard for export, port dues, tariff regulations of the different nations, banking facilities, the existence of agencies abroad for the selling of goods, and you may add, as a general term, the preferences and affiliations of the people with whom we are to deal, so that a subsidy alone is not going to restore or build up trade. There must be intelligent and effective treatment of all these other questions. And we should bear in mind the general principle, the possession of commodities for sale precedes shipping, not shipping the possession of commodities for sale. When there is anything to sell, boats can be found to carry it. Why, the gentleman from Michigan [Mr. TOWNSEND] called attention forcibly yesterday to the place where there is trouble in the carrying of freight. It is on land. Is there anyone who has to wait long for a boat to carry his product over the sea? That is not where American commerce is handicapped. It is by the patent insufficiency of our facilities for the carrying of the freight on land between the different portions of our country.

Now, I must in the brief time allotted to me pass by quite a number of things that I should like to mention. What is the real reason for the decadence of our merchant marine? In the first place, the tastes of our people are not in that direction. In Norway, in England, in Germany, generation after generation follow the sea. In this country the son of a sailor wants to study law or go into some profession. The life of a sailor is to most of our people an employment of drudgery and danger. Why is it that investments are not in that direction? Because there is such an infinite variety of opportunities for enterprise on the land which are more attractive and profitable than investments in shipping. We have here this great empire lying before us. When the pioneer shall have spread over all these millions of acres, when every valley shall have been exploited, and factories shall have crowned every hill, American enterprise will turn toward the sea. And it will not wait until then. It will look in that direction long before; but just at present, with higher profits and that which is more congenial and to which our people are more accustomed, there is an absorbing interest in investments upon the land.

The substantial rehabilitation of our merchant marine will come when our investors desire to invest in ships and when our people desire to man them. Some say that is waiting a long time. But must we pay from the Public Treasury an amount to make that business profitable toward which the enterprises of the people and their preferences do not tend? Why, in the old days in Maine and in the coast towns of New England the sea kings sailed all over the globe. Our shipping was upon every sea; but that was before the day of the great inland development of the country, and we are now engaged in that development, a development which is the marvel of the world and will continue to be the marvel of the world more and more in the future.

Let us notice that under all these so-called "subsidy bills" the sailors must, the majority of them, be natives or citizens of the United States. How would we get along in our steel mills if it was provided that the employees should all be natives or citizens of the United States? I have forgotten the exact phraseology of the bill in its requirements.

Mr. MANN. Natives or naturalized.

Mr. BURTON of Ohio. Natives or naturalized. You are nationalizing this industry by this bill. You are putting it under a handicap that other lines of industry would not endure for a year.

There is an argument in favor of the desirability of having a reserve for time of war, but I call your attention to one or two things——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON of Ohio. I thank the House for its courtesy. [Applause.]

Mr. WATSON. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. GROSVENOR] may have fifteen minutes in which to reply to his colleague.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the gentleman from Ohio may proceed for fifteen minutes. Is there objection?

There was no objection.

Mr. GROSVENOR. Mr. Chairman, it is no serious charge against a public man that he has changed front and gone over from the position he has heretofore advocated and become a zealous devotee and promoter of the very sentiments which he fought in years gone by. Mr. Gladstone did that and Calhoun was a protectionist when Webster was a free trader, and Webster was a protectionist when Calhoun became a free trader.

I want to call the attention of the committee now to a condition that happened in the House of Representatives in the Fifty-first Congress. We had on that occasion a postal subsidy bill. I have a copy of it in my hand, and I will put it in my speech. It is identical in principle and nearly identical in every respect with the bill now under consideration.

That postage bill would have worked out precisely the results of this bill, except that this bill is highly conservative in its character, in that this bill limits the Postmaster-General to certain specified postal lines which we put into the bill itself, thereby retaining in Congress the control of the expenditure of the money. That bill was a broad, sweeping authority to the Postmaster-General to make any number of contracts to carry the mail anywhere on earth.

The bill, after its passage in the Senate of the United States, came into the House of Representatives on the 27th of February, in the year 1891. The bill was very bitterly fought on the floor of the House. Party lines were not adhered to in their entirety, and there was a decided division between the radical supporters of the bill and gentlemen who were seeking a modification of its terms and ultimately to cripple and possibly to destroy the bill.

One of the gentlemen who was prominent in opposition to that bill was the now distinguished Speaker of the House of Representatives. He sought to bring about certain changes in the bill, which were at last adopted, and then the present Speaker of the House voted for the bill.

I have not time in fifteen minutes to do more than to state how my distinguished friend from Ohio [Mr. BURTON] and myself stood on that important question at that very important epoch in his career.

I will cite gentlemen of the House who wish to verify my statements to page 3501 of the CONGRESSIONAL RECORD of February, 1891. I have this to say, that attack after attack was made on the bill in the form, first, of amendments of the bill—amendments that were in their nature calculated to impair the efficiency and make a very radical bill less effective and more conservative. The gentleman from Ohio [Mr. BURTON] and myself had great pleasure, as we have now, to be colleagues, and with about the same amount of Congressional experience. We voted side by side with the radical element in favor of the Senate bill without amendment, a complete subsidy bill, as I have stated. We voted for the bill every step of the way, and I cite page after page showing that the yeas and nays were called over and over again, and among the supporters of the bill you will find the name of Mr. GROSVENOR every time except one, which I will directly refer to.

The bill was finally amended on an arrangement—I should say conspiracy—formed by the now Speaker of the House, which, in my judgment, impaired its efficiency, but it did not deteriorate one particle the zeal of the gentleman from Ohio [Mr. BURTON] for the support of it, and when, upon the last issue, a final vote was taken upon the passage of the bill, I refused to vote for it, because of what I believed was damage done to the bill by amendment, but my friend from Ohio, so intent was he in favor of subsidy of mail lines all over this country, everywhere, without restriction in price or anything else, except the price in mileage, that he even voted for the bill and aided in its passage when I couldn't stand it. [Laughter and applause.]

I shall put the bill itself in the RECORD, and the gentleman will find when he puts in a double column for comparison the Senate bill that we had under consideration and the bill which we now have under consideration that this is a bill of marked conservatism as compared with the radicalism of that bill.

The bill finally went to the committee of conference, and then the question, of course, of opposition on concurrence was lost sight of, so far as the RECORD discloses.

Now, I do not do this at all to militate against the distinguished ability and statesmanship of my distinguished colleague. He is a man who when he studies a thing gets to the bottom of it pretty successfully. Certainly no man has ever conquered the troubles of the river and harbor bill as he has since I have been in Congress. [Applause.] But the trouble about it is that somewhere, some place along the line he did not change his position upon details, but seems to have changed his position upon the principles that underlie the whole proposition. And certainly I think he ought to be able to explain to us where it

was, when it was, and how it was. The law of 1891 went into effect. It was a law that had been advocated by Democrats as well as by Republicans. It was a law voted for by Democrats as well as Republicans. It was a law that was administered by Democrats as well as Republicans. It was a law that was not attacked in the Cleveland Administration. In eight years of the service of that distinguished President of the United States no attack was made upon this law, and now what have we here? Every principle of that law is maintained in the bill at bar. Every underlying principle is here, and the only question is—and not anything else involved—shall we extend to certain places the operation of the law now on the statute books, and I wish the gentleman would tell me how it was that he could vote for the radical bill of 1891, but can not support the bill of 1907? [Applause.]

Mr. BURTON of Ohio. May I speak now, Mr. Chairman, for a moment?

The CHAIRMAN. By unanimous consent.

Mr. GROSVENOR. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to speak.

The CHAIRMAN. For how long a time?

Mr. BURTON of Ohio. For five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his colleague may be permitted to speak for five minutes. Is there objection?

There was no objection.

Mr. BURTON of Ohio. Mr. Chairman, my colleague has overlooked the fact that my remarks were addressed to the general principle of subsidy, and were immediately called out and were pertinent here because of the offering of an amendment by the gentleman from Michigan, which provided for a tonnage subsidy. In the next place, it is true that I did vote some sixteen years ago with my colleague for this bill allowing compensation to the mail lines under which mail lines had been created. That law is in force now. But to turn aside from subsidy tonnage provision to the mail provision, which immediately called out my remarks, I would point out the difference between that bill and this. We have a contract here with one of the lines, and it is proposed to cancel that contract—a contract in force until 1912—just as valid a contract as the Government of the United States or any individual could make. What are you proposing to do in this bill? To let the contractees get out of that contract because, forsooth, it is said here that they can not make money on it. [Applause.] That is your bill.

In addition, Mr. Chairman, I have not the greatest respect for that continuity which would make a man vote, act, and think in 1907 as in 1891. [Applause and laughter.] I sincerely hope, however much I may be in error, that I have learned something since then. Consistency is a jewel valuable rather because of its rarity than by reason of its intrinsic value. I have little respect for the man who would vote in some way in 1907 because he voted so in 1891, sixteen years ago. His motto would be, "I think that I thought in 1891," or, "In 1891 I thought that I was thinking." [Laughter and applause.] Well, if you think you were thinking in 1891, why should you not put that same thinking cap on in 1907 and endeavor to arrive at correct conclusions? If the world stands by the men that are consistent alone, I am afraid it will stand by many wrong and unprogressive things. It had better stand by those who look onward, who are progressive, who have no pride of opinion, who, when they realize that they were wrong yesterday or ten or twenty years ago, will to-day change their minds and do something else. [Applause.] To those who have the opposite opinion there should be a monument reared, even while they live, and on it should be carved these words:

"Sacred to the men who were consistent. They always lived lives in which they were consistent.

"They were long on consistency, but short on wisdom." [Laughter and applause.]

Mr. WATSON. Mr. Chairman, in order to ascertain the gentleman's position—and I am entirely sincere about it, because I would really like to know where the gentleman stands on this bill—I will ask him a question, and perhaps involved in that may be two other questions. The gentleman has stated that he had addressed his former remarks to the amendment proposed by the gentleman from Michigan [Mr. FORDNEY], which was a tonnage subsidy proposition. In answer to the question that he did not like the pending measure, he was stating that we were seeking to cancel an existing contract now in operation under its provision. I would like to ask the gentleman whether or not if the oriental lines were stricken out he would be in favor of the South American propositions in this bill?

Mr. BURTON of Ohio. I do not wish to answer those questions until those paragraphs are reached. I regard them as far less objectionable than a tonnage subsidy, and if from the wreck of this bill something can be retained which would do good to the country I would certainly join in voting for it. I would not want to be understood as bringing forward any such proposition, but if it is not a subsidy in disguise, if it is not an entering wedge for subsidy, if it is not virtually to benefit the shipbuilders, if it is intended for legitimate mail service and for improving such communications as are incidental to the mail service, I shall not oppose it. That I will say to the gentleman right now. [Applause.]

Mr. TOWNSEND rose.

The CHAIRMAN. Does the gentleman desire to offer an amendment?

Mr. TOWNSEND. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

Mr. TOWNSEND. Mr. Chairman, I move to strike out, on pages 17 and 18 of the bill, the paragraphs marked fifth and sixth.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Pages 17 and 18, strike out paragraphs fifth and sixth.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

Mr. TOWNSEND. Mr. Chairman, I was on my feet addressing the Chair. I desire to be heard on the amendment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. TOWNSEND. There is not much that I can say more than has been said, but I desire to call attention——

Mr. NEEDHAM. Mr. Chairman, I make the point of order that we have just voted upon this motion.

The CHAIRMAN. The gentleman from Michigan was on his feet desiring recognition, and the Chair will hear him.

Mr. TOWNSEND. Mr. Chairman and gentlemen, this amendment proposes to strike out of the bill the two provisions for the oriental lines. I believe it has already been demonstrated to the committee that these two provisions are the most objectionable ones in the bill. The trouble which gentlemen have had in trying to amend the first paragraph of the bill indicates some of the difficulties that they themselves encounter. The reason why I do not object so much to the provision as to the South American lines, as amended by the gentleman from Iowa, is because we have had recently called to our attention by the Secretary of State reasons why such a provision might bring some benefit to the country. But there are others. I realize that our policy known as the "Monroe doctrine," which imposes upon us the practical duty of preserving the integrity, so far as foreign interposition is concerned, of the states of South America perhaps will be somewhat aided by a closer communication if it can be brought about in this way between the United States and South American countries. We are building the Panama Canal. We are close to South America at the present time. Furthermore, I believe that it is well now for us to go slowly in this matter of subsidies, because calling them by any other name does not change the situation, and the gentlemen of this House while arguing for a purely mail subsidy are insisting that the principal object is that of trade and that is to be accomplished through this method called a mail subsidy or subvention.

Now, Mr. Chairman, it seems to me that by bringing this amendment up at this time we can get directly at the very meat of the matter and determine whether those who favor any kind of a subsidy are of a sufficient number to pass any bill at all. Therefore, Mr. Chairman, I have brought this amendment up at this time, thinking that we can possibly adopt the provisions relative to the Pacific and Atlantic lines in connection with South America and eliminate the question which prevents so many of us from supporting the bill as a whole.

Mr. SMITH of Iowa. Mr. Chairman, personally I favor the striking out of the fifth paragraph and oppose the striking out of the sixth. I therefore demand a division of the question and a submission of the motion to strike out separately as to the two paragraphs.

The CHAIRMAN. The question will be divided.

Mr. TOWNSEND. Mr. Chairman, may I ask unanimous consent to include in my amendment paragraph 7 also? I had intended to strike out all of the oriental lines, and supposed that I had done so.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to modify his amendment so as to include paragraph 7.

Mr. KAHN. I object.

Mr. PAYNE. I hope that will not be objected to, because we can have a vote on each one——

Mr. KAHN. But we want to discuss them separately.

Mr. PARKER. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PARKER. I desire to know if the gentleman desires to strike out all of paragraph 7 down to the end of the section, or only that part down to the proviso?

The CHAIRMAN. That is not a parliamentary inquiry, and the Chair can not answer that.

Mr. PARKER. Then I will ask the gentleman.

Mr. STEVENS of Minnesota rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. STEVENS of Minnesota. I desire to oppose the amendment offered by the gentleman from Michigan.

The CHAIRMAN. The Chair will recognize the gentleman to oppose the amendment.

Mr. STEVENS of Minnesota. Mr. Chairman, I think this committee ought to realize what is or ought to be the condition if the amendment of the gentleman from Michigan should prevail. If this bill should pass with that amendment striking out the trans-Pacific lines, there will yet be left in the bill two lines from the Atlantic to the eastern coast of South America and two lines from the Gulf to the north and east coast of South America and one line along the western coast of South America. I know that it is the purpose of the amendment and of many Members upon this floor to provide two lines to South America alone, but in so doing we ought to realize exactly what will be accomplished. The reason for the passage of any bill upon this subject would be, as has been often said on this floor, to extend our lines of foreign communications under our own flag, to extend our own foreign trade, to extend our political influence, and to provide for the national defense by sea.

With these important propositions in mind I think this committee and the House ought to compare conditions as to these matters which would prevail under such a bill confined alone to South America with conditions prevailing upon the Pacific Ocean. First, as to the means of communication between the Atlantic ports and the east coast of South America. I hold here in my hand a list of vessels plying during the last year between the port of New York alone and the east coast of South America. There were more than 170 trips made in eleven months of last year. They are clipped from the issue of Thursday, December 6, 1906, of the New York Journal of Commerce and Commercial Bulletin:

NO LACK OF VESSELS FOR SOUTH AMERICA—RECORD SHOWS SAILINGS OF MORE THAN FOUR PER WEEK—THESE FIGURES ARE FOR THE EAST COAST OF SOUTH AMERICA ONLY—THE TONNAGE OF VESSELS EMPLOYED AVERAGES ABOUT 4,500 TONS AND RUNS AS HIGH AS 10,000 TONS—ABOUT 170 SAILINGS SHOWN IN ELEVEN MONTHS.

Since the revival of the subsidy agitation at Washington one of the favorite arguments in its support has been that of insufficient sailing opportunities. To show the facts of the case, a complete list of sailings from the port of New York to Brazilian and River Plate ports has been prepared by the Maritime Association of this city. The list is appended below and suggests no lack of tonnage. It gives the date of sailing, the name of the vessel, the destination, and the agent of each vessel sailing between January 1 and November 30, 1906. It also shows that during the eleven months there have been 170 sailings between the ports in question, or at the rate of about four per week. The tonnage of these ships averages 4,500 tons, and in some instances is as high as 10,000 tons.

This list of sailings covers the bulk of our traffic with ports on the east coast of South America. It does not, however, include the whole trade, but only, as above said, the Brazilian and River Plate ports. There are also a number of additional sailings to the east coast of South America from the Gulf ports, Baltimore, Philadelphia, and Boston not given in this list. The following is the list in detail:

JANUARY.

3. *Sierra Blanca* (Br.), Montevideo, Buenos Ayres, etc.—Barber.
4. *Soldier Prince* (Br.), Montevideo, Buenos Ayres, etc.—Seager.
4. *Byron* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
6. *Wotan* (Ger.), Pernambuco, Santos, etc.—Funch, Edye & Co.
8. *Fortuna* (Nor.), Pernambuco, Santos, etc.—Funch, Edye & Co.
9. *Whitgift* (Br.), Montevideo, Buenos Ayres, etc.—H. Houlder & R.
9. *Silvia* (Br.), Buenos Ayres, Rosario, etc.—Barber.
10. *Amazonense* (Br.), Para and Manaos—Booth.
23. *Homer* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
24. *Hostilius* (Br.), Montevideo and Buenos Ayres—R. P. Houston.
26. *Cearense* (Br.), Para, etc.—Booth & Co.
27. *Merchant Prince* (Br.), Montevideo, Buenos Ayres, etc.—Seager.
30. *Hempstead* (Br.), Buenos Ayres, Rosario, etc.—Barber.
30. *Etona* (Br.), Montevideo and Buenos Ayres—H. F. Norton.

FEBRUARY.

2. *Phoenix* (Br.), Pernambuco, Rio Janeiro, etc.—Busk & Jevons.
2. *Skuld* (Nor.), Pernambuco, Santos, etc.—Tweedie Trading Company.
3. *Tennyson* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
4. *Grangense* (Br.), Para, Maranham, etc.—Booth & Co.
7. *Tymeric* (Br.), Montevideo, Buenos Ayres, etc.—H. Houlder & R.
8. *Sycracusa* (Ger.), Pernambuco, Santos, etc.—Funch, Edye & Co.
14. *Ripley* (Br.), Montevideo, Buenos Ayres, etc.—Norton & Son.
14. *Moorish Prince* (Br.), Rio Janeiro—Seager.
16. *Honorius* (Br.), Buenos Ayres and Rosario—Niebrugge & Day.
21. *Pilar de Larrinaga* (Br.), Montevideo, Buenos Ayres, etc.—Barber.
23. *Grecian Prince* (Br.), Maceio and Santos—Seager.
24. *Maranhense* (Br.), Para and Manaos—Booth & Co.
26. *Queen Olga* (Br.), Montevideo, Buenos Ayres, etc.—H. Houlder & R.
27. *Seigmund* (Sw.), Pernambuco, Rio Janeiro, etc.—Funch Edye.
28. *Milton* (Br.), Montevideo and Rosario—Busk & Jevons.
28. *Melderskin* (Br.), Montevideo, Buenos Ayres, etc.—Tweedie Trading Company.

MARCH.

2. *Italian Prince* (Br.), Montevideo, Buenos Ayres, etc.—Seager.
3. *Byron* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
5. *Cametense* (Br.), Para, Maranham, etc.—Booth & Co.
8. *St. Quentin* (Br.), Montevideo, Buenos Ayres, etc.—Barber.
10. *Rygja* (Nor.), Rio Janeiro via Norfolk—Tweedie Trading Co.
12. *Hellenes* (Br.), Buenos Ayres and Rosario—Houston.
13. *Taurus* (Nor.), Buenos Ayres—Bowring & Co.
14. *Castillian Prince* (Br.), Rio Janeiro, Santos, etc.—Seager.
16. *Polycarp* (Br.), Para and Manaos—Booth & Co.
17. *Domingo de Larrinaga* (Br.), Montevideo, Buenos Ayres, etc.—Barber.
23. *Eastern Prince* (Br.), Pernambuco, Santos, etc.—Seager.
27. *Sark* (Nor.), Montevideo, Buenos Ayres, etc.—Barber.
28. *Fluminense* (Br.), Para, Manaos, etc.—Booth & Co.
28. *Sieglinde* (Ger.), Pernambuco, Rio Janeiro, etc.—Funch Edye.
31. *Yoruba* (Br.), Rio Janeiro via Savannah—Seager.

APRIL.

4. *Tennyson* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
6. *Carondal* (Br.), Buenos Ayres, Rosario, etc.—Norton.
10. *Dunstan* (Br.), Para, etc.—Booth & Co.
13. *Casilda* (Br.), Buenos Ayres—Norton & Son.
17. *Jacob Bright* (Br.), Pernambuco, Rio de Janeiro, etc.—Funch Edye.
21. *Mercedes de Larrinaga* (Br.), Montevideo, Buenos Ayres, etc.—Barber.
25. *Woodford* (Br.), Pernambuco, Maceio, etc.—Tweedie Trading Company.
25. *Maranhense* (Br.), Barbados, Para, etc.—Booth & Co.
26. *Crown Prince* (Br.), Montevideo, Buenos Ayres, etc.—Seager.
26. *Hilarius* (Br.), Buenos Ayres and Rosario—Houston.
30. *Moorish Prince* (Br), Rio de Janeiro and Santos—Seager.

MAY.

2. *Byron* (Br.), Pernambuco, Bahia, etc.—Booth & Co.
4. *Hornby Castle* (Br.), Montevideo, La Plata, etc.—Barber.
5. *Equita* (Ital.), Buenos Ayres and Rosario—Corner Brothers.
7. *Gregory* (Br.), Para, Maranham, etc.—Booth & Co.
9. *Grecian Prince* (Br.), Montevideo, Buenos Ayres, etc.—Seager.
11. *Beatrice* (Br.), Montevideo, Buenos Ayres, etc.—Norton.
14. *Norman Prince* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
15. *Canova* (Belg.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
15. *Dominic* (Br.), Para and Manaos—Booth & Co.
15. *Avonmore* (Br.), La Plata and Rosario via Newport News—Barber.
16. *Gutrune* (Ger.), Pernambuco via Fernandino—Funch Edye.
17. *Otto Sverdrup* (Nor.), Montevideo, Buenos Ayres, etc.—Tweedie Trading Company.
18. *Linda* (Br.), Montevideo, Rosario, etc.—J. H. Winchester.
21. *St. Hugo* (Br.), Buenos Ayres and Rosario—Barber.
26. *Cearense* (Br.), Para and Manaos—Booth & Co.
26. *Siegmund* (Ger.), Rio de Janeiro, etc.—Funch Edye.

JUNE.

2. *Soldier Prince* (Br.), Pernambuco, Rio de Janeiro, etc.—Seager.
4. *Arabistan* (Br.), Montevideo, Buenos Ayres, etc.—Norton.
4. *Tennyson* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
5. *Horace* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
5. *Hubert* (Br.), Para, Maranham, etc.—Booth & Co.
9. *Hortensius* (Br.), Montevideo, Buenos Ayres, etc.—Houston.
9. *Croydon* (Br.), Montevideo, etc.—H. Houlder & Rowat.
11. *Miguel de Larrinaga* (Br.), Buenos Ayres—Barber.
12. *Etona* (Br.), Montevideo—Norton & Son.
15. *Bernard* (Br.), Para and Manaos—Booth & Co.
15. *Eastern Prince* (Br.), Rio de Janeiro and Santos—Seager.
19. *Gunther* (Ger.), Pernambuco, Santos, etc.—Funch Edye.
21. *Hostilius* (Br.), Montevideo, Buenos Ayres, etc.—R. P. Houston.
21. *Pilar de Larrinaga* (Br.), Montevideo, etc.—Barber.
23. *Merchant Prince* (Br.), Montevideo, etc.—Seager.
25. *Minerva* (Nor.), Pernambuco, Bolivia, etc., via Savannah—Tweedie Trading Company.
25. *Maranhense* (Br.), Para and Manaos—Booth & Co.
30. *Byron* (Br.), Pernambuco and Bahia—Busk & Jevons.

JULY.

2. *Whitgift* (Br.), Montevideo, Rosario, etc.—H. Houlder & Rowat.
3. *Castillian Prince* (Br.), Rio Janeiro, etc., via Savannah—Seager.
5. *Grangense* (Br.), Barbados, Para, etc.—Booth & Co.
10. *Sallust* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
10. *Asuncion de Larrinaga* (Br.), Montevideo, Buenos Ayres, etc.—Barber.
10. *Italian Prince* (Br.), Buenos Ayres and Montevideo, etc.—Busk & Jevons.
11. *Sieglinde* (Ger.), Pernambuco, Rio Janeiro, etc.—Funch Edye.
14. *Horatio* (Br.), Para and Manaos—Booth & Co.
18. *Spartan Prince* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
19. *St. Irene* (Br.), La Plata, Buenos Ayres, etc.—Barber.
20. *Ripley* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
21. *Horatius* (Br.), Buenos Ayres—R. P. Houston.
25. *Cearense* (Br.), Para, Manaos, etc.—Booth & Co.

AUGUST.

1. *Tennyson* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
2. *Queen Eleanor* (Br.), Pernambuco, Rio Janeiro, etc., via Savannah—Tweedie Trading Company.
3. *Coniston* (Br.), La Plata and Rosario—Barber.
3. *Coronda* (Br.), Montevideo, Rosario, etc.—Norton.
4. *Siegimunde* (Br.), Pernambuco, etc.—Funch Edye.

4. *Cametense* (Br.), Para, Maranham, etc.—Booth & Co.
10. *Cavour* (Br.), Montevideo and Buenos Ayres—Busk & Jevons.
11. *Grecian Prince* (Br.), Maceio and Santos—Busk & Jevons.
13. *Mercedes de Larrinaga* (Br.), La Plata via Norfolk—Barber.
14. *Benedict* (Br.), Para and Manaos—Booth & Co.
17. *Tronto* (Br.), Montevideo, Buenos Ayres, etc., via Norfolk—Norton.
17. *Soldier Prince* (Br.), Pernambuco, Rio Janeiro, etc., via Savannah—Busk & Jevons.
18. *Gutrune* (Ger.), Pernambuco, Bahia, etc.—Funch Edye.
20. *St. Quentin* (Br.), Montevideo, Buenos Ayres, etc.—Barber.
24. *Maranhense* (Br.), Para and Manaos—Booth & Co.
24. *Welsh Prince* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
27. *Sandhurst* (Br.), Montevideo, Buenos Ayres, etc.—Tweedie Trading Company.

SEPTEMBER.

4. *Byron* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
5. *Fluminense* (Br.), Para, Maranham, etc.—Booth & Co.
7. *Hilarius* (Br.), Buenos Ayres—R. P. Houston.
7. *Taurus* (Nor.), Montevideo, La Plata, etc.—Bowring & Co.
10. *Gunther* (Ger.), Pernambuco, Rio Janeiro, etc.—Funch, Edye & Co.
12. *Raume* (Nor.), Montevideo, Buenos Ayres, etc.—Barber.
14. *Amazonense* (Br.), Para and Manaos—Booth & Co.
14. *Eastern Prince* (Br.), Pernambuco, Rio Janeiro, etc.—Busk & Jevons.
18. *Christian Bors* (Nor.), Montevideo, Buenos Ayres, etc.—Barber.
18. *Casilda* (Br.), Montevideo, Buenos Ayres, etc.—Nordon.
19. *Strathairly* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
25. *Cearense* (Br.), Para, etc.—Booth & Co.
26. *Otto Sverdrup* (Nor.), Montevideo, La Plata, etc.—Tweedie Trading Company.
27. *Spartan Prince* (Br.), Bahia, Rio Janeiro, etc.—Busk & Jevons.
29. *Hornby Castle* (Br.), Montevideo, La Plata, etc.—Barber.

OCTOBER.

1. *Queen Louise* (Br.), Montevideo and Buenos Ayres—H. Houlder & Rowat.
2. *Goyas* (Braz.), Para, Maranham, etc.—J. C. Seager.
3. *Tennyson* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
4. *Etona* (Br.), Montevideo, Buenos Ayres, and Rosario—Norton.
5. *African Prince* (Br.), Montevideo and Buenos Ayres—Busk & Jevons.
5. *Hildebrand* (Br.), Para, Maranham, etc.—Booth & Co.
6. *Croydon* (Br.), Montevideo, etc.—H. Houlder & Rowat.
10. *Sieglinde* (Ger.), Pernambuco and Bahia—Funch, Edye & Co.
10. *Castillian Prince* (Br.), Rio Janeiro and Santos—Busk & Jevons.
12. *Balaclava* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
15. *Basil* (Br.), Para and Manaos—Booth & Co.
16. *Woodfield* (Br.), Montevideo and La Plata—Tweedie Trading Company.
17. *Canova* (Belg.), Montevideo, Rosario, etc.—Busk & Jevons.
20. *Indiana* (Br.), Pernambuco, etc., via Norfolk—Tweedie Trading Company.
24. *Inchmaree* (Br.), Montevideo, La Plata, etc.—Barber.
24. *Pecine* (Aus.), Montevideo and Rosario via Norfolk—Barber.
25. *Maranhense* (Br.), Para and Manaos—Booth & Co.
29. *Vimeira* (Br.), Pernambuco, Bahia, Santos, etc.—Seager.
29. *Phidias* (Br.), Pernambuco, Rio Janeiro, etc.—Busk & Jevons.
30. *Seigmund* (Ger.), Pernambuco, Bahia, etc.—Funch, Edye & Co.
31. *Volga* (Br.), Montevideo, La Plata, etc.—J. H. Winchester.

NOVEMBER.

3. *Hortensius* (Br.), Buenos Ayres, Rosario, etc.—R. P. Houston & Co.
3. *Whitgift* (Br.), Montevideo, Buenos Ayres, etc.—H. Houlder & Rowat.
3. *Byron* (Br.), Pernambuco, Bahia, etc.—Busk & Jevons.
5. *Hubert* (Br.), Para, Maranham, etc.—Booth & Co.
12. *Grecian Prince* (Br.), Pernambuco, Rio Grande do Sul, etc.—Busk & Jevons.
14. *Dominic* (Br.), Para and Manaos—Booth & Co.
15. *Homer* (Br.), Rio Janeiro and Santos—Busk & Jevons.
17. *Sergipe* (Br.), Para, Maranham, etc.—Seager.
19. *Gutrune* (Ger.), Pernambuco, Rio Janeiro, etc., via Boston—Funch, Edye & Co.
22. *Cavour* (Br.), Montevideo, Buenos Ayres, etc.—Busk & Jevons.
22. *Myrtledene* (Br.), Bahia, Rio Janeiro, etc.—Seager.
23. *Athalie* (Nor.), Buenos Ayres and Rosario—Barber.
24. *Arabistan* (Br.), Montevideo, Buenos Ayres, etc.—Norton.
24. *Cearense* (Br.), Para and Manaos—Booth & Co.
30. *Honorius* (Br.), Montevideo, Buenos Ayres, etc.—R. P. Houston & Co.

I hold here a sheet which I received this morning from the Post-Office Department, giving an official list of the sailings of steamers carrying United States mail during this month of March, 1907, from New York to the east coast of South America, and I insert the portion containing this information in the RECORD.

| Date of sailing. | Sailing days. | Name of steamer. | Name of line. | Ports of destination and intermediate ports of call. | Hour of closing mails at post-office at port of departure. | | Mails to be conveyed. |
|---|---|---|---|---|---|---|---|
| | | | | | *a. m.* | *p. m.* | |
| 1907. | | | | | | | |
| Mar. 2 | Saturday | Etona | Norton | Montevideo, Buenos Ayres, and Rosario. | 9.00 | ..... | Mails for the Argentine Republic, Uruguay, and Paraguay. |
| Mar. 5 | Tuesday | Tennyson | Lamport & Holt | Bahia, Rio de Janeiro, and Santos. | 8.30 | ..... | Mails for Brazil direct, and for the Argentine Republic, Uruguay, and Paraguay, via Brazil. |
| Mar. 5 | Tuesday | Fluminense | Booth | Barbados, Para, Maranham, and Ceara. | Noon. | ..... | Mails for Barbados direct, and for the northern ports of Brazil. |
| Mar. 9 | Saturday | ..... | Barber | Montevideo and Buenos Ayres. | Noon. | ..... | Mails for the Argentine Republic, Uruguay, and Paraguay. |
| Mar. 12 | Tuesday | Talisman | Demerara | Guadeloupe, Martinique, Barbados, and Georgetown. | Noon. | ..... | Mails for Guadeloupe, Martinique, and Barbados; and for British, Dutch, and French Guiana, via Georgetown. |
| Mar. 15 | Friday | Cuthbert | Booth | Barbados, Para, and Manaos. | Noon. | ..... | Mails for Barbados direct; and for the northern ports of Brazil. |
| Mar. 19 | Tuesday | Spartan Prince | Prince | Bahia, Rio de Janeiro, and Santos. | Noon. | ..... | Mails for Brazil direct; and for the Argentine Republic, Uruguay, and Paraguay, via Brazil. |
| Mar. 23 | Saturday | ..... | Barber | Montevideo, and Buenos Ayres. | Noon. | ..... | Mails for the Argentine Republic, Uruguay, and Paraguay. |
| Mar. 25 | Monday | Maranhense | Booth | Barbados, Para, and Manaos. | Noon. | ..... | Mails for Barbados direct; and for the northern ports of Brazil. |
| Mar. 26 | Tuesday | Gunther | Sloman | Pernambuco, Rio de Janerio, and Santos. | Noon. | ..... | Mails for Brazil direct; and for the Argentine Republic, Uruguay, and Paraguay, via Brazil. |
| Mar. 26 | Tuesday | Uller | Demerara | St. Kitts and Georgetown | Noon. | ..... | Mails for St. Kitts; for Nevis, St. Eustatius, and St. Martins, via St. Kitts; and for British, Dutch, and French Guiana, via Georgetown. |

According to this statement, for the month of March there will be seven regular mails from New York to Brazil and Buenos Ayres, while the pending bill provides for only four during a similar period. There will be seven regular mails from New York—three to Rio Janeiro, four to Buenos Ayres and Montevideo—and the three to Brazil also carry mail to Argentina.

So that there is right now under the present law, paid for out of the postal revenues, seven sailings in March—nearly twice as many lines as provided by this bill, carrying mail to the identical places to be provided for by this bill.

Mr. POLLARD. May I ask the gentleman a question?

Mr. STEVENS of Minnesota. Certainly.

Mr. POLLARD. I understood the gentleman to say that there are seven lines of vessels running to South America?

Mr. STEVENS of Minnesota. The gentleman misunderstood me. I did not say any such thing. I said that the sheet from the Post-Office Department shows that there will be seven sailings for the month of March, carrying mails by recognized lines to the various ports of South America provided by the paragraphs of this bill. That is what I said.

Mr. McCALL. May I ask the gentleman what time a letter would take in reaching Rio Janeiro in one of those ships?

Mr. STEVENS of Minnesota. It will be probably two to three weeks.

Mr. McCALL. I have a letter from the Assistant Postmaster-General in which he states that the average time at present is about twenty-five days from New York to Rio Janeiro. It would require about nine or ten days by the ships provided in this bill.

Mr. STEVENS of Minnesota. Now, Mr. Chairman, this may interest the gentlemen. Here is the schedule of the Royal Mail Steamship Company, of Great Britain, receiving the postal subsidies of Great Britain, for mail service to Brazil and Argentina, and, if I remember correctly, receiving about the same amount which is proposed by this bill to pay for the schedule to Argentina or the schedule to Brazil, while the British line provides both services. That schedule will be inserted in the RECORD, and shows a sailing about every five days from Southampton to the east coast of South America. There are eight or ten steamships of 5,000 to 10,000 tons, so that they will be about the same size, and their schedule time is twenty-two days from Southampton to Buenos Ayres.

*The Royal Mail Steam Packet Company time-table, Brazil and River Plata route, Southampton to Buenos Ayres.*

| | Nile. | Aragon. | Araguaya. | Danube. | Amazon. | Thames. | Clyde. | Nile. | Aragon. | Araguaya. | Danube. | Amazon. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Southampton and Cherbourg | Jan. 25 | Feb. 8 | Feb. 22 | Mar. 1 | Mar. 8 | Mar. 15 | Mar. 22 | Mar. 29 | Apr. 5 | Apr. 19 | Apr. 26 | May 3 |
| Corunna | ..... | ..... | ..... | Mar. 3 | ..... | Mar. 17 | ..... | Mar. 31 | ..... | ..... | Apr. 28 | ..... |
| Vigo | Jan. 27 | Feb. 10 | Feb. 24 | ....do... | Mar. 10 | ....do... | Mar. 24 | ....do... | Apr. 7 | Apr. 21 | ....do... | May 5 |
| Leixoes | ..... | ..... | ..... | Mar. 4 | ..... | Mar. 18 | ..... | Apr. 1 | ..... | ..... | Apr. 29 | ..... |
| Lisbon | Jan. 28 | Feb. 11 | Feb. 25 | Mar. 5 | Mar. 11 | Mar. 19 | Mar. 25 | Apr. 2 | Apr. 8 | Apr. 22 | Apr. 30 | May 6 |
| Madeira | Jan. 30 | Feb. 13 | Feb. 27 | ..... | Mar. 13 | ..... | Mar. 27 | ..... | Apr. 10 | Apr. 24 | ..... | May 8 |
| St. Vincent | Feb. 2 | ..... | ..... | Mar. 10 | ..... | Mar. 24 | Mar. 30 | Apr. 7 | ..... | ..... | May 5 | ..... |
| Pernambuco | Feb. 7 | Feb. 21 | Mar. 7 | Mar. 15 | Mar. 21 | Mar. 29 | Apr. 4 | Apr. 12 | Apr. 18 | May 2 | May 10 | May 16 |
| Bahia | Feb. 8 | Feb. 22 | Mar. 8 | Mar. 16 | Mar. 22 | Mar. 30 | Apr. 5 | Apr. 13 | Apr. 19 | May 3 | May 11 | May 17 |
| Rio de Janeiro | Feb. 11 | Feb. 25 | Mar. 11 | Mar. 19 | Mar. 25 | Apr. 2 | Apr. 8 | Apr. 16 | Apr. 22 | May 6 | May 14 | May 20 |
| Santos | Feb. 12 | Feb. 26 | Mar. 12 | Mar. 20 | Mar. 26 | Apr. 3 | Apr. 9 | Apr. 17 | Apr. 23 | May 7 | May 15 | May 21 |
| Montevideo | Feb. 15 | Mar. 1 | Mar. 15 | Mar. 23 | Mar. 29 | Apr. 6 | Apr. 12 | Apr. 20 | Apr. 26 | May 10 | May 18 | May 24 |
| Buenos Aires | Feb. 16 | Mar. 2 | Mar. 16 | Mar. 24 | Mar. 30 | Apr. 7 | Apr. 13 | Apr. 21 | Apr. 27 | May 11 | May 19 | May 25 |

I have a statement here of the Hamburg-American Line, showing four different routes from Hamburg to Brazil and Argentina for about the same price that we pay by this bill for two to the east coast of South America. It is important right here to remember what this bill really will accomplish.

There will start from New York two steamers running over the identical route for nearly 5,000 miles to Rio de Janeiro, both getting mail subsidies for all of this distance; but one must then stop at Rio de Janeiro and the other must proceed about 800 miles farther to Buenos Ayres. The one steamer to either port is not allowed by the following provision of this bill to do any mail business with the other port:

*Provided*, That a vessel receiving compensation for mail service pursuant to contract on a voyage on this route shall not also receive compensation for mail service pursuant to contract on said voyage on the first route as described above.

This is wasteful and extravagant, and the members of this committee who are insisting that the Pacific lines must be stricken out must have difficulty in reconciling themselves to paying for duplicate service for more than four-fifths of the entire distance from New York without relative benefit to the United States. The above schedules show such waste is not permitted by the British or the German governments. They get full value for their payments, while here the service is almost duplicated, and in no other line now running on the ocean would such a condition be tolerated. Yet some gentlemen are willing to swallow this extravagance but cut out the Pacific lines.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENS of Minnesota. Mr. Chairman, I ask unanimous consent for five minutes more in order to compare the Pacific conditions.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEVENS of Minnesota. Now, Mr. Chairman, I would like to show further some of the conditions on the east coast which should be understood by the gentlemen before they vote, but it will not be possible on account of time. Let us consider the conditions on the Pacific coast. From Seattle there will be only six sailings next month. Five of them are by foreign lines and only one by an American line. I insert the schedule in the RECORD.

*Schedule of steamers from Seattle and Tacoma to Honolulu, Chinese and Japanese ports.*

| Date of sailing. | Sailing days. | Name of steamer. | Name of line. | Port of destination and intermediate ports of call. | Hour of closing mails at post-office at port of departure. | | Mails to be conveyed. |
|---|---|---|---|---|---|---|---|
| | | | | FROM SEATTLE, WASH. | | | |
| 1907. | | | | | *a. m.* | *p. m.* | |
| Mar. 1 | Friday | Moana | Canadian Line | Honolulu, Suva, Brisbane, and Sydney. | 7.00 | ..... | Mails for Fiji Islands and Australia, except the colony of West Australia. |
| Mar. 5 | Tuesday | Tango Maru | Nippon Yusen Kaisha. | Yokohama and Kobe | 1.00 | ..... | Mails for Japan, Korea, Shanghai, Hongkong, and dependent Chinese ports; also specially addressed correspondence for the East Indies, including British India, Straits Settlements, Siam, Cochin China, and Dutch East Indies. |
| Mar. 17 | Sunday | Dakota | Great Northern Steamship Co. | Yokohama, Kobe, Nagasaki, Shanghai, and Hongkong. | 1.00 | ..... | Mails for Japan, Korea, Shanghai, Hongkong, and dependent Chinese ports, and for the Philippine Islands; also specially addressed correspondence for the East Indies, including British India, Straits Settlements, Siam Cochin China, and Dutch East Indies. |
| Mar. 18 | Monday | Empress of China. | Canadian Line | .....do..... | 7.00 | ..... | Same as per steamer Dakota, February 17. |
| Mar. 19 | Tuesday | Aki Maru | Nippon Yusen Kaisha. | Yokohama, Kobe, Moji, Shanghai, and Hongkong. | 1.00 | ..... | Do. |
| Mar. 22 | Friday | Lyra | Boston Tow Boat Co. | Yokohama, Kobe, Moji, Manila, and Hongkong. | 1.00 | ..... | Do. |
| | | | | FROM TACOMA, WASH. | | | |
| Mar. 20 | Wednesday | Tydeus | Ocean Steamship Co. | Yokohama, Kobe, Shanghai, and Hongkong. | 12.05 | ..... | Specially addressed correspondence for and via Japan and China. |

Remember further, that this House has already provided so that the Pacific Mail Line, or the Harriman lines, and the Great Northern Steamship Company, or the Hill line, can not take advantage of anything under this act by excluding existing ships. This is not the kind of a policy to encourage an enterprising and adventurous concern to embark in the shipping business, and it would seem to discriminate against those who have borne the burden of sustaining American commerce and favor the laggards who only wait for your bounty. But the House has so decided and so it stands. On the other side of the Pacific Ocean there are five to ten times the population that there is or can be for generations in South America, and their trade is many fold larger and more important and for generations, so far as we can see, will vastly exceed anything which can be expected from South America. Our exports to the Oriental and Australian ports are more than twice what they are to the South American ports, and there are five times greater opportunities to extend our trade on the Pacific than there are in South America. Last year we exported to South America, to the ports reached on its eastern coast by the lines provided by this bill, about $65,000,000; to the ports reached by the Pacific lines stricken from this bill more than $135,000,000. The products of the section which I in part represent and the gentleman from Michigan [Mr. TOWNSEND] in part represents do not go to South America. They go either to the Atlantic or to the Pacific. So that if it be the desire of Members of this House by the enactment of this measure to extend our foreign trade, if the products of our factories and fields are to bring the prices we want and need them to bring in order to maintain our standard of living, it must be more by the extension of the Pacific trade and not by depending upon the trade to South America. I herein insert a table showing our exports during the fiscal year ending June 30, 1906, of various articles to the South American countries reached by this bill, as compared with the Asiatic countries whose lines are stricken from it.

*Total imports and exports to South America of domestic and foreign merchandise from the United States for the fiscal year ending June 30, 1906.*

| Country. | Twelve months ending June. | |
|---|---|---|
| | Imports, 1906. | Exports, 1906. |
| SOUTH AMERICA. | | |
| Argentina | $18,379,063 | $23,672,359 |
| Bolivia | | 146,798 |
| Brazil | 80,416,524 | 14,530,471 |
| Chile | 16,945,476 | 8,667,227 |
| Ecuador | 2,632,206 | 2,009,861 |
| Paraguay | 750 | 51,917 |
| Peru | 2,454,706 | 4,833,307 |
| Uruguay | 2,711,807 | 2,905,573 |
| Total South America | 123,239,543 | 65,818,513 |
| ASIA. | | |
| Chinese Empire | 28,531,207 | 43,774,375 |
| China: | | |
| British | 7,109 | 307 |
| French | 7,771 | 228,743 |
| German | 21,548 | |
| Russian | | 21,512 |
| East Indies: | | |
| British India | 46,763,975 | 6,197,089 |
| Straits Settlements | 17,171,899 | 1,024,311 |
| Other British | 3,240,965 | 233,302 |
| Total British East Indies | 67,176,839 | 7,454,702 |
| Dutch | 20,575,521 | 1,766,159 |
| French | 12,073 | 8,672 |
| Portuguese | | 420 |
| Hongkong | 1,829,040 | 7,034,907 |
| Japan | 52,551,520 | 38,464,952 |
| Korea | 218 | 1,055,294 |
| Russia, Asiatic | 282,207 | 2,813,544 |
| Siam | 63,244 | 355,471 |
| All other Asia | 259,387 | 98,185 |
| Total Asia | 172,218,084 | 103,086,652 |
| OCEANIA. | | |
| British Australasia | 11,515,413 | 29,001,147 |
| All other British Oceania | 79,944 | 270,690 |
| French Oceania | 835,112 | 389,147 |
| German Oceania | 1,262 | 69,116 |
| Philippine Islands | 12,337,927 | 5,459,444 |
| Total Oceania | 24,769,658 | 35,139,544 |
| Total to countries reached by Pacific lines | 196,987,742 | 138,236,196 |

*Total exports to South America of domestic and foreign merchandise from the United States for the fiscal year ending June 30, 1906.*

| | Quantity. | Value. |
|---|---|---|
| BREADSTUFFS. | | |
| Corn (bushels) exported to— | | |
| South America | 29,891 | $19,628 |
| Other Asia and Oceania | 120,052 | 63,407 |
| Oats (bushels) exported to— | | |
| South America | 71,597 | 26,323 |
| Philippine Islands | 312,219 | 122,239 |
| Other Asia and Oceania | 7,964 | 3,708 |
| Wheat (bushels) exported to— | | |
| South America | 568,451 | 461,981 |
| Asia and Oceania | 1,792,805 | 1,362,440 |
| Wheat flour (barrels) exported to— | | |
| Brazil | 248,756 | 1,211,881 |
| Colombia | 101,893 | 519,225 |
| Other South America | 661,180 | 2,633,009 |
| Chinese Empire | 154,221 | 534,014 |
| British East Indies | 4,755 | 18,616 |
| Hongkong | 926,180 | 3,391,687 |
| Japan | 1,292,853 | 4,536,354 |
| British Australasia | 5,185 | 22,361 |
| Philippine Islands | 39,664 | 152,175 |
| Other Asia and Oceania | 481,333 | 1,760,070 |
| CARRIAGES, CARS, OTHER VEHICLES, AND PARTS OF— | | |
| Exported to— | | |
| Argentina | | 1,663,474 |
| Brazil | | 227,477 |
| Chile | | 501,447 |
| Colombia | | 45,612 |
| Venezuela | | 7,778 |
| Other South America | | 272,567 |
| Chinese Empire | | 12,962 |
| British East Indies | | 49,948 |
| Japan | | 1,876,025 |
| British Australasia | | 540,592 |
| Philippine Islands | | 82,851 |
| Other Asia and Oceania | | 62,300 |
| COTTON, AND MANUFACTURES OF. | | |
| Unmanufactured: | | |
| South America (bales) | | |
| South America (lbs) | | |
| Japan (bales) | 140,607 | 8,234,503 |
| Japan (lbs) | 73,634,591 | |

*Total exports to South America of domestic and foreign merchandise from the United States, etc.*—Continued.

| | Quantity. | Value. |
|---|---|---|
| COTTON, AND MANUFACTURES OF—continued. | | |
| Unmanufactured—Continued. | | |
| Other Asia and Oceania (bales) | 4,134 | $232,522 |
| Other Asia and Oceania (lbs) | 2,141,564 | |
| Manufactures of cloths (yards): | | |
| Argentina | 2,527,466 | 291,567 |
| Brazil | 8,363,354 | 590,007 |
| Chile | 12,747,824 | 751,232 |
| Colombia | 12,442,745 | 752,574 |
| Venezuela | 6,414,647 | 428,932 |
| Other South America | 6,753,509 | 441,832 |
| Chinese Empire | 498,521,402 | 29,641,142 |
| British East Indies | 9,170,688 | 646,568 |
| Hongkong | 374,963 | 53,864 |
| Japan | 2,066,388 | 219,915 |
| British Australasia | 8,462,645 | 743,333 |
| Philippine Islands | 3,836,059 | 189,516 |
| Other Asia and Oceania | 32,343,080 | 1,898,653 |
| TOBACCO, AND MANUFACTURES OF. | | |
| Unmanufactured: | | |
| Argentina | 465,951 | 46,798 |
| Colombia | 82,429 | 10,906 |
| Other South America | 774,598 | 75,500 |
| Japan | 7,673,285 | 1,027,059 |
| British Australasia | 7,141,013 | 1,319,706 |
| Other Asia and Oceania | 6,759,878 | 801,048 |
| Manufactures of, exported to: | | |
| Colombia | | 1,115 |
| Other South America | | 51,433 |
| Chinese Empire | | 1,330,547 |
| British East Indies | | 783,124 |
| Hongkong | | 110,060 |
| Japan | | 26,545 |
| British Australasia | | 1,592,237 |
| Philippine Islands | | 48,716 |
| Other Asia and Oceania | | 31,236 |

Moreover, the vessels to South America to be provided by the bill have not the capacity for carrying but a small proportion of this freight, either of exports or imports. The cargo capacity of the steamers to be provided for the east coast of South America will probably not exceed 2,500 tons to each steamer if a 10,000-ton steamer be provided. The total capacity of all of them will not exceed 5,000 tons a month, or 60,000 tons per annum. That is only one-sixth of the coffee alone which is imported into this country from South America, and less than one-half or one-third of the sugar alone imported from South America into this country. It will not help to extend our trade to the extent which the gentlemen expect who are urging the passage of this bill. It will not furnish vessels for the national defense to any considerable number, though it will improve our facilities for direct communication. But how is it on the Pacific? Last year there was exported more than 3,000,000 barrels of flour alone from the Pacific coast over the Pacific lines.

There were exported over $32,000,000 worth of cotton goods, and I think about $3,000,000 to South American ports. If we desire to extend our trade, to employ our people, to dispose of our products, to steady our prices, the great avenue for extension is across the Pacific. Where will be the next great danger of the future requiring our naval strength? Will it be on the South Atlantic or on the Pacific? Where will it be necessary to construct our shipyards to provide for the national defense? Will it be facing the South Atlantic or on the Pacific? This question hardly needs an answer. Everyone realizes the great contests of the future, commercial and military, will be on the Pacific. No one foresees any possible danger on the South Atlantic. Is this now a time for this great nation to voluntarily abandon the field of the greatest contest? Shall we decide of our own motion to withdraw from the lists and leave the greatest field of the world's future activities to our more adventurous rivals? If this measure is destined to mean anything for our foreign trade, for the national defense, for extending our lines of communication, we need the extension across the Pacific many times more than we do to the South Atlantic. We all realize the provisions for our foreign trade everywhere are not exactly adequate, and it would be perhaps an improvement to have this bill passed improving our conditions to the South Atlantic, but it is a necessity to have an improvement of conditions across the Pacific. You provide two lines from the Gulf; you provide two lines from the Atlantic to the east coast of South America. Why not provide that in addition to existing facilities there shall be one, two, or three lines across the Pacific, the scene of the future great expansion of the trade, of the influence, of the danger of our country? [Applause.]

The CHAIRMAN. Unanimous consent is asked by the gentleman from Michigan to modify his amendment so as to include paragraph 7.

Mr. KAHN. I object.

The CHAIRMAN. Objection is made.

Mr. KAHN. Mr. Chairman, I desire to be heard in opposition to the amendment.

The CHAIRMAN. The committee will rise in order that the House may take up privileged business.

The committee, under the order, accordingly rose, and the Speaker resumed the chair.

FISH-CULTURAL STATIONS ON PUGET SOUND.

The SPEAKER. The Chair lays before the House a duplicate engrossed copy of Senate bill 1462, to establish one or more fish-cultural stations on Puget Sound, State of Washington, the original of which was missing this morning. The motion of the gentleman from Washington [Mr. HUMPHREY] is to suspend the rules and pass the bill. Debate is closed upon the motion.

The question being taken on the motion of Mr. HUMPHREY of Washington, on a division (demanded by Mr. WILLIAMS) there were—ayes 145, noes 68.

Mr. WILLIAMS. Tellers, Mr. Speaker.

Tellers were ordered; and the Speaker appointed Mr. HUMPHREY of Washington and Mr. WILLIAMS.

The House again divided; and the tellers reported—ayes 129, noes 73.

Accordingly (two-thirds not voting in the affirmative), the motion was rejected.

MINING CLAIMS IN ALASKA.

The SPEAKER laid before the House the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska, with Senate amendments thereto.

Mr. LACEY. Mr. Speaker, I move to concur in the Senate amendments, with the exception of No. 9; and I also move to disagree to No. 9 and ask for a conference.

Mr. WILLIAMS. Mr. Speaker, I should like to have the gentleman give some explanation of the bill. I do not see the Democratic conferee in his seat.

Mr. LACEY. Mr. Speaker, it will only take a moment to explain this bill. Alaska having no legislature has been unable to pass a regulation as to the record of proof of work upon mining claims. This House passed a bill providing that 25 per cent of the work upon such claims could be done upon a public highway, and also provided for a record of the work that had been done on claims substantially in the same form that is now the law of Montana, Colorado, and various other mining States. The Senate has stricken out the original highway proposition, and that is not an essential in the proposition as to the record of the claim.

They have, however, stricken out one clause that ought to remain in the bill, and it is a provision that where the proof of labor has been filed and recorded that the burden of proof then shall shift to anyone contesting the claim; that the filing of this proof and recording shall be prima facie evidence of compliance with the law. That is substantially the same as the law now is in most of the mineral land States.

Mr. STEPHENS of Texas. I would like the gentleman to explain the difference between that and the United States land laws on mining claims where it requires a ninety days' notice to be posted.

Mr. LACEY. This is not a question of location of a claim; it is a question of annual assessment work. The United States law is silent upon this provision. It leaves that to the local legislature. The State law usually fixes it so that any man can have this done at any time, thirty, or sixty, or ninety days after the time in which the assessment work should be done. Now, it can not be provided for in Alaska by local statute. The only legislation Alaska can have must come from Congress, so that we should by act of Congress give them the same advantage that miners have in the other States and Territories that do not have to come to Congress; and this bill substantially complies with the usual requirement that is provided in the other public land States and Territories.

There is one point that I think ought to go to conference, and I think the Senate should yield their judgment on that feature in this bill.

Mr. STEPHENS of Texas. How many clerks of record are there in Alaska where men may record their mining deeds and other deeds?

Mr. LACEY. As many as there are court commissioners.

Mr. STEPHENS of Texas. And then these mining deeds are to be filed and kept of record?

Mr. LACEY. They have to be filed with the Federal officers, but there is no provision for keeping the record of the annual assessment work; and it is necessary to preserve these records and also desirable that the records should be made.

Mr. STEPHENS of Texas. Under the laws of some of the Western Territories, particularly New Mexico and Arizona, it is not required to make any record of the work that has been done.

Mr. LACEY. The bill as amended permits the filing and record of proof of work.

Mr. STEPHENS of Texas. By the United States mining laws?

Mr. LACEY. The Revised Statutes give authority to States and Territories to legislate as to matters of detail of this kind.

Mr. STEPHENS of Texas. That is correct.

Mr. LACEY. And then, again, in the State and Territorial law this question is usually fully provided for, and this bill will give the same advantage in Alaska.

Mr. STEPHENS of Texas. I would like to ask the gentleman why they make it mandatory to say that a man on a mining claim must have his proof recorded within sixty or ninety days or lose his claim.

Mr. LACEY. The provision of the House was it should require it to be filed, but on failure to file the burden of proof was changed. The Senate struck out the word "shall" and inserted the word "may." We think that the effect will be about the same. It merely transfers the burden of proof. And I want to say, for the information of those gentlemen who live in States outside of the operations of the mineral-land laws, that it complies with the provisions of the Revised Statutes expressly reserving to States and Territories the privilege of legislating on matters of this kind.

Mr. STEPHENS of Texas. I believe, under the gentleman's explanation, that the Senate bill will be a better bill than the House bill, because you make it mandatory.

Mr. LACEY. I think that the conferees will restore the feature that the gentleman speaks of.

Mr. STEPHENS of Texas. I have no objection if you make it "may" instead of "shall."

Mr. LACEY. As to the ninth amendment, I shall move to nonconcur and ask for a conference.

Mr. SULZER. What is the ninth amendment?

Mr. LACEY. The ninth amendment is this: We put in the bill a provision that when this affidavit has been filed the burden of proof should be on the contestant or the party opposed to the proof. If it has not been filed, if the claimant has neglected to file the proof, then the burden is on him to show that he did the work.

Mr. SULZER. That ought to be the law.

Mr. LACEY. The Senate struck that out and I trust that we can get them to recede.

The amendments, with the exception of amendment 9, were agreed to.

The SPEAKER. The question now is on disagreeing to the amendment No. 9.

The question was taken; and Senate amendment No. 9 was disagreed to.

Mr. LACEY. I move that the House ask for a conference.

The motion was agreed to, and the Speaker appointed as conferees on the part of the House Mr. LACEY, Mr. MONDELL, and Mr. BURNETT.

GENERAL DEFICIENCY BILL.

Mr. LITTAUER, from the Committee on Appropriations, by direction of that committee, reported the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. FITZGERALD reserved all points of order.

ALLEN V. REED.

The SPEAKER laid before the House the bill H. R. 7676, an act authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a commodore on the retired list of the Navy, with Senate amendments.

The Senate amendments were read.

Mr. BUTLER of Pennsylvania. Mr. Speaker, I move that the House disagree to the Senate amendments and ask for a conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. DAWSON, Mr. BATES, and Mr. GREGG.

CHARLES W. DAKIN AND THOMAS J. HENNESSY.

The SPEAKER also laid before the House the bill H. R. 15909, an act to reward the widow and minor son of Capt. Charles W. Dakin, and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their

lives while fighting a fire on board of the U. S. Army transport *Meade*, with Senate amendments.

The Senate amendments were read.

Mr. KAHN. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

DAM ACROSS ST. JOSEPH RIVER, ST. JOSEPH COUNTY, MICH.

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25832) to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River, near the village of Mottville, St. Joseph County, Mich.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That Herman L. Hartenstein, a citizen of the State of Michigan, his heirs and assigns, be, and they are hereby, authorized to construct, maintain, and operate a dam across the St. Joseph River, at any point up the stream within 1 mile from the highway bridge at the village of Mottville, St. Joseph County, in the State of Michigan, in accordance with the provisions of the act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAMILTON, a motion to reconsider the last vote was laid on the table.

CONSIDERATION OF PRIVATE BILLS AT EVENING SESSION.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent to so modify the order with respect to the consideration of bills on the Private Calendar at the night session as to require three objections instead of one to prevent the consideration of a bill.

Mr. BARTLETT. Does the gentleman mean objections from three persons?

Mr. DALZELL. Three persons instead of one.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

DAM ACROSS SAVANNAH RIVER.

Mr. AIKEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25846) permitting the building of a dam across the Savannah River at Calhoun Falls, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Hugh MacRae Company, a corporation organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River extending from a point in Elbert County, Ga., to a point in Abbeville County, S. C., upon or in the vicinity of Calhoun Falls, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. AIKEN, a motion to reconsider the last vote was laid on the table.

WHITE STONE HILLS BATTLEFIELD.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25365) to permit the State of North Dakota to sell a portion of certain lands heretofore granted to it as a memorial park on the White Stone Hills battlefield for the purpose of raising funds for improving and beautifying that park, which I send to the desk. I will state that the bill has been already read, and before asking unanimous consent for its present consideration, because it was objected to this morning, I offer the following amendments, which I send to the desk.

The SPEAKER. The gentleman from North Dakota sends to the desk a bill which was objected to this morning, for which he desires unanimous consent for its present consideration, but before doing so submits the following proposed amendments, which the Clerk will read.

The Clerk read as follows:

Amend, after the word "empowered," in line 4, page 1, by inserting "within five years from the passage of this act."

After the word "monuments," line 1, page 2, insert the words "upon an."

After the word "grounds," in line 2, page 2, insert the words "remaining unsold."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I understand that this is a bill which was offered by the gentleman's colleague, Mr. GRONNA, this morning, and to which objection was made.

Mr. MANN. Yes; I objected, but some amendments have been proposed.

Mr. WILLIAMS. Reserving the right to object, I would like to have an explanation of what these amendments are.

Mr. MANN. I can give an explanation of the amendments, so far as they are concerned. It first restricts the sale to within five years, and second, requires only that the monuments authorized shall be put upon the ground. As the bill was before it authorized monuments anywhere, and it required those monuments to be put upon the grounds remaining unsold.

Mr. WILLIAMS. Mr. Speaker, in the absence of Mr. GRONNA, and in the absence of information as to whether these amendments would suit him, and in view of the further fact that when he offered the bill this morning it was objected, I shall object for the present.

Mr. MARSHALL. Mr. Speaker, I hope the gentleman will allow a word of explanation. This is my bill. Mr. GRONNA called it up for me at my request in my absence. He is absolutely satisfied with the amendments. They have been submitted to him. It is my bill. I was unable to come and my colleague, Mr. GRONNA, kindly called it up for me. There is no possible objection to it if the gentleman really understood the bill.

Mr. WILLIAMS. I would rather the gentleman would renew the request sometime when Mr. GRONNA is present.

The SPEAKER. Objection is heard.

BRIDGE ACROSS OUACHITA RIVER AND D'ARBONNE RIVER, LOUISIANA.

Mr. RANSDELL of Louisiana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25811) to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River in Louisiana, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Monroe, Farmerville and Northwestern Railroad Company, a corporation organized under the laws of the State of Louisiana, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the Ouachita River at or near Monroe, also a bridge across the D'Arbonne River at or near Farmerville, in the State of Louisiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or appeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. There seems to be a clerical error which will require an amendment, which the Chair will ask the Clerk to report.

The Clerk read as follows:

Section 2, line 13, strike out the word "appeal" and insert in lieu thereof the word "repeal."

The SPEAKER. The question is on the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. RANSDELL of Louisiana, a motion to reconsider the last vote was laid on the table.

TO AMEND SECTIONS 5 AND 6 OF TRADE-MARK LAW.

Mr. BONYNGE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25474) to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations, or among the several States, or with Indian tribes, and to protect the same."

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That section 5 of the act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," approved February 20, 1905, be, and is hereby, amended to read as follows:

"SEC. 5. That no mark by which the goods of the owner of the mark may be distinguished from other goods of the same class shall be refused registration as a trade-mark on account of the nature of such mark unless such mark—

"(a) Consists of or comprises immoral or scandalous matter.

"(b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or any simulation thereof, or of any State, or municipality, or of any foreign nation, or of any design or picture that has been or may hereafter be adopted by any fraternal society as its emblem: *Provided*, That trade-marks which are identical with a registered or known trade-mark owned and in use by another, and appropriated to merchandise of the same descriptive properties, or which so nearly resemble a registered or known trade-mark owned and in use by another, and appropriated to merchandise of the same de-

scriptive properties, as to be likely to cause confusion or mistake in the mind of the public, or to deceive purchasers, shall not be registered: *Provided*, That no mark which consists merely in the name of an individual, firm, corporation, or association, not written, printed, impressed, or woven in some particular or distinctive manner or in association with a portrait of the individual or merely in words or devices which are descriptive of the goods with which they are used, or of the character or quality of such goods, or merely a geographical name or term, shall be registered under the terms of this act: *Provided further*, That no portrait of a living individual may be registered as a trade-mark, except by the consent of such individual, evidenced by an instrument in writing: *And provided further*, That nothing herein shall prevent the registration of any mark used by the applicant or his predecessors, or by those from whom title to the mark is derived, in commerce with foreign nations or among the several States or with Indian tribes, which was in actual and exclusive use as a trade-mark of the applicant or his predecessors from whom he derived title for ten years next preceding the passage of this act."

SEC. 2. That section 6 of said act be, and the same is hereby, amended to read as follows:

"SEC. 6. That on the filing of an application for registration of a trade-mark which complies with the requirements of this act, and the payment of the fees herein provided for, the Commissioner of Patents shall cause an examination thereof to be made; and if on such examination it shall appear that the applicant is entitled to have his trade-mark registered under the provisions of this act, the Commissioner shall cause the mark to be published at least once in the Official Gazette of the Patent Office. Any person who believes he would be damaged by the registration of a mark may oppose the same by filing notice of opposition, stating the grounds therefor, in the Patent Office within thirty days after the publication of the mark sought to be registered, which said notice of opposition shall be verified by the person filing the same before one of the officers mentioned in section 2 of this act. An opposition may be filed by a duly authorized attorney, but said opposition shall be null and void unless verified by the opposer within a reasonable time after such filing. If no notice of opposition is filed within said time, the Commissioner shall issue a certificate of registration therefor, as hereinafter provided for. If on examination an application is refused, the Commissioner shall notify the applicant, giving him his reasons therefor."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BONYNGE, a motion to reconsider the last vote was laid on the table.

DAM ACROSS THE SAVANNAH RIVER AT HATTONS FORD.

Mr. AIKEN. Mr. Speaker, I ask unanimous consent to take up and pass the bill (H. R. 25847) permitting the building of a dam across the Savannah River at Hattons Ford.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Hugh MacRae Company, a corporation organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River, extending from a point in Hart County, Ga., to a point in Anderson County, S. C., upon or in the vicinity of Hattons Ford, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. AIKEN a motion to reconsider the last vote was laid on the table.

DAM ACROSS THE SAVANNAH RIVER AT ANDERSONVILLE SHOALS.

Mr. AIKEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25848) permitting the building of a dam across the Savannah River at Andersonville Shoals.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the J. R. Earle Development Company, a corporation to be organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River, extending from a point in Hart County, Ga., to a point in Anderson County, S. C., upon or in the vicinity of Andersonville shoals, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read the third time; was read the third time, and passed.

On motion of Mr. AIKEN, a motion to reconsider the last vote was laid on the table.

DAM ACROSS THE SAVANNAH RIVER AT CHEROKEE SHOALS.

Mr. AIKEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25849) permitting the building of a dam across the Savannah River at Cherokee Shoals.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Hugh MacRae Company, a corporation organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River, extending from a point in Elbert County, Ga., to a point in Abbeville County, S. C., upon or in the vicinity of Cherokee Shoals, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Is this a unanimous report of the committee?

Mr. AIKEN. Yes, sir.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. AIKEN, a motion to reconsider the last vote was laid on the table.

DAM ACROSS THE SAVANNAH RIVER AT TROTTERS SHOALS.

Mr. AIKEN. I also ask unanimous consent for the present consideration of the bill (H. R. 25850) permitting the building of a dam across the Savannah River at Trotters Shoals.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Hugh MacRae Company, a corporation organized under the laws of South Carolina, its successors and assigns, is hereby authorized to construct and maintain a dam across the Savannah River extending from a point in Elbert County, Ga., to a point in Abbeville County, S. C., upon or in the vicinity of Trotters shoals, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 2. That the right to amend or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Is this the unanimous report of the committee?

Mr. AIKEN. Yes, sir.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. AIKEN, a motion to reconsider the last vote was laid on the table.

ELIJAH B. HUDSON.

The SPEAKER laid before the House the following concurrent resolution:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return the bill (S. 6078) entitled "An act granting an increase of pension to Elijah B. Hudson."

The question was taken; and the concurrent resolution was agreed to.

The SPEAKER. Under the order, the House stands in recess until 8 o'clock this evening.

AFTER RECESS.

The recess having expired, the House resumed its session, with the Speaker in the chair.

The SPEAKER. The Clerk will report the order under which the House meets.

The Clerk read as follows:

On motion of Mr. DALZELL, by unanimous consent, *Ordered*, That hereafter during this session a motion to consider in the House, as in Committee of the Whole House, bills on the Private Calendar of the classes hereinafter described shall have the same privilege as is given by the rules on Fridays to motions to go into Committee of the Whole House to consider bills on the Private Calendar.

All bills not objected to after five minutes' explanation thereof, reported from committees other than the Committee on Pensions, Invalid Pensions, Claims, and War Claims, excepting bills proposing to confer jurisdiction on the Court of Claims.

The SPEAKER. Without objection, the House will proceed with the order of business. The Clerk will report the first bill under the order.

LANDS FOR THE UNIVERSITY OF OKLAHOMA.

The first bill upon the Private Calendar was the bill (H. R. 17431) granting to the regents of the University of Oklahoma section No. 36, in township No. 9 north of range No. 3 west of the Indian meridian, in Cleveland County, Okla.

The Clerk proceeded with the reading of the bill.

Mr. MANN. Mr. Speaker, I think the House has passed that same bill as another bill—namely, H. R. 25013—on January 28 last, which was an act granting to the regents of the University of Oklahoma in section No. 36, in township No. 9 north of range No. 3 west of the Indian meridian, in Cleveland County, Okla. It seems to me that that bill covered the same thing.

The SPEAKER. What is the section that the gentleman has there? This is section No. 36.

Mr. MANN. Section No. 36, in township No. 9 north of range No. 3 west of the Indian meridian, in Cleveland County, Okla.

The SPEAKER. When did it pass the House?

Mr. MANN. On January 28.

The SPEAKER. If there be no objection, the Clerk will call the next bill, and the last bill will be passed without prejudice.

There was no objection.

LANDS IN OKLAHOMA TERRITORY.

The next bill on the Private Calendar was the bill (H. R. 18850) donating lands in Oklahoma Territory for educational purposes.

The Clerk read as follows:

*Be it enacted, etc.*, That the northeast quarter of section 13, township 10 north, range 3 east of the Indian meridian, in Pottawatomie County, Okla., heretofore reserved for public school indemnity lands in said Territory, be, and the same is hereby, granted to the board of education of the city of Shawnee, in said county and Territory, for public school building and public school site purposes, or either of said purposes, as may be deemed by said board of education best suited to the interests aforesaid.

SEC. 2. That the said board of education shall, before taking possession of said tract of land, make satisfaction with the lessees for their crops, for all improvements placed thereon by them, and for the unexpired terms of their leases, out of funds to be contributed by popular subscription for that purpose: *Provided*, That in case the said board of education fails to agree with said lessees upon the value of their crops, their improvements, and their unexpired leases, said board is hereby authorized to condemn their interests in the same in like manner as lands are condemned for the use of railways under the provisions of article 9, chapter 17, of the statutes of Oklahoma, 1893.

SEC. 3. That no indemnity shall be allowed to the said Territory on account of this grant, and the said board of education of the city of Shawnee is hereby authorized and empowered to sell and convey the said quarter section of land, in subdivisions or otherwise, and at public or private sale, as the said board of education may deem best: *Provided*, That no part of said quarter section shall be sold at a rate of less than $100 an acre for the entire tract.

SEC. 4. That this act shall take effect and be in force from and after its passage and approval.

The SPEAKER. Is there objection by three Members to the consideration of this bill?

Mr. MANN. Mr. Speaker, I call attention to the fact that the Secretary of the Interior in a letter states that the Commissioner of the General Land Office calls attention to the fact that legislation of this character has never heretofore been enacted by Congress, and that the passage of this bill would be a distinct departure from the policy heretofore pursued by Congress in the matter of land grants. It seems to me that unless there in some special reason for it it ought not to be passed without consideration.

Mr. WANGER. I would ask, what is the exceptional character of this legislation?

Mr. MANN. I really am not able to go into the matter with the gentleman except that the Commissioner calls attention to the fact that it is an entirely new departure in the matter of making land grants.

Mr. WANGER. It seems to me that it is, Mr. Speaker. It involves the question of voluntary contribution and adjustment of outstanding claims, when ordinarily their settlement is asked at the expense of the public Treasury. It is most extraordinary that the citizens of Oklahoma should propose to settle outstanding claims without a charge on the Federal Treasury; and I submit that however novel the experiment may be, if that is the only exceptional character of the proposed legislation it might be wise to try the experiment.

Mr. MANN. Perhaps it might be wise, Mr. Speaker, to try the experiment, but it does not seem to me that Congress ought to inaugurate a new policy without full consideration with reference to such matters.

Mr. WANGER. Inasmuch as the Delegate from Oklahoma [Mr. MCGUIRE] is not present, I would ask that the bill might be passed without prejudice.

Mr. MANN. I have no objection to its being passed without prejudice.

The SPEAKER. The gentleman from Pennsylvania [Mr. WANGER] asks that the bill be passed without prejudice. Is there objection?

There was no objection.

ESTATE OF WILLIAM B. TODD.

The next bill on the Private Calendar was the bill (S. 2138) for the relief of the estate of William B. Todd, deceased.

The Clerk read as follows:

*Be it enacted, etc.*, That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to refund to the administrators of said estate the amount found to have been erroneously collected therefrom on account of an excessive special assessment levied against lots 1, 2, 3, and 4, in square 1040, in 1871, the said special assessment having been revised and reduced in accordance with the revising acts of Congress, with interest at 6 per cent per annum from the date of said erroneous collection to the date of said refund, and a sufficient amount of money to pay the principal and interest of the aforesaid is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

Mr. MANN. Mr. Speaker, this is a bill to pay a special assessment rebate, and one that has been before Congress a great many times, sometimes with a favorable report and sometimes with an adverse report. It also provides for the payment of 6 per cent interest on this old claim.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. SHACKLEFORD. Mr. Speaker, in view of the small number present I would ask that the case be passed without prejudice.

The SPEAKER. Is there objection?

There was no objection.

GRANT OF CERTAIN LANDS TO PAWNEE, OKLA.

The next business on the Private Calendar was the bill (H. R. 22543) granting to the town of Pawnee, in Pawnee County, Okla., certain lands for park, educational, and other purposes.

The bill was read, as follows:

*Be it enacted, etc.*, That there is hereby granted to the town of Pawnee, in Pawnee County, Okla., for park, educational, and other public purposes, all of that part of section 32, in township 22 north, range 5 east, Indian meridian, in said county, described as follows, to wit: Commencing at the northwest corner of the northeast quarter of the northwest quarter of section 32, in township 22 north, range 5 east, Indian meridian, in said county; thence running due east on the north line of said section 32 forty-four one hundredths chain, more or less, to the west boundary line of the Morris road; thence in a southwesterly direction along the west boundary line of said Morris road 16.25 chains; thence west parallel with the north line of said section 7 chains to a point; thence in a southwesterly direction parallel with the west line of said Morris road and 7 chains distant therefrom to a point in the center of the main channel of Black Bear Creek; thence in a southwesterly direction following the center of the channel of said creek to the dividing line between the northeast quarter of the southwest quarter and the northwest quarter of the southwest quarter of said section; thence north on said dividing line extended to the north line of said section, the same being the place of beginning; and the said lands hereby granted being a portion of the Pawnee Indian Reservation set apart for agency and school purposes at the Pawnee Agency in said county under act of Congress approved February 8, 1887, as amended by act of Congress approved February 28, 1891, and in accordance with the instructions from the Acting Commissioner of Indian Affairs dated March 17, 1891, the said land hereby granted to said town of Pawnee being subject to the rights of way of the Eastern Oklahoma Railway Company and the Arkansas Valley and Western Railway Company heretofore acquired.

SEC. 2. That the said lands are to be held and used by the said town of Pawnee for park, educational, and other public purposes: *Provided*, That the board of trustees of said town may authorize the board of education of said town to use the same for the erection and maintenance of school buildings thereon and the necessary grounds for use in connection therewith: *Provided further*, That said city shall pay $1.25 per acre for said land.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the bill.

Mr. MAHON. Mr. Speaker, I ask for a vote.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MAHON. I ask for a division.

The House divided; and there were—ayes 70, noes 10.

Mr. MAHON. No quorum, Mr. Speaker.

The SPEAKER. The gentleman makes the point that a quorum is not present. A quorum not being present, the doors will be closed. The question is on the engrossment and third reading of the bill; as many as are in favor of the engrossment and third reading of the bill will as their names are called answer "yea;" those who are opposed will answer "no;" those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken; and there were—yeas 143, nays 6, answered "present" 51, not voting 178, as follows:

YEAS—143.

| | | | |
|---|---|---|---|
| Bankhead | Clark, Fla. | Fassett | Humphrey, Wash. |
| Bannon | Clark, Mo. | Fitzgerald | Humphreys, Miss. |
| Bates | Clayton | French | Jenkins |
| Beidler | Cocks | Garber | Jones, Wash. |
| Bell, Ga. | Cole | Garner | Keifer |
| Bennet, N. Y. | Conner | Garrett | Kelliher |
| Bowers | Cooper, Pa. | Goebel | Kennedy, Ohio |
| Brantley | Cousins | Granger | Kitchin, Claude |
| Broussard | Cushman | Greene | Knopf |
| Brownlow | Dalzell | Gronna | Knowland |
| Burke, S. Dak. | Darragh | Grosvenor | Lacey |
| Burnett | Davey, La. | Hale | Lafean |
| Burton, Del. | Dawson | Hamilton | Landis, Frederick |
| Butler, Pa. | Denby | Hardwick | Lawrence |
| Butler, Tenn. | Dickson, Ill. | Hayes | Lee |
| Calder | Dixon, Ind. | Heflin | Legare |
| Candler | Draper | Hill, Conn. | Lever |
| Capron | Driscoll | Hill, Miss. | Littlefield |
| Cassel | Dwight | Houston | Lloyd |
| Chaney | Edwards | Howell, Utah | Lorimer |
| Chapman | Englebright | Huff | Lovering |

| | | | |
|---|---|---|---|
| McCleary, Minn. | Murphy | Russell | Sulloway |
| McCreary, Pa. | Needham | Ryan | Thomas, N. C. |
| McKinley, Ill. | Olmsted | Samuel | Townsend |
| McKinney | Otjen | Shackleford | Underwood |
| McMorran | Padgett | Sheppard | Vreeland |
| McNary | Parker | Sherley | Waldo |
| Macon | Patterson, S. C. | Sibley | Wallace |
| Madden | Payne | Smith, Cal. | Watkins |
| Mann | Pollard | Smith, Ill. | Webb |
| Martin | Randell, Tex. | Smith, Iowa | Weems |
| Minor | Ransdell, La. | Smith, Md. | Wharton |
| Mondell | Richardson, Ala. | Smith, Mich. | Wiley, N. J. |
| Moon, Pa. | Rives | Smith, Pa. | Williams |
| Moon, Tenn. | Robinson, Ark. | Sparkman | Wilson |
| Morrell | Ruppert | Stafford | |

NAYS—6.

| | | | |
|---|---|---|---|
| Beall, Tex. | James | Sims | Smith, Tex. |
| Hepburn | Kitchin, Wm. W. | | |

ANSWERED "PRESENT"—51.

| | | | |
|---|---|---|---|
| Adamson | Deemer | Howard | Overstreet, Ga. |
| Allen, Me. | Esch | Hull | Scott |
| Barchfeld | Finley | Kahn | Slayden |
| Bartlett | Flood | Kline | Smyser |
| Bishop | Fordney | Knapp | Southall |
| Brick | Foster, Vt. | Lamar | Southard |
| Broocks, Tex. | Fulkerson | Lamb | Steenerson |
| Brundidge | Gaines, Tenn. | Law | Stephens, Tex. |
| Burgess | Gillespie | Le Fevre | Sullivan |
| Burke, Pa. | Goulden | McLain | Wanger |
| Byrd | Griggs | Mahon | Washburn |
| Cromer | Higgins | Marshall | The Speaker |
| Dawes | Holliday | Moore, Pa. | |

NOT VOTING—178.

| | | | |
|---|---|---|---|
| Acheson | Fletcher | Littauer | Robertson, La. |
| Aiken | Floyd | Livingston | Rodenberg |
| Alexander | Foss | Longworth | Rucker |
| Allen, N. J. | Foster, Ind. | Loud | Saunders |
| Ames | Fowler | Loudenslager | Schneebeli |
| Andrus | Fuller | Lowden | Scroggy |
| Babcock | Gaines, W. Va. | McCall | Shartel |
| Bartholdt | Gardner, Mass. | McCarthy | Sherman |
| Bede | Gardner, Mich. | McDermott | Slemp |
| Bennett, Ky. | Gardner, N. J. | McGavin | Small |
| Bingham | Gilbert | McKinlay, Cal. | Smith, Ky. |
| Birdsall | Gilhams | McLachlan | Snapp |
| Blackburn | Gill | Maynard | Southwick |
| Bonynge | Gillett | Meyer | Sperry |
| Boutell | Glass | Michalek | Spight |
| Bowersock | Goldfogle | Miller | Stanley |
| Bowie | Graff | Moore, Tex. | Sterling |
| Bradley | Graham | Mouser | Stevens, Minn. |
| Brooks, Colo. | Gregg | Mudd | Sulzer |
| Brown | Gudger | Murdock | Talbott |
| Brumm | Haskins | Nelson | Tawney |
| Buckman | Haugen | Nevin | Taylor, Ala. |
| Burleigh | Hay | Norris | Taylor, Ohio |
| Burleson | Hearst | Olcott | Thomas, Ohio |
| Burton, Ohio | Hedge | Overstreet, Ind. | Tirrell |
| Calderhead | Henry, Conn. | Page | Towne |
| Campbell, Kans. | Henry, Tex. | Palmer | Trimble |
| Campbell, Ohio | Hermann | Parsons | Tyndall |
| Cockran | Hinshaw | Patterson, N. C. | Van Duzer |
| Cooper, Wis. | Hogg | Pearre | Van Winkle |
| Coudrey | Hopkins | Perkins | Volstead |
| Crumpacker | Howell, N. J. | Pou | Wachter |
| Currier | Hubbard | Powers | Wadsworth |
| Dale | Hughes | Prince | Watson |
| Davidson | Hunt | Pujo | Webber |
| Davis, Minn. | Johnson | Rainey | Weeks |
| Davis, W. Va. | Jones, Va. | Reeder | Weisse |
| De Armond | Kennedy, Nebr. | Reid | Welborn |
| Dixon, Mont. | Kinkaid | Reyburn | Wiley, Ala. |
| Dovener | Klepper | Reynolds | Wood |
| Dresser | Landis, Chas. B. | Rhinock | Woodyard |
| Dunwell | Lewis | Rhodes | Young |
| Ellerbe | Lilley, Conn. | Richardson, Ky. | Zenor |
| Ellis | Lilley, Pa. | Riordan | |
| Field | Lindsay | Roberts | |

The following pairs were announced:

For the session:

Mr. BRADLEY with Mr. GOULDEN.

Mr. FOSS with Mr. MEYER.

Mr. VAN WINKLE with Mr. MCDERMOTT.

Mr. CURRIER with Mr. FINLEY.

Mr. SHERMAN with Mr. RUPPERT.

Mr. WANGER with Mr. ADAMSON.

Mr. DEEMER with Mr. KLINE.

Until further notice:

Mr. HUGHES with Mr. STANLEY.

Mr. FULLER with Mr. HOPKINS.

Mr. POWERS with Mr. GAINES of Tennessee.

Mr. FORDNEY with Mr. PUJO.

Mr. BINGHAM with Mr. COCKRAN.

Mr. BOUTELL with Mr. GRIGGS.

Mr. MORRELL with Mr. RIORDAN.

Mr. LILLEY of Pennsylvania with Mr. GILBERT.

For the day:

Mr. WACHTER with Mr. SMALL.

Mr. LILLEY of Connecticut with Mr. VAN DUZER.

Mr. COOPER of Wisconsin with Mr. LINDSAY.

Mr. CAMPBELL of Kansas with Mr. HARDWICK.

Mr. PEARRE with Mr. TAYLOR of Alabama.

Mr. LITTAUER with Mr. LIVINGSTON.

Mr. MCKINLAY of California with Mr. RHINOCK.

Mr. MCGAVIN with Mr. RICHARDSON of Kentucky.

Mr. LOUDENSLAGER with Mr. SMITH of Kentucky.

Mr. LONGWORTH with Mr. RAINEY.

Mr. KLEPPER with Mr. POU.

Mr. BABCOCK with Mr. JOHNSON.

Mr. TAWNEY with Mr. BURLESON.

Mr. HUBBARD with Mr. PATTERSON of North Carolina.

Mr. HOWELL of New Jersey with Mr. JONES of Virginia.

Mr. HEDGE with Mr. PAGE.

Mr. HAUGEN with Mr. MOORE of Texas.

Mr. HASKINS with Mr. MAYNARD.

Mr. DUNWELL with Mr. HENRY of Texas.

Mr. DOVENER with Mr. HUNT.

Mr. GILLETT with Mr. HEARST.

Mr. DAVIDSON with Mr. HAY.

Mr. CRUMPACKER with Mr. GUDGER.

Mr. COUDREY with Mr. GREGG.

Mr. CALDERHEAD with Mr. GOLDFOGLE.

Mr. BURTON of Ohio with Mr. GLASS.

Mr. BROWN with Mr. GILL.

Mr. GARDNER of Michigan with Mr. TALBOTT.

Mr. BURLEIGH with Mr. WEISSE.

Mr. YOUNG with Mr. RYAN.

Mr. MILLER with Mr. REID.

Mr. MUDD with Mr. RUCKER.

Mr. NELSON with Mr. SAUNDERS.

Mr. OLCOTT with Mr. TOWNE.

Mr. PRINCE with Mr. SPIGHT.

Mr. WATSON with Mr. ROBERTSON of Louisiana.

Mr. SOUTHWICK with Mr. TRIMBLE.

Mr. SCHNEEBELI with Mr. ZENOR.

Mr. ROBERTS with Mr. WILEY of Alabama.

Mr. WADSWORTH with Mr. LEWIS.

Mr. ACHESON with Mr. AIKEN.

Mr. ALEXANDER with Mr. BOWIE.

Mr. AMES with Mr. DAVIS of West Virginia.

Mr. ANDRUS with Mr. DE ARMOND.

Mr. BARTHOLDT with Mr. ELLERBY.

Mr. BEDE with Mr. FIELD.

Mr. BOWERSOCK with Mr. FLOYD.

During the roll call,

Mr. MAHON said: Mr. Speaker, I desire to make a statement.

The SPEAKER pro tempore [Mr. CAPRON]. If there be no objection, the gentleman from Pennsylvania will be allowed to make a statement.

Mr. MAHON. I have no bills on this Calendar, and never had any, but I have consulted with gentlemen who are largely interested in bills which are on this Calendar. They say that they want this order to go ahead. If they do, I am content. It is nothing personally to me. Besides, I am told that a large number of the membership of the House are at a banquet to-night, and I do not want to bring them here. I move that the call of the House be dispensed with. [Applause.]

Mr. BARTLETT. Mr. Speaker, we do not understand the gentleman's proposition over here.

The SPEAKER pro tempore. The Chair will state that the gentleman from Pennsylvania asks unanimous consent that the further calling of the roll be dispensed with, for reasons stated by the gentleman.

Mr. MAHON. And that the point of no quorum be withdrawn.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry. I desire to know whether by unanimous consent, after the absence of a quorum is disclosed and the roll call has been commenced, it can be dispensed with?

The SPEAKER pro tempore. The Chair is of the opinion and is advised that such a disposition of the matter in the middle of the roll call is not permissible under the rules of the House, and therefore the roll call will proceed.

Mr. BUTLER of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CLARK of Missouri. Can we not do anything by unanimous consent?

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized.

Mr. BUTLER of Pennsylvania. Will the Chair inform the House at what point we can get rid of this dilemma in which we find ourselves?

The SPEAKER pro tempore. The Chair will state that it is not possible under the present condition until a quorum is developed.

Mr. BUTLER of Pennsylvania. By unanimous consent?

The SPEAKER pro tempore. The Chair will state that it will take the House to decide the matter now pending, and it is now developed that the House is not present. The roll call is proceeding to determine whether or not the House is present. As soon as that condition is developed, then it will be for the House to take such action as it desires.

Mr. BUTLER of Pennsylvania. I thank the Chair for the information, depressing as it may be.

Mr. HEPBURN. Mr. Speaker, a parliamentary inquiry. Rule XV, under which the House is now proceeding, provides for two forms of the call of the House. Under clause 2 there would be no question but that every Member brought into the House should come to the bar of the House——

Mr. KEIFER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Iowa is addressing the Chair——

Mr. HEPBURN. One at a time.

Mr. KEIFER. I desire to make the point of order that the gentleman is not in order. We have no quorum.

The SPEAKER pro tempore. The Chair assumed that the gentleman from Iowa was later coming to that point.

Mr. HEPBURN. To the point of the quorum, Mr. Chairman! Under clause 2 there can be no question but that any Member brought in here would be under arrest and would have to be excused by the House. It may not be so plainly stated under clause 4 that this would be the procedure, and yet I am satisfied that it is, because in both instances we find that the word "arrest" is used.

Mr. LEGARE. I move that the gentleman have leave to print. [Laughter.]

Mr. HEPBURN. This is important, Mr. Speaker, because I see here to-night a very distinguished gentleman, who works in very many fields of usefulness, always wisely and to the advantage of the House, who, during the past session, has devoted himself largely to securing the attendance of Members. He has gone so far, I think, as to introduce a bill providing penalties for those who, by failing to appear promptly in their seats, retard the public business.

The SPEAKER. Upon this vote the yeas are 143, nays 6, present 51, a quorum.

So the bill was ordered to be engrossed and read the third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

HARRY A. YOUNG.

The next business on the Private Calendar was the bill (S. 7550) for the relief of Harry A. Young.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That Harry A. Young shall be held and considered to have been mustered into the military service of the United States, in the office of assistant surgeon of the battalion of Utah Light Artillery, with the rank of first lieutenant, on the 18th day of January, 1899, and to have held said office and rank until he was killed in action on the 6th of February, 1899: *Provided*, That no pay, bounty, compensation, or allowance shall accrue to said Harry A. Young by virtue of this act.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HOWELL of Utah, a motion to reconsider the last vote was laid on the table.

LARVAN GORDON.

The next business on the Private Calendar was the bill (S. 5869) for the relief of Larvan Gordon.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to confirm homestead entry No. 24813, made to the Camden, Ark., land office by Larvan Gordon, of Dial, Howard County, Ark., and cause a patent to the land embraced within said entry to be issued to said Larvan Gordon, provided there is no valid adverse claim for such land.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

FRANK J. LADNER.

The next business on the Private Calendar was the bill (H. R. 20490) for the relief of Frank J. Ladner.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That Frank J. Ladner be, and he is hereby, authorized to enter, at the minimum price of $1.25 per acre, in virtue of his and his ancestors' long settlement and valuable improvements thereon, the following-described lands, to wit: Lots 1 and 8 of section 3, and all of section 2 except 78 acres on the eastern border of said section, in township 8 south, range 14 west of the St. Stevens meridian, in the State of Mississippi, containing an area of 640 acres, more or less, located in Hancock County, said State, and upon payment of said sum a patent shall issue in favor of said Frank J. Ladner.

The Clerk read the committee amendments, as follows:

In line 5 strike out the word "ancestors'" and insert "assignor's."

In line 7 strike out the words "Lots 1 and 8 of section 3 and all of section 2 except 78 acres on the east border of said section" and insert in place thereof "Section 13."

In line 11, after the word "Mississippi," insert the words "being the land shown on the plat of official survey, approved December 9, 1829, as the private land claim of John B. Lardner."

Mr. HEPBURN. Mr. Speaker, I would like to have some information on this bill.

Mr. BOWERS. Mr. Speaker, John B. Lardner was the holder from the Spanish Crown of 640 acres of land when the United States purchased that territory as a part of the Louisiana purchase, and it provided the means for the confirmation of these grants. Lardner appeared and furnished this commission with evidence of his title, and his possession of the grant was reported for confirmation. It was surveyed and comprised 640 acres of land, laid out to him by the deputy United States surveyor. Lardner always claimed that the first survey was correct.

I should state that the land has been in actual occupation of the persons for whose benefit this bill is introduced as grantees for nearly, if not quite, one hundred years, the occupation of the land antedating the American possession. A short time after the first survey a second survey was made which shifted these lines somewhat in order to include Lardner's improvements, but really it left them out. The patent was issued according to the lines of the last survey, which this old creole ignored. Some years ago the persons to whom he sold—he is dead now—discovered that they had no patent for their land, and application was made to Congress.

It has been reported on three times by the Land Office, on each occasion favorably, and once the recommendation was made that the patent to the land be granted without payment. In the other cases it was recommended that the patent be granted on payment of $1.25 per acre, the usual price of land in that vicinity. Now, in that connection the latest report from the Land Office is under date of to-day, which I will put in the RECORD. It is as follows:

DEPARTMENT OF THE INTERIOR,
*Washington, February 28, 1907.*

CHAIRMAN COMMITTEE ON THE PUBLIC LANDS,
*House of Representatives.*

SIR: I have the honor to inclose a copy of a report of the 27th instant by the Commissioner of the General Land Office on amended H. R. 20490, entitled "A bill for the relief of Frank J. Ladner," in which report I concur.

Very respectfully, E. A. HITCHCOCK, *Secretary.*

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DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
*Washington, D. C., February 27, 1907.*

THE SECRETARY OF THE INTERIOR.

SIR: I am in receipt, by your reference of this date, for early report in duplicate, with return of papers, of amended House bill No. 20490, Fifty-ninth Congress, second session, which reads as follows:

"A bill for the relief of Frank J. Ladner.

"*Be it enacted, etc.*, That Frank J. Ladner be, and he is hereby, authorized to enter, at the minimum price of $1.25 per acre, in virtue of his and his assignor's long settlement and valuable improvements thereon, the following described lands, to wit: Section 13, township 8 south, range 14 west of the St. Steven's meridian, in the State of Mississippi, being the lands shown on the plat of official survey approved December 9, 1829, as the private land claim of John B. Lardner, containing an area of 640 acres, more or less, located in Hancock County, said State, and upon payment of said sum a patent shall issue in favor of said Frank J. Ladner."

The bill, except in one particular, viz, that provision is made for payment for the land, is identical in its provisions with H. R. 9747, Fifty-fifth Congress, second session, and H. R. 3843, Fifty-seventh Congress, first session, reported on by this Office July 7, 1898, and February 9, 1903, respectively, and describes the land involved as was suggested in said reports.

A copy of the report of February 9, 1903, is incorporated in House Report 6589, Fifty-ninth Congress, second session, accompanying the bill. This office has received no additional information relative to the claim since said report of February 9, 1903, was made, and as suggested therein, will offer no objection to the bill in case the Congress deems the claim of Frank J. Ladner an equitable one and worthy of favorable consideration.

This report is made in duplicate, as requested, and all papers are returned.

Very respectfully,

W. A. RICHARDS, *Commissioner.*

The amendments recommended by the committee were agreed to.

The bill was ordered to be engrossed and read a third time; was read a third time, and passed.

On motion of Mr. BOWERS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WILLIAM N. HUGHES.

The next business on the Private Calendar was the bill (S. 5660) for the relief of Capt. William N. Hughes.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That Capt. William N. Hughes, United States Army, retired, detailed July 14, 1902, for duty at East Florida Seminary, Gainesville, Fla., shall be held and considered as having been detailed under the act of November 3, 1893.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PADGETT, a motion to reconsider the last vote was laid on the table.

WILLIAM MITCHELL, DECEASED.

The next business on the Private Calendar was the bill (H. R. 8791) authorizing the Secretary of War to recognize William Mitchell, deceased, as having been a member of Company C, First Regiment Tennessee Volunteer Mounted Infantry, civil war:

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to recognize William Mitchell, deceased, as having been a member of Company C, First Regiment Tennessee Volunteer Mounted Infantry, civil war, from the 25th day of August, 1863, up to his death, which occurred the 18th day of September, 1863.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, this is a bill to declare that a man was mustered into the Army, but who, whatever the equities of the case may have been at the time, was never in the service of the United States. To pass the bill would be to open a precedent to put into the service of the United States, and thereby put them upon a pensionable status, everyone who ever did anything in behalf of the Union. I ask that the bill go over.

The SPEAKER. Do two others object?

Mr. BUTLER of Tennessee rose.

Mr. MANN. Mr. Speaker, is it permissible to reserve the right to object?

The SPEAKER. For five minutes. Does the gentleman from Tennessee desire to be heard?

Mr. BUTLER of Tennessee. I desire to make a statement of the facts in the case, Mr. Speaker. This report shows that Mitchell was enlisted. He joined the Army, joined the company, but before he got to the place of rendezvous to be mustered in they were run upon by a set of Confederate guerrillas and this man, with others, was killed. This bill is only to give him a military status. Those are the facts.

Mr. SLAYDEN. Mr. Speaker, if the gentleman from Tennessee [Mr. BUTLER] will permit me, I will say that I was a member of the subcommittee that investigated that case and of the committee that reported it. The facts are as he stated. This man was on the way to be mustered in when he was killed at Carthage, Tenn.

Mr. BUTLER of Tennessee. He had enlisted. He had joined the Army. The captain who was making up the company had taken his name.

Mr. MANN. Mr. Speaker, the facts as disclosed by the report in the case are that this man intended to join a company. There was no company organized at the time. He did not join the company. He intended to join the company, according to the report. To allow him in is to let a very large class in.

Mr. JAMES. Mr. Speaker, I would call the attention of the gentleman from Illinois to the fact that the captain had the soldier's name, together with the names of ninety-nine other men.

Mr. MANN. Oh, well, the gentleman from Kentucky has not read the report, and I have.

Mr. JAMES. If I understood the gentleman from Tennessee [Mr. BUTLER] correctly, the facts are as I have stated.

Mr. MANN. Well, the gentleman from Tennessee is mistaken about there being ninety-nine other men.

Mr. BUTLER of Tennessee. The gentleman from Kentucky misunderstood me. I did not state that. The captain was making up the company.

The SPEAKER. Do two others object?

Mr. PAYNE. I object.

Mr. GREENE. I object.

The SPEAKER. Objection is heard.

BIRCHIE O. MAHAFFEY, JOHN A. CLEVELAND, AND TRAUGETT F. KELLER.

The next business on the Private Calendar was the bill (H. R. 23630) authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenant in the United States Army.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the President of the United States be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army.

With the following amendment:

Line 7, after the word "Army," insert the words "notwithstanding the bar of age."

The SPEAKER. Is there objection?

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOULDEN, a motion to reconsider the last vote was laid on the table.

LOUISIANA MOLASSES COMPANY, ETC.

The next business on the Private Calendar was the bill (H. R. 24833) for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the vinegar factory of the Louisiana Molasses Company (Limited) and the distillery of the Louisiana Distilling Company, both situated in New Orleans, La., and having their respective premises separated from each other by a distance of only 425 feet in a direct line, may, to avoid special hardship to the proprietors of said premises, both continue to be operated as now situated and in like manner as they have been operated for seven and one-half years past in the belief that the premises were duly separated according to law, notwithstanding that the said premises are not distant from each other full 600 feet in a direct line as required by the general statutes in that regard.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN CROWLEY.

The next business on the Private Calendar was the bill (H. R. 16740) to place John Crowley on the retired list of the United States Navy.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. PARKER. Mr. Speaker, I would like to have some explanation of this bill.

Mr. FITZGERALD. This bill is to place on the retired list of the Navy a man who retired before the act authorizing the retirement pay went into effect. If this bill should pass, every man who retired previous to that time will be placed on the list.

The SPEAKER. Is there further objection?

Mr. SHACKLEFORD. I object.

The SPEAKER. Is there a third objection?

Mr. MAHON. I object.

Mr. FITZGERALD. Well, I object, Mr. Speaker.

Mr. MAHON. I object.

The SPEAKER. Objection is heard.

ANNULLING CERTAIN TITLES TO LAND ACQUIRED BY JUDICIAL PROCEEDINGS IN THE COURTS OF THE UNITED STATES IN TEXAS.

The next business on the Private Calendar was the bill (H. R. 24466) to annul certain titles to lands acquired by judicial proceedings in the courts of the United States in Texas, and for other purposes.

Mr. SMITH of Texas. Mr. Speaker, there is a Senate bill, 8427, that was referred to the Committee on Private Land Claims. I ask that the Senate bill be taken up in lieu of the House bill.

The SPEAKER. Without objection, the Senate bill will be read. The gentleman from Texas asks unanimous consent to discharge the Committee on Private Land Claims from the further consideration of the Senate bill and consider the same at this time. The Clerk will report the bill.

The Clerk read as follows:

Whereas on the 11th day of December, 1873, the United States obtained judgment in the circuit court of the United States sitting at Tyler, Tex., in the then western district of Texas, for $50,000, against William T. Scott, William Umbdenstock, and others, sureties on the official bond of Davis B. Bonfoy, late collector of internal revenue for the fourth district of Texas, cause 1037, and it appearing from the facts that on the trial of the cause against the said sureties they were deprived of their defense by having, through mistake, presented their accounts and facts in favor of Davis B. Bonfoy, their principal, then deceased, to the wrong accounting officer at Washington, D. C., for his action thereon, and said accounts were returned by said officer to the United States attorney representing the Government in the cause without any action thereon, which fact was not known to the defendants until they had announced themselves ready for trial; and

Whereas facts subsequently discovered show that at the date of said judgment Davis B. Bonfoy, as collector aforesaid, was not really indebted to the United States, which facts could not have been known at the time to the proper accounting officers of the Treasury Department, for the reason that the money belonging to the United States in

the hands of Bonfoy at the time of his death were taken charge of by the military authorities of the United States then commanding at Marshall, Tex. (the State being under military rule), and returned to and accounted for by said military authorities to the War Department instead of the Treasury Department; and

Whereas since said money so returned to the War Department has been taken up by the accounting officers of the Treasury Department in a readjustment of the accounts of the said Davis B. Bonfoy as collector, and it appearing from said last adjustment, including the newly discovered funds in the War Department, that at the time said judgment was obtained against said sureties Bonfoy really owed the Government nothing, but in fact had a balance due him from the Government: Therefore

*Be it enacted, etc.*, That the United States hereby relinquishes to the heirs or legal representatives of William T. Scott, late of Scottsville, Harrison County, Tex., and to his assigns, all the right, title, and interest, real or pretended, of the United States in and to fifty-two sections of land of 640 acres each, aggregating 33,280 acres, lying and being situated in the counties of Tom Green, Mitchell, Concho, Irion, Coke, Sterling, and Atascosa, in the State of Texas, which said lands were bought in for the United States by Stillwell H. Russell, then United States marshal for the western district of Texas, at a public sale made by him, the said Stillwell H. Russell, United States marshal, on the first Tuesday in October, 1878, under and by virtue of an alias pluries execution, dated June 10, 1878, issuing out of the circuit court of the United States on said judgment obtained by the United States in a circuit court of the United States sitting at Tyler, Tex., in the western judicial district of Texas, on the 11th day of December, 1873, against William T. Scott and others as sureties on the bond of Daivis B. Bonfoy, collector aforesaid, cause 1037, and levied on said lands on the 5th day of September, 1878, and by him as such marshal, following the statute in such case made and provided, deeded to the United States in a deed bearing date December 9, 1878, and recorded in Tom Greene County, in Book C of deeds of said county, folios 128 to 138, inclusive; and that all the right, title, and interest of the United States, real or pretended, to said lands be, and the same are hereby, as fully and thoroughly divested out of the United States as if no such judgment had ever been obtained.

The SPEAKER. Is there objection?

Mr. PAYNE. I would like to inquire what committee reported this bill.

The SPEAKER. The Judiciary Committee reported the bill to the House.

Mr. SMITH of Texas. The Judiciary Committee of the House.

Mr. PAYNE. A private land-claim bill reported from the Committee on the Judiciary?

Mr. SMITH of Texas. This was a claim held on a judicial decree of the court that carried it to the Judiciary Committee.

Mr. MANN. I may say to the gentleman from New York I have examined the claim somewhat carefully. The reason it went to the Committee on the Judiciary was on account of action taken by the Department of Justice. The report on the bill is taken on the recommendation of several Attorney-Generals, including practically the present Department of Justice, of course not the present Attorney-General.

The bill was ordered to be read the third time, was read the third time, and passed.

A similar House bill (H. R. 64466) was ordered to lie on the table.

HAROLD D. CHILDS.

The next business on the Private Calendar was the bill (H. R. 22027) to place Harold D. Childs on the retired list of the United States Navy.

The Clerk read the substitute amendment, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Harold D. Childs, late midshipman, an ensign in the United States Navy, and to place him upon the retired list as such, with three-fourths the pay of his grade.

Mr. FITZGERALD. I would like to have some explanation on this.

Mr. MANN. Mr. Speaker, this is another bill to put a man on the retired list who is not entitled to go on the retired list, to allow him three-fourths of pay, when, under the law, he would receive only one-half. It seems to me we have run the limit——

The SPEAKER. The gentleman from Illinois objects.

Mr. SHACKLEFORD. I object.

Mr. FITZGERALD. I object.

The SPEAKER. Objection is heard.

LYMAN W. WENTWORTH.

The next business on the Private Calendar was the bill (H. R. 9892) to correct the military record of Lyman W. Wentworth.

The amendment in the nature of a substitute was read, as follows:

*Be it enacted, etc.*, That Lyman W. Wentworth shall hereafter be held and considered to have been discharged from the military service of the United States on the 21st day of September, 1899, as a member of Company M, First Regiment California Infantry Volunteers, by reason of disability resulting from wounds and sickness incurred in line of duty.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, there are two or three bills like this upon the Calendar. There are many thousands of such cases in this country, and if this bill passes we will be called upon to pass thousands more. The only purpose of the bill is to permit a man who has an honorable discharge to have it recite he was discharged for disability in order that he may get a Government position ahead of other people, and I object.

Mr. SHACKLEFORD. I object.

The SPEAKER. Is there a third objection?

Mr. MACON. I object.

Mr. FINLEY. I object.

The SPEAKER. Objection is heard.

JOSEPH Y. PORTER.

The next business upon the Private Calendar was the bill (S. 5365) to appoint Joseph Y. Porter a lieutenant-colonel and deputy surgeon-general and to place him on the retired list of the Army.

The Clerk read as follows:

*Be it enacted, etc.*, That the President be, and he is hereby, authorized to appoint, by and with the consent of the Senate, Joseph Y. Porter, late a captain and assistant surgeon of the United States Army, to the position of lieutenant-colonel and deputy surgeon-general, and to place him on the retired list of the Army without pay as of that rank, and the retired list is hereby increased for that purpose only: *Provided*, That no pay, bounty, or other emoluments, either heretofore or hereafter, shall become due or payable by virtue of the passage of this act.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

WILLIAM PEACOCK.

The next business on the Private Calendar was the bill (H. R. 14133) for the relief of William Peacock.

The bill was read at length.

Mr. MANN. Mr. Speaker, this is just the same kind of a bill. And to show how it goes, the only reason given in this report is that a similar bill was passed sometime ago.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. FITZGERALD. I object.

Mr. FINLEY. I object, Mr. Speaker.

The SPEAKER. Objection is heard.

CHARLES A. GOING.

The next business on the Private Calendar was the bill (H. R. 17013) for the relief of Charles A. Going.

The bill was read, as follows:

*Be it enacted, etc.*, That the disqualification of Charles A. Going to enter lands under the homestead laws in force in the Territory of Oklahoma and applying to lands opened to settlement in the Pawnee Indian Reservation, in the said Territory, arising by reason of the said Charles A. Going having heretofore entered a homestead in the State of Kansas, be, and the same are hereby, removed, and that the entry of said Charles A. Going of the southeast quarter of section No. 4, in township No. 22 north, of range No. 3 east of the Indian meridian, in Pawnee County Okla., be, and the same is, restored as fully and to all intents and purposes as if the said Charles A. Going at the time of entering said lands had been qualified under the laws of the United States to enter the same.

The following committee amendment was read:

At the end of line 16 add: "*Provided*, That the said Going shall pay the sum of $1.25 per acre for said land."

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken; and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

M. I. GALLUPS AND OTHERS.

The next business on the Private Calendar was the bill (H. R. 24945) for the relief of M. I. Gallups, R. S. Smith, W. N. Gill, J. A. Weaver, I. S. Cadenhead, Davis Gillenwaters, and John McLemore.

The bill was read, as follows:

Whereas on the 14th day of October, 1895, M. I. Gallups entered as homestead the following-described lands situated in Russell County, Ala.: Southeast quarter of section 35, township 16, range 28, and did on the 8th day of January, 1901, make final proof of his improvement and residence on the land as required by law, and did on the 13th day of December, 1901, receive a patent to the land from the United States;

Whereas on the 30th day of September, 1895, Robert S. Smith entered as homestead the following-described lands situated in Russell County, Ala.: Northeast quarter of section 35, township 16, range 28, and did on the 23d day of November, 1900, make final proof of his improvement and residence on the land as required by law, and did on the 4th day of December, 1901, receive a patent to the land from the United States; and

Whereas on the 1st day of August, 1897, John McLemore entered as homestead the following-described lands situated in Russell County, Ala.: Southeast quarter of southwest quarter, section 35, township 16, range 28, and took up his homestead and residence upon said lands and lived thereon continuously until the 25th day of March, 1901; and

Whereas on the 5th day of May, 1896, William N. Gill entered as homestead the following-described lands situated in Russell County, Ala.: South half of northeast quarter and north half of southeast quarter, section 33, township 16, range 28, and took up his homestead and residence on said lands and lived thereon continuously until the 25th day of March, 1901; and

Whereas on the 11th day of December, 1895, Davis Gillenwaters entered as homestead the following-described lands situated in Russell County, Ala.: South half of southeast and southeast quarter of southwest quarter, section 33, township 16, range 28, and took up his homestead and residence on said lands and lived thereon continuously until the 25th day of March, 1901; and

Whereas on the 5th day of May, 1896, Ivey S. Cadenhead entered as homestead the following-described lands situated in Russell County, Ala.: Southeast quarter of northwest quarter and north half of southwest quarter and southwest quarter of southwest quarter, section 33, township 16, range 28, and took up his homestead and residence on said lands and lived thereon continuously until the 25th day of March, 1901; and

Whereas on the 28th day of October, 1895, James A. Weaver entered as homestead the following-described lands situated in Russell County, Ala.: East half of northwest quarter and southwest quarter of northwest quarter and northwest quarter of southwest quarter, section 25, township 16, range 28, and took up his homestead and residence on said lands and lived thereon continuously until the 25th day of March, 1901; and

Whereas on the 25th day of March, 1901, these parties, the said M. I. Gallups, Robert S. Smith, John McLemore, William N. Gill, Davis Gillenwaters, Ivey S. Cadenhead, and James A. Weaver, were sued out of possession of said lands by C. H. Dudley, who had purchased the lands from the Mobile and Girard Railroad Company, whose title was founded upon an act of Congress granting said lands to said railroad company, but which land grant had been held by the Department of the Interior as forfeited, which ruling was held by the Supreme Court of the United States to be erroneous, and upon the strength thereof said above-named persons, who had made homestead entries, were ousted; and

Whereas these parties above named lost their land and homesteads and their improvements, houses, fences, and labor for five years: Therefore

*Be it enacted, etc.*, That each of said persons be, and he is hereby, entitled and authorized to select and receive patent for an equal quantity of unappropriated nonmineral public lands subject to homestead entry without any requirement of previous residence thereon.

The SPEAKER. Is there objection?

Mr. LACEY. Mr. Speaker, I would like to ask the gentleman in charge of this bill how it happens to come from the Committee on the Judiciary?

Mr. CLAYTON. It was brought about as the result of a lawsuit in which these parties lost their lands, and I suppose it is for that reason. Having grown up out of a lawsuit, the merits of this case went to the law committee of the House.

Mr. LACEY. Some judge being responsible for the loss of it, it went to the Committee on the Judiciary for relief?

Mr. CLAYTON. I can not say that.

Mr. LACEY. Now, I would ask the gentleman if any investigation has been had as to the facts, from the records of the Interior Department, recited in this preamble?

Mr. CLAYTON. Yes, sir; and I can state to the gentleman that I have ascertained those statements to be true.

Mr. LACEY. There is no report from the Land Office. Of course, this bill ought to have gone to the Committee on Public Lands, but I am not disposed to object if the facts as stated have been established before the committee.

Mr. CLAYTON. It is all a matter of public record, and the facts were so stated.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

The preamble was stricken out.

On motion of Mr. CLAYTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

STEPHEN THOMPSON.

The next business on the Private Calendar was the bill (S. 3863) to correct the military record of Stephen Thompson.

The bill was read at length.

Mr. MANN. This bill was probably reported from the Committee on Military Affairs by an error. The report recites that when the man was discharged the surgeon certified that it was not a case for a pension and that the man should be discharged without bounty or a pension, it being probably a case of fraudulent enlistment, and he was discharged by the commandant-general without a bounty, and that is all the report discloses. So that probably is intended to be an adverse report, and I object.

Mr. FITZGERALD. Mr. Speaker, I object.

Mr. ALLEN of New Jersey. I object, Mr. Speaker.

The SPEAKER. Objection is heard.

W. D. CLAY.

The next bill on the Private Calendar was the bill H. R. 22182.

Mr. MANN. Mr. Speaker, I ask that the amendment be read.

The Clerk read as follows:

*Be it enacted, etc.*, That William D. Clay, James W. Clay, and Maggie Click, heirs of James W. Clay, deceased, be, and they are hereby, authorized to select in lieu of lands heretofore erroneously patented by the Government to their father, James W. Clay, and lost by said heirs, any other 80 acres of nonmineral, unappropriated surveyed public lands subject to homestead entry: *Provided*, That before making such selection they shall deliver to the Secretary of the Interior a duly executed and recorded quitclaim deed to the United States, conveying only such right and title as the said James W. Clay, deceased, acquired to the east half of the northwest quarter of section 16 township 6 south, range 3 east, in Alabama, by virtue of a patent issued to him for the said lands on the 2d day of April, 1857, and surrendering such patent to the Secretary of the Interior if in their possession, or filing with him an affidavit that they are unable to procure said patent, if such is the case, and shall file an abstract and affidavit showing that they, or James W. Clay, the patentee, have never conveyed to anyone the title derived from said patent: *Provided further*, That the right of selection of lieu lands provided for above shall be exercised within five years from the approval of this act.

The SPEAKER. Is there objection?

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BURNETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

PATRICK NADDY

The next bill on the Private Calendar was the bill (H. R. 20128) to complete the naval record of Patrick Naddy.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy is hereby directed to so amend the naval record of Patrick Naddy, late first-class boy, United States Navy, on United States receiving ship North Carolina and U. S. S. Galena and Princeton, as to show him honorably discharged, to date from June 30, 1863.

The following committee amendment was read:

In line 7 strike out the word "honorably."

The SPEAKER. The question is on the committee amendment.

The question was taken; and the committee amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CALDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

GERMAN BARK MARIECHEN.

The next business on the Private Calendar was the bill (H. R. 25437) to grant an American registry to the German bark *Mariechen.*

The bill was read, as follows:

A bill (H. R. 25437) to grant American registry to the German bark Mariechen.

*Be it enacted, etc.*, That the Commissioner of Navigation be, and he is hereby, authorized to register as an American vessel the German bark Mariechen: *Provided, however*, That such registry shall not give to said vessel the right to engage in the coastwise trade.

The amendment recommended by the committee was read, as follows:

And this act is recommended favorably for passage based upon the express condition that said bark is to be used as a barge, and that no application shall be hereafter made for the right for said vessel to engage in the coastwise trade for said vessel.

Mr. FITZGERALD. Mr. Speaker, I wish to call attention to the amendment. It is to be supposed that the amendment recommended by the committee shall accomplish some purpose, but it reads, "And this act is recommended favorably for passage based upon the express condition that said bark is to be used as a barge," etc. Now whatever was intended to be done by the committee, certainly it could not be accomplished by the words "this act is recommended favorably for passage," upon a certain condition, which will certainly not accomplish what is desired.

Mr. MANN. You ought to strike out the words in line 7, "recommended favorably for passage."

Mr. HUMPHREY of Washington. I have no objection to having these words stricken out.

The SPEAKER. The first question is, Is there objection? [After a pause.] The Chair hears none. Now the gentleman offers an amendment.

The Clerk read as follows:

Amend the committee amendment by striking out of line 7 the words "recommended favorably for passage."

The question was taken; and the amendment to the amendment was agreed to.

Mr. MANN. Also amend by striking out at the end "for said vessel," which is a repetition.

The Clerk read as follows:

Strike out the last three words in the amendment "for said vessel."

The question was taken; and the amendment to the amendment was agreed to.

The amendment of the committee as amended was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HUMPHREY of Washington, a motion to re-

consider the vote by which the bill was passed was laid on the table.

WEBB C. MAGLATHLIN.

The next business on the Private Calendar was the bill (S. 6729) authorizing the President to appoint Webb C. Maglathlin a second assistant engineer in the Revenue-Cutter Service.

*Be it enacted, etc.*, That the President of the United States be, and is hereby, authorized to appoint Webb C. Maglathlin a second assistant engineer in the United States Revenue-Cutter Service upon the occurring of the first vacancy after the passage of this act in the grade of second assistant engineer in said Service: *Provided*, That the said Webb C. Maglathlin passes satisfactorily the physical examination required by the regulations of that Service.

The SPEAKER. Is there objection?

Mr. MAHON. I would like to inquire if this would interfere with the promotion of an officer now in the service?

Mr. MANN. I see that the gentleman from Massachusetts [Mr. LOVERING] is present.

Mr. LOVERING. Mr. Speaker, this is a case where a young man passed the professional examination and was recommended for appointment. He stood at the head of the list. At that time he was well within the limit of age, which was fixed at 28. He was not needed then. Before taking the physical examination Congress passed a law fixing 26 years as the limit, and then he was over age. This is a specially exceptional case, and requires action. The service is in need of this man, and he is recommended by the Treasury Department; and I will say the bill has the unanimous report from the Committee on Interstate and Foreign Commerce.

Mr. MAHON. He went through the cadet service.

Mr. HULL. How old is he now?

Mr. LOVERING. Twenty-seven.

Mr. MAHON. His appointment will not interfere with anybody else?

Mr. LOVERING. Nobody else is on the eligible list.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. LOVERING, a motion to reconsider the vote by which the bill was passed was laid on the table.

MARTHA SANDERS.

The next business on the Private Calendar was the bill (H. R. 23988) to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described.

The Clerk read as follows:

A bill (H. R. 23988) to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described.

*Be it enacted, etc.*, That the entry of Levi B. Sanders of the southwest quarter of the northwest quarter of section 28, township 18 north, range 25 west, fifth principal meridian in the Harrison land district, in the State of Arkansas, held for cancellation by the Commissioner of the General Land Office and ordered canceled by the Secretary of the Interior, be, and the same is hereby, allowed and permitted to remain of record as of the date of said entry, so that title to said land may inure to the benefit of Martha Sanders, widow of the said Levi B. Sanders, and her grantees, as far as she may have conveyed the same, and that patent for said lands be issued to said Martha Sanders, widow of said Levi B. Sanders.

The amendment recommended by the committee was read, as follows:

*Provided*, That if satisfactory proof be presented to the Commissioner of the General Land Office that said Martha Sanders has conveyed said land, the patent herein authorized to be issued to said lands shall be issued to the present owner of the land holding and claiming under her.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it as accordingly read the third time, and passed.

THOMAS F. WALTER.

The next business on the Private Calendar was the bill S. 4964.

The bill was read, as follows:

A bill (S. 4964) for the relief of Thomas F. Walter.

*Be it enacted, etc.*, That the Secretary of War is hereby authorized to review the record of Thomas F. Walter, late first lieutenant of Company A, Ninety-first Regiment Pennsylvania Volunteer Infantry, and to revoke the order of courts-martial promulgated in orders dated April 16, 1865, and grant to him an honorable discharge as of the date of his separation from the service: *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

The SPEAKER. Is there objection?

Mr. HEPBURN. I would like to have some explanation of this bill.

Mr. MOON of Pennsylvania. Mr. Speaker, I will read from the report, which states all the facts much more briefly than I could:

This officer had a very honorable service from the date of his enlistment, in August, 1861, up to the date of his separation from the service, in April, 1865. He was but 19 years old when entering the service. During this service he was captured while serving as a volunteer in a perilous trip from near Warrenton, Va., into Snickers Gap, in the Blue Ridge, and passing through the enemy's lines about 30 miles. He was in prison at Winchester, and in a march of nearly 100 miles to Libby Prison "got away on a 'flag-of-truce boat' and returned to the front without waiting to be exchanged."

Mr. HEPBURN. Mr. Speaker, I withdraw my request for an explanation.

Mr. MANN. Mr. Speaker, I will say to the gentleman that the President himself endeavored to correct this man's discharge.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. MOON of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

ANNA JOHNSON.

The next business on the Private Calendar was the bill (H. R. 25697) granting land to Anna Johnson.

Mr. LACEY. Mr. Speaker, I ask unanimous consent to substitute the Senate bill to the same effect, which came over to-day.

The SPEAKER. The gentleman from Iowa asks unanimous consent to discharge the Committee on Private Land Claims from further consideration of the Senate bill and consider it in lieu of the House bill.

Mr. LACEY. This bill should have been sent to-day to the Committee on Public Lands.

Mr. MANN. It seems to have been sent to the Committee on Private Land Claims.

Mr. LACEY. The Senate bill has not yet reached the committee.

The bill was read, as follows:

A bill (S. 8580) granting land to Anna Johnson.

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and directed to issue to Anna Johnson, wife of Ging Sing, alias Jim Johnson, a patent to the following-described land, to wit: The southwest quarter of section 29, in township 13 south, of range 3 east of the New Mexico principal meridian.

Mr. LACEY. Mr. Speaker, that should be "range 25" instead of "range 3." I move that as an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

In line 7 strike out "3" and insert "25."

The amendment was agreed to.

The bill as amended was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

By unanimous consent, the similar House bill was ordered to lie on the table.

COMMANDER WILLIAM WILMOT WHITE.

The next business on the Private Calendar was the bill (H. R. 25179) transferring Commander William Wilmot White from the retired list to the active list of the Navy.

The bill was read, as follows:

*Be it enacted, etc.*, That the President of the United States be, and he hereby is, authorized to appoint, by and with the consent of the Senate, William Wilmot White, now a commander on the retired list of the Navy, a lieutenant-commander on the active list of the United States Navy, to take rank next above Lieut. Commander Emil Theiss, United States Navy: *Provided*, That the said William Wilmot White shall be carried as additional to the number of the grade to which he may be appointed under this act or at any time thereafter promoted: *And provided further*, That the said William Wilmot White shall not by the passage of this act be entitled to back pay of any kind.

The following amendment, recommended by the Committee on Naval Affairs, was read:

After the word "kind," in line 2, page 2, insert:

"*And provided further*, That the said William Wilmot White shall pass a physical examination before said transfer showing his fitness to enter the active service of the Navy."

Mr. FITZGERALD. Mr. Speaker, the Navy Department has disapproved of this bill, and recommends that it do not pass. It sets forth the reasons in the report. For that reason I object.

The SPEAKER. Is there a second objection?

Mr. MANN. I object.

The SPEAKER. Is there a third?

Mr. BEALL of Texas. I object.

Mr. BUTLER of Pennsylvania. Mr. Speaker, am I not entitled to make an explanation? The Navy Department does not object.

The SPEAKER. The gentleman is entitled to five minutes.

Mr. BUTLER of Pennsylvania. Gentlemen may object after that if they desire to do so. It is nothing to me.

Mr. MANN. Are we required to wait five minutes before we object?

The SPEAKER. The gentleman is entitled to five minutes' explanation.

Mr. BUTLER of Pennsylvania. Mr. Speaker, in justice to the Department——

Mr. MANN. A parliamentary inquiry. Must we object just at the end of the five minutes, losing the right if we do not?

The SPEAKER. The House has been proceeding informally, without objection, in the nature of unanimous consent; but under the order the gentleman is entitled to five minutes before the objection comes.

Mr. BUTLER of Pennsylvania. Mr. Speaker, this transfer from the retired list to the active list is requested by the Bureau of Steam Engineering of the Navy. It is true that the Bureau of Navigation does not approve it, because it does not desire, as stated in a letter written to the Naval Affairs Committee, to set a precedent. I will inform the House that the precedent has already been set during the present session of Congress.

Mr. Speaker, this officer is one of about thirty or forty left of the old engineers of the Navy. Last year or the year before he went upon the retired list, taking advantage of the personnel act of 1899, and was promoted to the rank of commander. He has now consented to go back and take his place in the line with the rank of lieutenant-commander. His transfer will not interfere with the promotion of anyone. My friend from Illinois [Mr. MANN] and the gentleman from New York [Mr. FITZGERALD] will notice that this transfer, if made, demotes him from the rank of commander to the rank of lieutenant-commander. I hope the gentleman will not object. The passage of this bill is requested of the Naval Affairs Committee by the Bureau of Steam Engineering.

Mr. FITZGERALD. Is it not a fact that the Secretary of the Navy disregarded the recommendation of the Bureau of Steam Engineering and followed the recommendation of the Bureau of Navigation and that he says—

> Concurring in the views of the Bureau of Navigation, as above set forth, the Department does not commend this measure to favorable consideration.

Mr. BUTLER of Pennsylvania. That is true

Mr. FITZGERALD. Then is it not a fact, as I asserted, that the Department does not recommend this bill for favorable action?

Mr. BUTLER of Pennsylvania. Mr. Speaker, I suppose, considering all these bureaus as part of the Navy Department, and the Secretary of the Navy speaking for them, that perhaps the Navy Department does not approve of the transfer; but the Bureau of Steam Engineering, to which this officer belongs, most urgently recommends, for the good of the service, that this man may go back and take his place in the line and go to sea. I ask my friends on the other side not to object. There is nothing personal in this. I am endeavoring to get a man from the retired list back on the active list. This will be a saving to the Government and will place on one of our great ships an engineer of the highest skill and possessing great intelligence for his profession. I appeal to my friends not to object.

Mr. MANN. Does the gentleman really think we ought to pass a bill of this sort, against the recommendation of the Navy Department, against the recommendation of the Bureau of Navigation, and not with a favorable recommendation, but only a half-hearted suggestion from the Bureau of Steam Engineering?

Mr. BUTLER of Pennsylvania. I will say to my friend that the Bureau of Steam Engineering most urgently requests the passage of this bill.

Mr. MANN. It only says:

> So it seems but just to him that he should be restored to his former position in the service.

There is no recommendation contained in the report. If there was any such recommendation, it ought to have been printed in the report.

Mr. BUTLER of Pennsylvania. Mr. Speaker, this is the language used by the Bureau of Steam Engineering:

> As these officers are fast disappearing from the list, the Bureau feels that in the near future it will be embarrassed for lack of officers with sufficient experience to do the work of design and inspection of new vessels as well as the necessary work on shore at navy-yards. As this officer's record is most excellent and his professional ability well recognized, also as he is an active worker and comparatively young for his place on the list, it is believed that it will be advantageous to the naval service to retain his services as long as possible.

I ask my friend not to object.

Mr. MANN. That certainly is not a recommendation for the passage of this bill. I said they had regarded it favorably, but they did not recommend the passage of the bill.

Mr. BUTLER of Pennsylvania. The Bureau of Navigation does not recommend the passage of the bill, but the Bureau of Steam Engineering has urged us by communications and otherwise that the bill be passed.

The SPEAKER. The five minutes has elapsed. Is there objection?

Mr. MANN. I object.

Mr. BELL of Texas. I object.

Mr. FITZGERALD. I object.

### MYRA CLARK GAINES.

The next business on the Private Calendar was the bill (H. R. 5437) for the relief of the heirs of Myra Clark Gaines, deceased.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue to the heirs of Myra Clark Gaines, deceased, late of the parish of Orleans, in the State of Louisiana, land scrip for 38,457 acres of land in lieu of 39,737 arpents of land to which the said Myra Clark Gaines was entitled as legal representative of Daniel Clark under a grant made by Spain to Thomas Urquhart, being claim No. 2 in House Executive Document No. 60, Forty-third Congress, first session, and in lieu of 5,470 arpents of land to which the said Myra Clark Gaines was entitled as legal representative of Daniel Clark under a grant made by Spain to John Lynd, being claim No. 6 in the said House Executive Document No. 60, Forty-third Congress, first session, the said scrip to be receivable in payment for the public lands, at the rate of $1.25 per acre, in the same way that military bounty land warrants are now receivable in payment for the public lands: *Provided*, That the said scrip shall be received by the said heirs in full settlement and satisfaction of all claims of the said Myra Clark Gaines, deceased, arising out of the said grants of Spain to Thomas Urquhart and John Lynd.

Mr. HEPBURN. Mr. Speaker, I would like to inquire if this is the old Gaines claim, so familiar to everybody who was an adult twenty-five years ago. I believe it has gone through all the courts, and I think they decided invariably against the claim of these claimants.

Mr. LACEY. No; it was decided the other way; and I will yield to the gentleman from Arkansas [Mr. ROBINSON].

Mr. HEPBURN. I would like an explanation.

Mr. LACEY. It was decided the other way shortly after the gentleman from Iowa was born, and has been awaiting the action of Congress.

Mr. ROBINSON of Arkansas. Mr. Speaker, complying with the request of the gentleman from Iowa, I will make a brief statement of this bill. It is indeed a very old claim. In November, 1803, the intendant-general of the Spanish province of West Florida granted to Thomas Urqhart 50,000 arpents of land—and an arpent is equivalent to seven-eighths of an acre. In 1806 the same grantor conveyed to John Lynd 5,470 arpents of land. In 1803 Thomas Urqhart conveyed this land so granted him to Daniel Clark, and in 1812 John Lynd also conveyed to Daniel Clark. In 1803, under the treaty between France and the United States, the United States acquired a claim to the territory within which this land is situated. Spain also claimed the land by treaty of Ildefonso, of 1800, by occupancy, having established military posts and garrisons. These claims were disputed claims between the United States and Spain and France and between the United States and Spain, and remained unsettled until 1819, when there was executed the treaty of amity settlements and limits between the United States and Spain.

By the terms of that treaty the United States recognized in some sense the title of Spain to these lands, and agreed to confirm the grants of all titles similar to this grant. It would seem that this treaty would have been sufficient to confirm the title of Daniel Clark to these lands. But in 1829, after years of litigation in the courts, Justice Marshall held in an opinion in Foster and Elam *v.* Neilson, in the second of Peters, 396, that it involved a political question, and that inasmuch as the United States had, by the act of 1804 and other acts of Congress, asserted claim of title to these lands under the treaty with France that Congress was the proper forum to grant relief to Daniel Gaines or his heirs.

In 1860 Congress passed a law pursuant to these decisions, providing for the confirmation of these claims and for the relief contemplated by this bill if the lands had been disposed of by the Government. Five years were allowed in which to present claims under the act. The civil war came on and no applications were made under that act, but in 1867 the term was extended three years. Myra Clark Gaines, as the heir of Daniel Clark, presented her claim to the Commissioners of the consolidated land office at New Orleans within the period fixed by the statute of 1867 extending the limitation of the act of 1860, and these Commissioners proceeded to confirm her claim. The Commissioner of the General Land Office, Willis Drummond, rejected the claim and refused to confirm it for several reasons

relating to the evidence, claiming that certain necessary evidence did not appear in the record.

This evidence was subsequently supplied, and it was made to appear to the satisfaction of the Commissioner of the Land Office that the claim was just, and he stated in a report to this Congress that if that evidence had been before his Office at the time he first passed upon the matter the claim would not have been rejected by him, but would have been confirmed. It is claimed, and the record shows, that the evidence was filed with the commissioners at New Orleans, but through some oversight of those officers it was not certified to the Commissioner of the General Land Office at Washington. The United States Congress subsequent to that time has had bills pending before it for the greater part of the time. It is a singular fact that the Committee on Public Lands of this House has repeatedly favorably reported this legislation.

There has never been one unfavorable report made on this bill by the House. It passed the House in the Forty-sixth Congress, if I remember correctly, and went to the Senate, but the committee of that body made an adverse report on the ground that the claim was not presented within the limitation fixed by the statute of 1867, and so no action was taken in the Senate, but the record shows conclusively that the claim was presented in December, 1869, and within the three-year period fixed by that statute of 1867. In 1886, I think it was, Myra Clark Gaines, the heir of Daniel Clark, died, and from that time for a period of ten years no action was taken before this body. Since that time bills have been continually pending before the Committee on Public Lands, and subcommittees have been appointed to consider the bill during every Congress. A subcommittee at the present session took the matter up and had very extended hearings.

I wish to say for myself and my colleagues on that subcommittee that we started into the investigation of the claim with the assumption that the doctrine of laches, or limitations, ought to apply; but after a careful consideration of the matter we have come to the conclusion that instead of being negligent in the prosecution of this claim Daniel Clark and his heirs have been singularly persistent in pressing their claims. They have gone to the courts, and they have come to Congress, and it is true that almost one hundred years have passed since the cause of this litigation has arisen; but the committee was of the opinion that the claim was meritorious, and that the bill ought to pass.

The SPEAKER. The five minutes have expired.

Mr. FITZGERALD. What is the value of this land scrip?

Mr. ROBINSON of Arkansas. One dollar and twenty-five cents an acre.

Mr. FITZGERALD. What would the total be under this bill?

Mr. ROBINSON of Arkansas. The total appropriation carried by the bill——

Mr. FITZGERALD. About $45,000?

Mr. ROBINSON of Arkansas. Something more than that, if I figure it correctly. There are about 38,000 acres.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. FITZGERALD. I object.

Mr. MARTIN. Mr. Speaker, I desire to be heard a moment.

The SPEAKER. But the five minutes have expired.

Mr. DALZELL. I object.

The SPEAKER. Objection is heard.

JOSÉ MARCH DUPLAT.

The next business on the Private Calendar was the joint resolution 92 to authorize the Secretary of War to permit José March Duplat to receive instruction at the Military Academy at West Point.

The Clerk read the resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he hereby is, authorized to permit José March Duplat, of Venezuela, to receive instruction at the Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby; and that the said Duplat shall agree to comply fully with all regulations for the police and discipline of the United States Military Academy; that he shall be studious, and that he shall give his utmost efforts to accomplish the courses in the various departments of instruction: *And provided further*, That, in the case of the said Duplat, the provisions of sections 1320 and 1321 of the Revised Statutes of the United States shall be suspended.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I desire to inquire how many foreigners are now being educated at West Point?

Mr. HULL. Mr. Speaker, I think there are some five or six altogether. This resolution comes from the State Department, from the War Department, in the usual form, applied for by the Venezuelan Government, and costs our Government nothing.

Mr. FITZGERALD. Does the gentleman think, under the present relations with Venezuela, we ought to grant this?

Mr. HULL. It is a courtesy we have never refused any of the South or Central American republics, and I think it is certainly a desirable thing to do in order to make them feel better toward us.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be read a third time, read the third time, and passed.

SETH DAVIS.

The next business on the Private Calendar was the bill (H. R. 25801) granting an honorable discharge to Seth Davis.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That Seth Davis shall hereafter be held and considered to have been honorably discharged from the military service of the United States as first lieutenant Company E, Fourth Regiment Michigan Volunteer Infantry, on April 23, 1866, and that the Secretary of War shall issue to him an honorable discharge as of that date: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. FORDNEY, a motion to reconsider the last vote was laid on the table.

DAVID ROBERTSON.

The next business on the Private Calendar was the bill (S. 4089) to place David Robertson, sergeant, first class, Hospital Corps, on the retired list of the United States Army.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That in consequence of the long, faithful, and meritorious services in the United States Army of David Robertson, sergeant, first class, Hospital Corps, for a period of fifty years in the same grade, the Secretary of War be, and he is hereby, authorized to place said David Robertson on the retired list of enlisted men of the Army with full pay of his grade and commutation of allowances at the following rates per month: Clothing, $4.56; rations, $30, and fuel and quarters, $20.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, there is an adverse report, but nobody will endeavor to pass the bill to-night. This bill is on the Calendar on an adverse report.

The SPEAKER. Is there objection?

Mr. FITZGERALD. I object.

The SPEAKER. The gentleman from New York and the gentleman from Illinois object.

Mr. CAPRON. Mr. Speaker, I will not take one-fifth of five minutes. I just desire to say that of all records made in the service here is the record of a man who has served fifty years in active service, a man who besides that is recommended that this action be taken by every major-general in the United States Army living to-day, by the Secretary of War, and by, I think, fifteen brigadier-generals now in command of the Army or recently retired, so it seemed to a considerable number of the members of the Committee on Military Affairs that it is one case where we might except the usual rule that is adopted by the committee and allow this action to be taken. I believe the man is one of the most worthy men in the United States service or has been, and I hope this vote will carry unanimously.

Mr. PARKER. Can I say a word to the House in favor of the report of the committee?

Mr. MANN. Is the right to object reserved?

The SPEAKER. Yes; the right to object is reserved.

Mr. PARKER. I desire to say that the committee stood about 8 to 6 on this question, eight voting against David Robertson and six in his favor.

David Robertson has served fifty years as hospital steward. He has done his work exceedingly well. At the same time, during the whole war he remained at the forts near the city of New York and saw no active service. If he had been in active service, probably he would have been commissioned and retired at high pay. There is one thing about this man: He has the greatest number of reports, recommendations from Army officers, from the Secretary of War, and major-generals down, but with them there is usually a letter directed to somebody or other asking for it. It is against the rules for one to apply for favors except through regular military channels, and the committee, on the whole, did not like communications from pharmacists and others throughout the country, and that kind of thing, when asked for by the man himself to get a favor in this way. Now, in the third place, there is a precedent in this House. This is not the only case. In 1896 a bill for Frank Marshall, who served thirty-five years as head pharmacist in the Army, was passed. I argued in favor of its passage. It was argued in this House for two days and then was voted down, I think,

by a vote of 60 to 24 in the House. We feel very sorry, and I feel a great respect for the man, but the majority of the committee could not feel that an exception should be made in this case. The Navy pay their pharmacists of like standing $1,600 a year, whereas the Army pays but $59 a month. There is much to be said in favor of raising the pay of Hospital Corps sergeants of experience, both on the active and retired list. It ought to be provided for by general law, but if the House, as a matter of equity, should give this relief, I am the last man to object.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I object.

Mr. FINLEY. I object.

Mr. MANN. I object.

The SPEAKER. Objection is heard.

CONVEYING LAND TO NORTH DAKOTA.

The next business on the Private Calendar was the bill (S. 6134) providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized to allow Milton Lowrie, of Mandan, N. Dak., who on July 25, 1904, made homestead entry of the south half of the northwest quarter and the north half of the southwest quarter, section 13, of township 138 north, of range 81 west, North Dakota, to amend said entry by relinquishing to the United States the northeast quarter of the southwest quarter of said section 13, and taking in lieu thereof the southwest quarter of the southwest quarter of said section 13.

SEC. 2. That, subject to rules and regulations to be prescribed by the Secretary of the Interior, the owner in fee simple of lots 3 and 4 of section 13 of township 138 north, of range 81 west, west of the river, in the State of North Dakota, containing 35½ acres, may convey said land to the United States and select in lieu thereof lots 1 and 2 and the southwest quarter of the northeast quarter of section 24, same township and range, and receive patent therefor.

SEC. 3. That when the United States shall have acquired title as aforesaid to said lots 3 and 4 and the northeast quarter of the southwest quarter of said section 13, the Secretary of the Interior shall cause patent to issue to the State of North Dakota for said described tracts for the use and benefit of the North Dakota State Historical Society, conveying to said State all the right, title, and interest of the United States therein.

The SPEAKER. Is there objection?

There was no objection.

The bill was read a third time, and passed.

On motion of Mr. GRONNA, a motion to reconsider the vote by which the bill was passed was laid on the table.

HEZEKIAH DAVIS.

The next business on the Private Calendar was the bill (H. R. 21091) authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis.

The bill was read, as follows:

*Be it enacted, etc.*, That for the purpose of giving to the widow title to the arrears of pay due the soldier for his services in the Oregon Indian war of 1855 and 1856, the Secretary of the Treasury be, and he is hereby, authorized and directed to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, now on file in the office of the Auditor for the War Department, the name of Hezekiah Davis, and such entry shall show that the said Hezekiah Davis was enlisted as a private by W. H. Farrar at The Dalles, Oreg., on the 1st day of March, 1856, and was discharged on the 19th day of May, 1856, as shown by the original roll and records on file in the office of the adjutant-general of the State of Oregon.

SEC. 2. That when the name of Hezekiah Davis has been entered on the roll of Captain Humason's company, as authorized and directed, his widow, Elizabeth C. Davis, shall be granted the pay due said soldier for his services in the same manner as such claims are granted to the widows of Indian war volunteers whose names now appear on the original company rolls and records of the various Indian wars.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. PAYNE. Mr. Speaker, I move that on all the several bills where the motion has not been entered a motion to reconsider the vote by which the several bills were passed be laid upon the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. POWERS, for the evening, on account of sickness.

To Mr. MOORE of Texas, for the evening, on account of sickness.

To Mr. BOUTELL, for three days, on account of absence from city because of important business.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 24118. An act granting to the Central Colorado Power Company a right of way over certain public lands for irrigation and electric power plants in the State of Colorado;

H. R. 8. An act for the relief of the Harbison-Walker Company, of Pittsburg, Pa.;

H. R. 24537. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 23720. An act to aid the Council City and Solomon River Railroad Company;

H. R. 23940. An act for the extension of Albamarle street NW., District of Columbia;

H. R. 24374. An act to fix the boundaries of lands of certain landowners and entrymen adjoining the Coeur d'Alene Indian Reservation;

H. R. 12188. An act for the relief of George T. Larkin;

H. R. 25627. An act to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.;

H. R. 25671. An act to authorize the construction of a bridge across the Grand Calumet River, State of Illinois;

H. R. 25440. An act granting an increase of pension to Catharine Lipes;

H. R. 12857. An act to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds;

H. R. 5. An act to provide for the refunding of certain money, etc.;

H. R. 16085. An act for the relief of Gordon, Ironsides & Fares Company (Limited);

H. R. 25184. An act to relieve the Tanana Mines Railroad, in Alaska, from taxation;

H. R. 21944. An act to amend section No. 2 of an act entitled "An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April 28, 1904; to restore to and confer upon certain persons the right to make entry under said act, and to amend existing law as to the sale of isolated tracts subject to entry under said act;

H. R. 25041. An act to provide for the creation of additional land districts in the district of Alaska;

H. R. 3462. An act for the relief of Franklin Patterson;

H. R. 16581. An act for the relief of George W. Schroyer;

H. R. 24046. An act to incorporate the Hungarian Reformed Federation of America;

H. R. 25611. An act to authorize the Burnwell Coal and Coke Company to construct a bridge across the Tug Fork of Big Sandy River;

H. R. 12840. An act for the relief of L. Biertempfel;

H. R. 9109. An act for the relief of J. H. Henry;

H. R. 10703. An act authorizing the extension of Monroe street NE.;

H. R. 24987. An act to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 21721. An act granting a pension to John R. Kissinger; and

H. R. 25005. An act granting an increase of pension to Emeline H. Hardie.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. R. 91. Joint resolution adjusting the status of certain officers of the Army as to their period of service required by the act of Congress approved June 30, 1882, to entitle an Army officer to retirement on his own application—to the Committee on Military Affairs.

S. 8580. An act granting land to Anna Johnson—to the Committee on Private Land Claims.

S. 7382. An act to encourage the holding of an Alaska-Yukon-Pacific Exposition at the city of Seattle, State of Washington, in the year 1909—to the Select Committee on Industrial Arts and Expositions.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 11 o'clock and 55 minutes p. m.) the House adjourned until Friday, March 1, 1907, at 11 a. m.

## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the chief of engineers, report of examination and survey of Galveston channel, Galveston Harbor, Texas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Association of the Fifth Pennsylvania Cavalry, transmitting resolutions thanking Congress for recent pension legislation—to the Committee on Invalid Pensions.

A letter from Encampment No. 20, Union Veteran Legion, transmitting resolutions thanking Congress for recent pension legislation—to the Committee on Invalid Pensions.

A letter from the Secretary of the Interior, transmitting, with a copy of a letter from the Commissioner of the General Land Office, a reply to an inquiry of the House as to certain lands in townships in the vicinity of the New Mexico principal meridian—to the Committee on the Public Lands, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 25741) to amend section 3 of an act entitled "An act to provide for the allotment of land in severalty," etc., approved February 8, 1901, reported the same with amendment, accompanied by a report (No. 8145); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TOWNSEND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25832) to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River, near the village of Mottville, St. Joseph County, Mich., reported the same without amendment, accompanied by a report (No. 8122); which said bill and report were referred to the House Calendar.

Mr. DAVEY of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25811) to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana, reported the same without amendment, accompanied by a report (No. 8138); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25846) permitting the building of a dam across the Savannah River at Calhoun Falls, reported the same without amendment, accompanied by a report (No. 8139); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 25847) permitting the building of a dam across the Savannah River at Hattons Ford, reported the same without amendment, accompanied by a report (No. 8140); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 25848) permitting the building of a dam across the Savannah River at Andersonville Shoals, reported the same without amendment, accompanied by a report (No. 8141); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 25849) permitting the building of a dam across the Savannah River at Cherokee Shoals, reported the same without amendment, accompanied by a report (No. 8142); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 25850) permitting the building of a dam across the Savannah River at Trotters Shoals, reported the same without amendment, accompanied by a report (No. 8143); which said bill and report were referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 25567) authorizing the Court of Claims to hear and adjudicate the claims against the Choctaw Nation of Samuel Garland, deceased, reported the same without amendment, accompanied by a report (No. 8144); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the Senate (S. 3020) for the relief of John P. Hunter, reported the same without amendment, accompanied by a report (No. 8146); which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LITTAUER, from the Committee on Appropriations: A bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes—to the Union Calendar.

By Mr. BABCOCK: A bill (H. R. 25852) to amend section 11 of an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906—to the Committee on the District of Columbia.

By Mr. OTJEN: A bill (H. R. 25853) authorizing the purchase of the historical art window, by Maria Herndl, of George Washington, etc.—to the Committee on the Library.

By Mr. MARSHALL: A bill (H. R. 25854) for preventing the manufacture, sale, or transportation of adulterated or misbranded white lead, paint, or other compound intended for use as such—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of North Carolina: A joint resolution (H. J. Res. 253) relating to securing a channel of 6 feet depth over Foys Flats, in the Trent River, North Carolina, about 4 miles above Newbern—to the Committee on Rivers and Harbors.

By Mr. CRUMPACKER: A resolution (H. Res. 894) providing for the consideration of Senate bill No. 6249—to the Committee on Rules.

By Mr. GRAHAM: A resolution (H. Res. 895) concerning clerk hire for Members and Delegates to the House of Representatives—to the Committee on Appropriations.

By Mr. MARTIN: Memorial of the legislature of North Dakota, relating to the proposed survey and drainage of the valley of the Red River of the North—to the Committee on Agriculture.

By Mr. DAVIS of Minnesota: Memorial of the legislature of North Dakota, relating to the drainage of the valley of the Red River of the North—to the Committee on Agriculture.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BENNET of New York: A bill (H. R. 25855) granting a pension to George D. Brooks—to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 25856) granting an increase of pension to Thomas W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25857) granting an increase of pension to Richard Cox—to the Committee on Invalid Pensions.

By Mr. LEWIS: A bill (H. R. 25858) granting an increase of pension to Mary McGarrah—to the Committee on Pensions.

By Mr. MOUSER: A bill (H. R. 25859) granting an increase of pension to Samuel C. Wheeler—to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of various organizations in the States and the District of Columbia, against the Littlefield bill—to the Committee on the Judiciary.

By Mr. BENNET of New York: Paper to accompany bill for relief of Charles W. Pinckney—to the Committee on Invalid Pensions.

By Mr. BONYNGE: Petition of the Daily Mining Record, against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BURTON of Delaware: Petition of the Legion of the Red Cross, Grand Council of Delaware, against the bill to codify the statutes relating to the classification of second-class mail matter (bill H. R. 608)—to the Committee on the Post-Office and Post-Roads.

By Mr. DAWSON: Petition of the Iowa State Retail Merchants' Association, for the Dixon bill (H. R. 3090), etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Petition of the Wisconsin Retail Lumber Dealers' Association, for reciprocal demurrage by railways—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of the Trades League of Philadelphia, for bill S. 6923, for reduction of first-class postage—to the Committee on the Post-Office and Post-Roads.

By Mr. FRENCH: Petition of the Pocatello Commercial Club, of Idaho, for bill carrying an appropriation for the reclamation of lands of Fort Hill Indian Reservation and lands south of the same—to the Committee on the Public Lands.

Also, papers to be filed with bill H. R. 24325—to the Committee on the Post-Office and Post-Roads.

By Mr. GOULDEN: Petition of Max J. Levy, of New York City, against any legislation to deprive once naturalized citizens of the United States of citizenship after they may have lived abroad for five years (H. R. 24122)—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Petition of H. Klingensmith, of Pittsburg, Pa., representing 400 railway telegraph operators, for the Murphy nine-hour-day bill—to the Committee on Labor.

Also, petition of P. H. McKenna, for an appropriation to test the value of the electric signagraph as a railway safety device—to the Committee on Interstate and Foreign Commerce.

By Mr. HEFLIN: Paper to accompany bill for relief of William N. Gladney—to the Committee on Claims.

By Mr. JENKINS: Petition of 55 citizens of Pierce County, Wis., to amend the free-alcohol bill—to the Committee on Ways and Means.

By Mr. McNARY: Petitions of W. J. Cassidy, president of the Leitrim County Club, and C. F. Forrester, president of the County Dublin Association, of Boston, Mass., favoring bill H. R. 21511—to the Committee on Claims.

Also, petition of Jeremiah J. Carroll, David J. Moynihan, Lawrence H. Sullivan, and other citizens of Boston, in aid of bill for relief of Joseph Manning (H. R. 2151)—to the Committee on Claims.

By Mr. NEEDHAM: Petition of F. G. Baker, for such legislation as shall secure an intelligent understanding of the shipping articles of seamen on whaling vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. RUPPERT: Petition of the Trades League of Philadelphia, Pa., for the Penrose bill (S. 6923)—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Petition of the Trades League of Philadelphia, Pa., for bill S. 6923 (reduction of first-class postage)—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERMAN: Petitions of Oriskany Falls Legion, No. 170; Lafargeville Legion, No. 1590, and East Utica Legion, No. 769, against the bill to amend and codify the statutes relating to the classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Petition of the Trades League of Philadelphia, for bill S. 6923, as a first step for adoption of a 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of Linn S. Judd and other citizens of New York City, for passage of the Appalachian and White Mountain forest-reserve bill—to the Committee on Agriculture.

By Mr. WADSWORTH: Petitions of members of the Presbyterian Church of Geneseo and citizens of Genesee County, N. Y., for the Littlefield bill—to the Committee on the Judiciary.

By Mr. WEEKS: Petition of Winslow Brothers & Smith, of Norwood, Mass., for amendment to the free-alcohol bill—to the Committee on Ways and Means.

By Mr. WEISSE: Paper to accompany bill (S. 7238) for relief of Dr. James Carroll—to the Committee on Military Affairs.

Also, petition of the United Commercial Travelers of America, for the Sherman mileage rate bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Goethe Lodge, No. 112, Independent Order of Odd Fellows, of Fond du Lac, Wis., against the Littlefield bill—to the Committee on the Judiciary.

By Mr. WOOD: Petition of Delaware Tribe, No. 184, Improved Order of Red Men, of Trenton, N. J.; Assanpink Lodge, No. 16, Improved Order of Red Men, and the Ludentafel Singing Society, against bill H. R. 13655 (the Littlefield bill)—to the Committee on the Judiciary.

## SENATE.

FRIDAY, *March 1, 1907.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### BOOKKEEPING IN TREASURY DEPARTMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, requesting that an appropriation of $7,000 be made to provide for a change in the methods of bookkeeping in the Treasury Department; which was referred to the Committee on Appropriations, and ordered to be printed.

### INDIAN AND FREEDMEN ENROLLMENT CASES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 28th ultimo, a statement with respect to the number of Indian and freedmen enrollment cases pending before the Commissioner to the Five Civilized Tribes, the Commissioner of Indian Affairs on review from said Commissioner, and the office of the Secretary on review February 25, 1907, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### SCHEDULE OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, a schedule of all claims allowed by the accounting officers of the Treasury under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### JUDGMENT BY CIRCUIT COURT OF ALABAMA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, the record of a judgment rendered against the United States by the circuit court of the United States for the middle district of Alabama under the act of March 3, 1887, as submitted by the Attorney-General, $247.86; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

### LISTS OF JUDGMENTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, lists of judgments rendered by the Court of Claims, amounting to $201,044.68, which have not been heretofore presented to Congress; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### INDIAN DEPREDATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of this date, a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases, amounting to $55,209, as submitted by the Attorney-General; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

S. 4964. An act for the relief of Thomas F. Walter;

S. 5365. An act to appoint Joseph Y. Porter a lieutenant-colonel and deputy surgeon-general, and to place him on the retired list of the Army;

S. 5660. An act for the relief of Capt. William N. Hughes;

S. 5869. An act for the relief of Larvan Gordon;

S. 6134. An act providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society;

S. 6729. An act authorizing the President to appoint Webb C. Maglathlin a second assistant engineer in the Revenue-Cutter Service;

S. 7550. An act for the relief of Harry A. Young;

S. 8427. An act to annul certain titles to land acquired by ju-

dicial proceedings in the courts of the United States in Texas, and for other purposes; and

S. R. 92. Joint resolution to authorize the Secretary of War to permit José March Duplat to receive instruction at the Military Academy at West Point.

The message also announced that the House had passed the bill (S. 8580) granting land to Anna Johnson, with an amendment; in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7676) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a commodore on the retired list of the Navy; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAWSON, Mr. BATES, and Mr. GREGG managers at the conference on the part of the House.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 15909. An act to reward the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the United States Army transport *Meade;* and

H. R. 25630. An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906.

The message further announced that the House had agreed to the concurrent resolution of the Senate requesting the President to return the bill (S. 6078) granting an increase of pension to Elijah B. Hudson.

The message also announced that the House had agreed to all of the amendments of the Senate to the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska; disagrees to amendment No. 9 to the bill; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. MONDELL, and Mr. BURNETT managers at the conference on the part of the House.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 17013. An act for the relief of Charles A. Going.

H. R. 20128. An act to complete the naval record of Patrick Naddy;

H. R. 20490. An act for the relief of Frank J. Ladner;

H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs;

H. R. 22543. An act granting to the town of Pawnee, in Pawnee County, Okla., certain lands for park, educational, and other public purposes;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army;

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described;

H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company;

H. R. 24945. An act for the relief of M. I. Gallups, R. S. Smith, W. N. Gill, J. A. Weaver, I. S. Cadenhead, Davis Gillenwaters, and John McLemore;

H. R. 25437. An act to grant American registry to the German bark *Mariechen;*

H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations, or among the several States, or with Indian tribes, and to protect the same;"

H. R. 25801. An act granting an honorable discharge to Seth Davis;

H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River in Louisiana;

H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals;

H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals; and

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoals.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 2787. An act to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation, in the State of Wisconsin;

S. 5365. An act to appoint Joseph Y. Porter a lieutenant-colonel and deputy surgeon-general and to place him on the retired list of the Army;

S. 6498. An act to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.," approved April 12, 1904;

S. 7994. An act authorizing the State of North Dakota to select other lands in lieu of lands erroneously entered in sections 16 and 36 within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations, in said State;

S. 8063. An act to amend an act entitled "An act to amend an act approved August 3, 1894, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June 4, 1906;

S. 8128. An act granting to the St. Johns Light and Power Company a right of way for street railroad purposes through the United States military reservation of Fort Marion, in St. Augustine, Fla., and through other Government property in said city;

S. 8377. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906;

S. 8535. An act for the relief of certain white persons who intermarried with Cherokee citizens;

H. R. 5. An act to provide for the refunding of certain money, etc.;

H. R. 8. An act for the relief of the Harbison-Walker Company, of Pittsburg, Pa.;

H. R. 3462. An act for the relief of Franklin Patterson;

H. R. 4629. An act for the relief of William H. Gowdy;

H. R. 7153. An act for the relief of David McClelland for loss sustained at Chickamauga Park, Georgia, January 29, 1904;

H. R. 8080. An act for the relief of S. Kate Fisher;

H. R. 9109. An act for the relief of J. H. Henry;

H. R. 9326. An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;

H. R. 9767. An act granting a pension to William J. Crane;

H. R. 10703. An act authorizing the extension of Monroe street NE.;

H. R. 11044. An act authorizing and directing the Secretary of the Treasury in certain contingencies to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds;

H. R. 12188. An act for the relief of George T. Larkin;

H. R. 12840. An act for the relief of L. Biertempfe;

H. R. 12857. An act to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds;

H. R. 15320. An act to remove charge of desertion standing against Peter Parsch;

H. R. 15434. An act to regulate appeals in criminal prosecutions;

H. R. 16085. An act for the relief of Gordon, Ironsides & Fares Company (Limited);

H. R. 16581. An act for the relief of George W. Schroyer;

H. R. 19524. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906;

H. R. 21721. An act granting a pension to John R. Kissinger;

H. R. 21857. An act to correct the military record of Jacob Rockwell;

H. R. 21944. An act relating to the entry and disposition of certain lands in the State of Nebraska;

H. R. 22210. An act to correct the military record of Homer Quick;

H. R. 23551. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1908;

H. R. 23720. An act to aid the Council City and Solomon River Railroad Company;

H. R. 23940. An act for the extension of Albemarle street NW., District of Columbia;

H. R. 24022. An act to correct the military record of Morris H. Walker;

H. R. 24046. An act to incorporate the Hungarian Reformed Federation of America;

H. R. 24118. An act granting to the Central Colorado Power Company a right of way over certain public lands for irrigation and electric power plants in the State of Colorado;

H. R. 24374. An act to fix the boundaries of lands of certain landowners and entrymen adjoining the Coeur d'Alene Indian Reservation;

H. R. 24390. An act to correct the military record of Charles H. Kellen;

H. R. 24537. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 24605. An act granting to the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va.;

H. R. 24987. An act to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 25005. An act granting an increase of pension to Emeline H. Hardie;

H. R. 25041. An act to provide for the creation of additional land districts in the district of Alaska;

H. R. 25184. An act to relieve the Tanana Mines Railroad, in Alaska, from taxation;

H. R. 25190. An act to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906;

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;

H. R. 25440. An act granting an increase of pension to Catharine Lipes;

H. R. 25611. An act to authorize the Burnwell Coal and Coke Company to construct a bridge across the Tug Fork of Big Sandy River;

H. R. 25627. An act to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.;

H. R. 25671. An act to authorize the construction of a bridge across the Grand Calumet River, State of Illinois;

H. R. 25691. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company;

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906;

H. R. 25758. An act amending an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and for other purposes;

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals; and

H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Moyer-Haywood-Pettibone Protest Conference of Hudson County, of Jersey City, N. J., praying for an investigation into the imprisonment of Moyer, Haywood, and Pettibone in the State of Idaho; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Indiana, Alabama, New York, California, Oklahoma, New Jersey, Pennsylvania, Connecticut, Illinois, Massachusetts, Iowa, Missouri, Ohio, Michigan, Montana, Texas, Minnesota, Idaho, Oregon, Nebraska, Wisconsin, and New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER. I present a large number of telegrams from telegraph operators in the State of New Hampshire, relative to the sixteen-hour bill. I ask that the signatures, together with the post-office addresses, be inserted in the RECORD, and that the telegrams may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From Frank Walker, of Concord, N. H.; from G. E. Brockway, of Warner, N. H.; from T. M. Casey, of Concord, N. H.; from W. H. Webster, of West Canaan, N. H.; from B. A. Williamson, of Littleton, N. H.; from C. A. Martin, of Danbury, N. H.; from A. L. McNally, of Twin Mountain, N. H.; from F. P. Law, of Concord Depot, N. H.; from J. T. Turcott, of Concord Depot, N. H.; from G. A. Hall, of Boscawen, N. H.; from C. M. Moore, of Lisbon, N. H.; from W. R. Atwood, of West Rumney, N. H.; from W. E. Byron, of Littleton, N. H.; from J. F. Sullivan, of Nashua, N. H.; from W. H. W. Allard, of Ashland, N. H.; from C. J. McKennon, of Gorham, N. H.; from W. B. Durgin and F. M. Haley, of East Andover, N. H.; from R. E. Woodward, of East Tilton, N. H.; from E. A. Lynch, of Gorham, N. H.; from Walter H. Chase, of Bath, N. H.; from Everett L. Evans, of Weirs, N. H.; from Fred P. Learned, operator, of Plymouth, N. H.; from G. M. Paul, agent, C. B. Jenness, operator, and M. L. Mason, operator, of Enfield, N. H.; from W. H. Belding, J. S. Greeley, and George H. Gordon, of Canaan, N. H.; from F. L. Gillingham and B. C. Jones, of Contoocook, N. H.; from J. W. Smith, operator, of Winona, N. H.; from J. R. Little, operator, of Rumney Depot, N. H., and from F. V. Clifford, of Laconia, N. H.

Mr. GALLINGER presented the memorial of H. W. Ferris, of Cleveland, N. Y., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented a petition of the International Association of Master House Painters and Decorators of the United States and Canada of Somerville, Mass., praying that an investigation be made of the illegal acts of labor organizations in restraint of trade and interstate commerce as is done of similar acts of organized capital; which was referred to the Committee on the Judiciary.

He also presented the petition of Dr. M. S. Iseman, of Washington, D. C., praying for the adoption of a certain amendment to the present law to regulate the practice of pharmacy in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT. I present sundry telegrams from telegraph operators in the State of New York, relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From C. A. Oakes, of Saranac; from H. D. Pfoor, of Kingston; from H. G. Hibbard, J. M. McGrath, J. M. Oak, and C. Flaherty, of Rochester; from W. H. Day, of Lake Clear; from J. E. Smith, of Loon Lake; from C. H. Williams, of Horseshoe; from J. P. Duffey, of Forest Port; from F. M. Rulison, R. V. Mack, and S. Smith, of Dewitt; from R. L. Dickinson, of Saranac; from Carry, Haynor, and Hart, of Hopewell; from Frank N. Hall, of Salamanca; from H. D. Hammond, of Horseheads; from W. U. Philips, of Horseheads; from B. L. Seamans, M. L. Russell, C. W. Carbon, and G. H. Reubolds, of Buffalo; from Richard K. Griesinger and Averill Creeden, of Irving; from J. P. Regan, of Buffalo; from A. Stasio, of Buffalo; from J. G. Frawley, of Buffalo; from Revo, Hazen, Mulkins, Ford, Wilder, and Washburn, of Silver Creek; from J. F. Lambert, of Utica; from F. J. Graviller, R. B. Rockelbank, P. Riley, C. Elliott, A. Furman, and George Fake, of Canandaigua; from A. E. Blim, of Chili Station; from G. R. Searl; from W. I. Escrite and W. H. Stanley, of Fishers; from E. J. Schirm, of Darien; from L. L. Woodin and L. A. Woodin, of Salamanca; from J. A. Brown, W. P. Mausell, W. G. Hawley, J. J. Clossey, V. Walters, H. H. Miller, T. F. Sullivan, J. A. Kelly, E. S. Smith, J. Tracey, and J. H. Groat, of Buffalo; from Nickel Plate telegraphers of Dunkirk; from E. S. Wolcott, W. L. Worth, L. L. Brown, J. C. Shaw, G. C. Elliott, and J. T. Stoneroad, of Allegany; from H. G. Pomeroy, of Paddlefords; from F. H. Howard, of Warsaw; from H. S. Austin, W. J. Hockey, and W. B. Prescott, of Attica; from B. F. Snyder, of Buffalo; from S. A. Fennell, Charles Hanes, Sara L. Horner, J. M. Hirner, and D. F. Sheehan, of Geneva; from R. G. Provost, of Buffalo; from F. A. Spray and J. F. Spray, of Phelps; from G. D. Willett, of Lakewood; from James J. Trounce, of Buffalo; from G. L. Odell, C. L. Crawford, C. R. Sinn, and W. E. Wakelee, of Athol Springs, and from F. J. Aderson, A. K. Helberger, J. A. Cook, and F. K. Barrett, of Mayville, all in the State of New York.

Mr. PLATT presented petitions of sundry citizens of New York City, Utica, Buffalo, Hornell, Syracuse, and Peekskill, all in the State of New York, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. KEAN presented a petition of the Federation of Woman's Clubs of Camden, N. J., praying for the enactment of legislation to regulate the employment of child labor; which was ordered to lie on the table.

He also presented a petition of sundry citizens of South Amboy, N. J., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of Photo-Engravers' Local Union No. 28, American Federation of Labor, of Newark, N. J., and a petition of Bricklayers and Masons' International Union No. 41, American Federation of Labor, of West Hoboken, N. J., praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. BURROWS. I present sundry telegrams from telegraph operators in the State of Michigan, relating to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From O. Fielder and M. S. Wilsburg, of North Morenci; from D. C. Honey and E. C. Honey, of Standish; from D. H. Jackson, of Bangor; from G. E. Speas, of Utica; from N. D. Vanauker, of Rives Junction; from J. D. Naftzger, of Bangor; from E. Vargarson and Oscar Pettit, of Otter Lake; from L. Ruppert and C. H. Kaiser, of Pinconning; from L. D. Whitney, W. H. Dansby, and W. W. Green, of Newport; from J. P. Rourke, of Rives Junction; from H. V. Healy, of Nashville; from L. R. Taylor, of Mount Pleasant; from W. H. Ryan, of Kalamazoo; from N. J. Granger, of Lansing; from G. S. Oliver, H. L. Armstrong, O. D. Cummings, G. H. Alward, and W. A. Bunting, of Ann Arbor; from J. D. Manor, N. V. Boylan, and W. R. Taft, of Ann Arbor; from J. C. Culkins, of Albion; from J. L. Lacrone, C. V. O'Connor, W. C. Berry, and C. R. South, of New Buffalo; from G. B. Daniels and F. C. Livesay, of Sand Creek; from C. S. Collier, J. H. Hoffstetter, and Lot. Nevius, of Frankfort; from Illif, Dressander, Curtis, Behen, Sellers, Curry, Yoder, Peters, and Livingston, of Romulus; from J. M. Nelson and O. F. E. Shelman, of Ennis; from G. A. Nedham, H. M. Sargent, C. E. Carpenter, and W. A. McTaggart, of Owosso; from B. C. Grant, of Hamburg, and from W. H. Cransy, of Grand Junction, all in the State of Michigan.

Mr. DEPEW. I present sundry telegrams from telegraph operators in the State of New York, relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From H. C. Rice, of Buffalo; from J. P. Donoven, H. Garrett, P. Briggs, J. C. Engle, H. R. Butterhill, J. F. Loftus, Peter Furmidge, D. B. Metthewson, H. S. Gurvin, W. A. Weeks, L. D. White, C. H. Lewcox, and A. R. Kent, of North Tonawanda; from Frank N. Hall, of Salamanca; from Nickel Plate Telegraphers, of Dunkirk; from Trow Directory Printing and Book Binding Company, of New York; from D. C. Wooden and H. C. Kent, of West Paterson; from F. J. Graviller, C. Elliott, R. Brockelbank, A. Furman, P. Riley, and George Fake, of Canandaigua; from E. F. Schneider, of Churchville; from A. B. Brown, of Churchville; from E. S. Wolcott, W. L. Worth, L. L. Brown, J. C. Shaw, G. C. Elliott, J. T. Stoneroad, of Alleghany; from J. F. Rosenberry, F. Goddrich, A. G. Carlson, and F. M. Thompson, of Red House; from J. F. Lambert, of Utica; from B. L. Woodin and L. A. Woodin, of Salamanca, and from Vail & Johnson, of Hamburg, all in the State of New York.

Mr. DEPEW presented petitions of sundry citizens of La Grange, Mahopac Falls, Chautauqua, Rochester, Penn Yan, Manlius, Dalton, and Fleming, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALLEE. I present sundry telegrams from telegraph operators in the State of Delaware relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From C. J. Rudolph, R. H. Lipscomb, W. D. Livermore, C. T. Denney, H. W. Kennedy, F. C. Melvin, J. W. Beatty, D. B. Pyle, H. W. Miles, and W. H. Norris, of Wilmington, Del.; from J. E. Hancock, of Kiamensi, Del.; from I. G. Jenkins, of Laurel, Del.; from W. A. Watson, of Newcastle, Del.; from O. F. Sheridan, of Newcastle, Del.; from G. C. Brown, of Warrington, Del.; from J. T. Gough, of Bear, Del.; from R. Stevens, of Felton, Del.; from Messrs. Truitt, Gafford, and Gay, Clayton, Del.; from B. C. Wainwright, of Viola, Del.; from W. F. Cubbage, of Viola, Del.; from W. H. Reese, of Bear, Del.; from D. C. Moore, of Viola, Del.; from E. Sterling, of Kirkwood, Del.; from W. B. Prettyman, of Stockley, Del.; from J. G. Whitlock, of Wyoming, Del., and from Messrs. Millman and Thomas, of Clayton, Del.

Mr. ALLEE presented petitions of sundry citizens of Laurel and Farmington, in the State of Delaware, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURNHAM presented the petition of Daniel Graham, telegraph operator, of Gorham, N. H., praying for the adoption of a certain amendment to the so-called sixteen-hour bill to limit the hours of service of railroad employees and telegraph operators; which was ordered to lie on the table.

He also presented a petition of Brickmakers, Masons, and Plasterers' Local Union No. 3, American Federation of Labor, of Manchester, N. H., and a petition of Boot and Shoe Workers' Local Union No. 28, American Federation of Labor, of Manchester, N. H., praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. CULLOM presented petitions of sundry citizens of Hoopeston and Waltonville, in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALLISON presented a memorial of sundry citizens of Weston, Iowa, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented a memorial of the German-American Central association, of Scott County, Iowa, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Corn Belt Meat Producers' Association, of Des Moines, Iowa, praying for the enactment of legislation to regulate the shipment of live stock; which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Griswold, Dows, Edgewood, Dubuque, Fairfield, New Providence, and Council Bluffs, all in the State of Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURKETT presented a petition of sundry citizens of Malheur County, Oreg., praying for the enactment of legislation providing for the leasing of all public grazing lands; which was referred to the Committee on Public Lands.

Mr. LODGE presented a petition of sundry citizens of Gardner, Mass., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Appalachian Mountain Club, of Boston, Mass., praying that an appropriation be made for the maintenance of the Yosemite National Park, in the State of California; which was referred to the Committee on Public Lands.

Mr. KITTREDGE. I present sundry telegrams from telegraph operators in the State of South Dakota relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From A. M. Landmark, of White; from Charles F. Hackett, F. W. Cole, and J. A. Steninger, of Parker; from D. Freck, of Mitchell; from H. E. Brock, of Elk Point; from C. V. Andrews, of Sturgis; and from C. F. Dunham, of Parkston, all in the State of South Dakota.

Mr. NELSON presented a petition of sundry citizens of Farmington, Minn., praying for the adoption of certain amendments to the present denatured-alcohol law; which was ordered to lie on the table.

Mr. SCOTT. I present sundry telegrams from telegraph operators in the State of West Virginia relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From Cahill & Graham, of Smithburg, W. Va.; from Etta H. Meadows, operator, of Beckley Station, W. Va.; from J. W. Spurlock, of Orlando, W. Va.; from D. J. McCaulaky and J. A. M. Mahere, operators, of Lusk, W. Va.; from Elmer Ford, night owl, of Glen Alum, W. Va.; from C. S. Pipper, telegraph operator, of Glen Alum, W. Va.; from T. M. Gillum, operator, of Newham, W. Va.; from J. L. Jenkins, of Hackers Junction, W. Va.; from R. S. Smith, operator, of Jayenne, W. Va.; from G. A. Ott, secretary of railway telegraphers in West Virginia, of Terra Alta, W. Va.; from L. D. Nunley, W. D. Ramsey, and Miss Dorcas Duncan, of Ada, W. Va.; from C. E. Cosler, local chairman, of Grafton, W. Va.; from T. A. Hagerty, operator, of Underwood, W. Va.; from M. C. Rathbun, local chairman, of Sistersville, W. Va.; from J. A. Minick, A. N. Peters, J. J. Switzer, and S. R. Moore, operators, of Weston, W. Va.; from E. Wilson, operator, of Highland, W. Va.; from P. W. Strother, Pearisburg, W. Va.; from H. K. Williamson, H. H. Raymond, D. L. Coyne, and R. M. Graham, operators, of Salem, W. Va.; from W. Henry, A. H. Speelman, and R. C. Robinnett, of Eckman, W. Va.; from C. L. McPherson, of North Fork, W. Va.; from Ober & Hammond, of Wolf Summit, W. Va.; from F. R. Kern, operator, of Harpers Ferry, W. Va.; from K. N. Walker, N. Rexroad, Arthur Samples, W. A. McCormick, L. C. Dingledine, W. W. Satterfield, H. H. Moore, and Charles Orrohod, operators, of Belington, W. Va.; from C. C. Smith, of Arden, W. Va.; from G. C.

Calloway and J. T. Wood, of Coaldale, W. Va.; from Whitehead Jennings, operator, of Cooper, W. Va.; from F. W. Hill, D. C. White, J. L. Cayre, and H. W. Weller, of Vivian, W. Va.; from J. V. Davis, John Lannan, and R. B. Davis, of Bryden, W. Va.; from G. W. Pile, Annie Wickham, and Gordon Mays, of Elkham, W. Va.; from A. E. Swisher, operator, of Meriden, W. Va.; from C. L. West, J. C. Riddle, C. E. Ogden, O. L. Buckhannon, and E. L. Everhart, of Clarksburg, W. Va.; from C. Cline and J. Hammond, of Pennsboro, W. Va.; from J. O. Graham, of Long Run, W. Va.; from S. A. Cunningham, of Enterprise, W. Va.; from O. L. Farlow, of Jayenne, W. Va.; from W. B. Robinson, operator, of Arden, W. Va.; from J. A. Bridge, W. H. Humback, and T. C. Owens, of Clarksburg, W. Va.; from J. W. Rinker, of Wilsonburg, W. Va.; from A. E. Shingleton, of Enterprise, W. Va.; from M. F. Johnson and S. L. Cross, of Flemington, W. Va.; from W. F. Atkins, of Glen Falls, W. Va.; from Graham, Shonehnessy & Graham, of Central Station, W. Va.; from C. E. Heineman, of Chiefton, W. Va.; from L. Olewine, of Enterprise, W. Va.; from C. M. Connelly, of Bridgeport, W. Va.; from Graham, Steurer & Graham, of Kanawha, W. Va., and from G. F. Steur and W. B. Moffitt, of Parkersburg, W. Va.

Mr. NELSON presented petitions of sundry citizens of Hewitt, Austin, Excelsior, Brown Valley, and Shelby, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FULTON. I present a joint memorial of the legislature of the State of Oregon, which I ask may be read and referred to the Committee on Public Lands.

The joint memorial was read, and referred to the Committee on Public Lands, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that the annexed page contains a full, true, and complete copy of House joint memorial No. 5 adopted by the house of representatives of the State of Oregon February 18, 1907, and by the senate of the State of Oregon February 20, 1907, original of which memorial was filed in this office February 21, 1907.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 21st day of February, A. D. 1907.

[SEAL.] F. W. BENSON, *Secretary of State.*

House joint memorial.

*To His Excellency the President of the United States and the honorable Senate and the House of Representatives of the United States of America:*

Your memorialists, the legislative assembly of the State of Oregon, most respectfully represent that a large number of settlers have settled upon the public domain of the State of Oregon and have been residing upon their claims for many years, and that applications have been made for surveys of such lands.

That the settlers upon such lands are undetermined as to what course to pursue as to the improvement of their claims, and, as they are located far back from settlement, they can not make their entire living upon their claims, and many of them, because of the uncertainty of receiving patent to the land in compensation for their labor bestowed thereon, are leaving their claims and improvements, which are at once scripped by persons who have no interest directly in the development of the State's resources. The scrip holders do not desire that the lands be surveyed, or, if surveyed, the survey accepted, for the reason that the same will be brought under our taxation laws, and are thereby keeping from taxation large tracts of the public domain.

Therefore your memorialists most respectfully ask that the Congress of the United States take some steps to relieve the settlers upon such lands, and where surveys have been made that the same be speedily accepted, and open up the same for settlement.

Adopted by the house February 18, 1907.

FRANK DAVEY, *Speaker of the House.*

Adopted by the senate February 20, 1907.

E. W. HAINES, *President of the Senate.*

(Indorsed:) House joint memorial No. 5.

W. LAIR THOMPSON, *Chief Clerk.*

Filed February 21, 1907.

F. W. BENSON, *Secretary of State.*

Mr. McCUMBER. I present concurrent resolutions of the legislature of the State of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The concurrent resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Concurrent resolution offered by Mr. Cashel.

*Be it resolved by the senate (the house of representatives concurring):*

Whereas the valley of the Red River of the North is by nature one of the best, if not the best, of the river valleys of the American continent from an agricultural standpoint, but is at times from a combination of conditions so flooded, both by the overflow of the Red River and its tributaries and by the run-off of the higher lands lying adjacent to and on both sides thereof, and the raising of crops adjacent to the river is to a certain extent uncertain and hazardous; and

Whereas the people residing in the said valley are in the most urgent need of aid for the drainage of their lands in order that crop raising may be assured, and also of the regulation of the flow of the Red River for the purpose of insuring and improving its navigability and the prevention of overflow which results in great damage to life and property; and

Whereas numerous surveys and investigations of portions of this valley have been prosecuted in the past, both in the United States and in Manitoba; and

Whereas the officers of the United States Agricultural Department, in cooperation with the proper officers of the various States affected, are at the present time engaged in making a detailed study of the said valley in the United States, and the engineers of the public works department of Manitoba are also engaged in the study of the drainage conditions prevailing in the said valley in that province, all of which investigations and study are being carried on with the greatest possible speed consistent with careful study and the funds available; and

Whereas there still remains much to be done before there can be a full and complete understanding of the situation: Therefore, be it

*Resolved*, That liberal appropriations be made for the prosecution of these surveys by the departments of the Government having the same in charge, to the end that the data required for the proper drainage of the Red River Valley and the regulation of the flow of the Red River may be secured. Be it further

*Resolved*, That we earnestly and urgently request the government of Canada and the Congress of the United States to secure the appointment of an international commission as early as possible for the purpose of making a thorough investigation of the Red River and its tributaries, with a view of regulating the flood flow thereof, so as to prevent its overflow in the times of flood and improve navigation in periods of low water. Be it further

*Resolved*, That the extensive drainage projects now being carried on throughout the valley, and which will materially affect the volume of water in said river in the flood period, make it imperative that the flow of this river be regulated as far as possible, with a view to meeting the conditions created by these improvements. Be it further

*Resolved*, From estimates made by the Government engineers and local engineers it is apparent that the waters of the Red River can be controlled by the construction of a canal connecting Lake Traverse with the Big Stone Lake, thereby lowering the water level of said Lake Traverse and turning the flow from its basin into the Minnesota River in flood time, and by the construction of a reservoir dam at Otter Tail Lake, a reservoir dam at the foot of Red Lake, a reservoir dam on the Sheyenne River at some feasible point, to retain the waters of its basin during flood periods, and a dam on the Pembina River, suitably located to control the floods of that stream, which drains from a large area in Manitoba and North Dakota. By the construction of these dams and reservoirs the damage from overflow of the Red River would be averted and navigation materially improved in low stages of water. From investigations and estimates made by competent engineers the proposed improvements can be constructed at a cost not to exceed $500,000. Be it further

*Resolved*, That the Senators and Representatives from the States of Minnesota, North and South Dakota be requested to use all earnest endeavors to have a joint commission appointed, and that an appropriation be made sufficient to defray the expenses thereof; and that the government of Canada be requested to cooperate in the appointment of such joint commission. Be it further

*Resolved*, That the legislative assembly of the States of Minnesota and South Dakota, the legislature of Manitoba, and the parliament of the Dominion of Canada be respectfully requested to consider these resolutions and to cooperate, through their representatives in their respective lawmaking bodies, in carrying out the object sought in these resolutions; and be it further

*Resolved*, That the secretary of state be instructed to forward certified copies of these resolutions, one each to the Senators and Representatives in Congress of the three States named, the speaker of the legislature of Manitoba, the presiding officer of the Dominion parliament at Ottawa, Canada, and the Secretary of War, Washington, D. C.

R. S. LEWIS, *President of the Senate.*
JAMES W. FOLEY, *Secretary of the Senate.*
TREADWELL TWICHELL, *Speaker of the House.*
P. D. NORTON, *Chief Clerk of the House.*

I, James W. Foley, secretary of the senate, do hereby certify that the foregoing concurrent resolution originated in and was adopted by the senate of the tenth legislative assembly of the State of North Dakota, and was concurred in by the house of representatives.

JAMES W. FOLEY, *Secretary of the Senate.*

Mr. HOPKINS. I present sundry telegrams from telegraph operators in the State of Illinois, relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From Ralph Toombs and M. J. Madden, of Freeport; G. R. Stewart, of Chicago; from G. W. Scott, of Lasalle; from S. H. Dabis, of Lasalle; from R. R. Hollis, of Chestnut; from Joseph M. Wazeka and Edward Novak, of Chicago; from E. E. Livezey, of Chicago; from G. W. Tate, of Jeffersonville; from J. M. Peck, of Farmingdale; from George C. Cannon, of Rapatee; from Aug. W. Grunz, E. G. Castle, and R. C. Heur, of Breese; from C. J. Walker, L. A. Richards, H. A. Bolinger, and J. B. Weems, of Newton; from J. C. Koons, of Peru; from A. C. Letts and E. P. Feray, of Lasalle; from I. E. Diefendorf, of Stockdale; from C. A. Indra, F. Omer, G. L. Baldwin, and Charles Piper, of Lena; from W. L. Slater, of Cowden; from J. C. Peterson, of Morris; from E. H. Lacey, J. J. Ivory, E. L. Kane, C. S. Davis, C. D. Jeffrey, C. J. Livingston, A. F. Weimer, C. R. Potter, R. R. Ginn, G. J. McCarty, and Glen Gilbert, of Galena; from E. C. Pibley, of Chicago; from C. W. Parkins, W. R. Bierce, James Hansberry, C. E. Conklin, and O. M. Walz, of Council Hill; from L. E. Anschutz, I. N. Swain, and B. A. Young, of Warren; from D. J. Buckley, of Chicago; from E. H. Donner, S. D. Rowe, A. R. Meade, and M. E. Wilcoxson, of Apple River, and from G. C. Ricketts, of Stockdale, all in the State of Illinois.

Mr. HOPKINS presented a petition of Local Union No. 581, United Brotherhood of Carpenters and Joiners, of Herrin, Ill., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Warren, Eureka, and Momence, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 118, United Garment Workers, of Bloomington; the Elgin Trades Council; of Local Union 720, United Mine Workers, of Staunton; Local Union 185, Coopers' International Union, of Peoria; Local

Union 325, Brotherhood of Blacksmiths, of Chicago, and of Local Union 3, Iron, Steel, and Tin Workers, of Kewanee, all in the State of Illinois, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. GAMBLE. I present sundry telegrams from telegraph operators in the State of South Dakota relative to the sixteen-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From W. H. Warren, Thomas H. Ruth, C. H. Warren, and F. W. Wright, of Desmet, S. Dak.; from E. C. Miles, of Black Hawk, S. Dak.; from F. W. Lacktrup, of Irene, S. Dak.; from S. G. Mortimer, of Bellefourche, S. Dak.; from S. J. Hopper and C. V. Andrews, of Sturgis, S. Dak.; from J. F. Trax, of Beresford, S. Dak.; from Stonage Business Club, J. C. Headlee, of Stonage, S. Dak.; from H. E. Brock, of Elkpoint, S. Dak.; from C. W. Pratt, of Geddes, S. Dak.; from D. E. Sullivan, of Vermilion, S. Dak.; from N. Paulsen, of Centerville, S. Dak.; from I. L. Fleeger, of Parker, S. Dak.; from A. W. Tyner, of Elkton, S. Dak., and from P. S. Nolton, of Elkton, S. Dak.

Mr. PILES presented memorials of sundry citizens of Beck, Malott, Brewster, Methow, Conconully, Ophir, and Ranching, all in the State of Washington, remonstrating against the enactment of legislation withdrawing public lands from homestead settlement for forest-reserve purposes, and also against making temporary withdrawals permanent; which were referred to the Committee on Public Lands.

Mr. WARREN. I present a joint resolution of the legislature of Wyoming, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

The joint resolution was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

STATE OF WYOMING.
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Wyoming, ss:*

I, William R. Schnitger, secretary of state of the State of Wyoming, do hereby certify that the annexed has been carefully compared with the original copy of house joint resolution No. 7, of the ninth State legislature of Wyoming, relating to the management of the lands in the State by the State land board, and is a full, true, and correct copy of same and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 25th day of February, A. D. 1907.

[SEAL.] WM. R. SCHNITGER,
*Secretary of State.*

House joint resolution No. 7.

In opposition to any proposed change in the Federal land laws or in the administration of said laws, or to any regulations that will operate to the injury of the State of Wyoming, retard its development, hinder its growth, or interfere with the prosperity of its people.

Whereas 60 per cent of the lands of Wyoming are unoccupied, except for the grazing of live stock; and

Whereas conditions in Wyoming were never more prosperous than at present, and it should be our aim to maintain same; and

Whereas the relations between the various live-stock interests were never more peaceful and satisfactory than now; and under present methods of conducting the live-stock industry, necessitating, as it does, winter feeding, the irrigable lands are being reclaimed and made to produce their full capacity of hay and small grains, thereby offering inducements to settlers and dry farmers, and creating a home market for the fruits of their labors, which will grow rapidly under a continuation of these conditions, thereby almost doubling the stock-carrying capacity of the arid ranges and thus increasing, to a marked degree, the taxable wealth of the State; and

Whereas the influx of home builders, homesteaders, and settlers under our irrigation system was never greater or as steady as at present, and the prospect for the future was never brighter in our young Commonwealth. The Government is constructing two great irrigation systems in this State, and soon the farmer and home builder will be invited to come in large numbers and settle the lands under these enterprises; and

Whereas experiments in dry farming have proved conclusively that a large percentage of arid lands heretofore regarded as fit only for the limited grazing of live stock can be reclaimed by the dry-farming methods and made to produce bountiful crops of hay and grains common to this climate; and efforts are now being made to settle these lands by this plan, which has already proved successful: Therefore, be it

*Resolved by the house of representatives of the ninth legislature of the State of Wyoming (the senate concurring)*, That we view with alarm any proposed change that will in any way injure our prosperity, restrict immigration, keep out the home builder, homesteader, and settler, retard the growth of our young State, handicap work upon the great irrigation enterprises of the Government and private capital, restrict or destroy the home market of the small ranchman, dry farmer, and settler, who depends upon the live-stock industry for an outlet for his hay, small grains, and produce, or that will in any way interfere with the present peaceful relations between stockmen. Be it further

*Resolved*, That we favor such changes as will place all such lands under the control of the Commissioner of Public Lands, by direction of the State land board in the respective States and Territories. Be it further

*Resolved*, That copies of these resolutions be forwarded to the President of the United States, Secretary of the Interior, Secretary of Agriculture, and to Members of Congress of the United States, with the request that same be given careful consideration before entering upon any plan having for its object the leasing or control of the range lands of Wyoming.

Approved February 20, 1907.

Mr. WARREN presented petitions of sundry ranchmen of Phillips, Meriden, La Grange, Manville, Guernsey, Sunrise, and Frederick, all in the State of Wyoming, praying for the enactment of legislation providing that actual settlers may lease the Government land contiguous to their patented land; which were referred to the Committee on Public Lands.

Mr. PROCTOR presented a petition of the Laundry Workers' Union No. 178, of Barre, Vt., praying for the enactment of legislation for the protection of labor and industries from the competition of convict labor and prison-made goods; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. PLATT, from the Committee on Printing, reported an amendment providing that under the provisions of section 3 of an act to amend an act providing for the public printing and binding and distribution of public documents the Public Printer is directed to keep separate account of the expense of the administration of the office of the superintendent of documents of the Government Printing Office, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment providing for the appointment of a Joint Committee on Printing of the two Houses of Congress to continue the work of the Printing Investigation Commission appointed under the provisions of an act approved March 3, 1905, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. CRANE, from the Committee on Commerce, to whom was referred the bill (H. R. 25672) to amend an act entitled "An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River," reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 7663) to increase the efficiency of the personnel of the Revenue-Cutter Service, reported it with amendments, and submitted a report thereon.

Mr. KNOX, from the Committee on the Judiciary, to whom was referred the amendment submitted by himself on the 27th ultimo proposing to appropriate $3,000 to pay John M. McDowell, of Council City, Alaska, for services rendered in preparing a new set of indices of all the records of the recording district of that city, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

PROPOSED INVESTIGATION BY FINANCE COMMITTEE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. ALDRICH, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on Finance be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make an investigation of internal revenue, customs, currency, and coinage matters, and to report from time to time to the Senate the result thereof; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

HOSPITALS AND CHARITABLE INSTITUTIONS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. GALLINGER, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on the District of Columbia be, and hereby is, authorized and directed, by subcommittee or otherwise, to make an inquiry into all matters relating to the hospitals and other charitable institutions in the District of Columbia, and to report from time to time to the Senate the result thereof; and for this purpose is authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, to send for persons and papers, to administer oaths, and to employ such stenographic and other assistance as may be necessary, the expense of such inquiry to be paid from the contingent fund of the Senate.

Mr. MORGAN. Mr. President, I am directed by the Committee on Foreign Relations to report back the resolution referred to that committee on the 18th of February.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. CARMACK (for Mr. MORGAN) February 18, 1907, and referred to the Committee on Foreign Relations, as follows:

*Resolved*, That the President is requested, if it is not incompatible with the public service, to inform the Senate whether the Government

has information as to any concession from King Leopold of Belgium, as sovereign of the Kongo Free State, to any company or syndicate of citizens of the United States for the gathering of india rubber within the area of the territory of the Free State of the Kongo, located at the mouth or along the banks of the Kassai River, from its junction with the Kongo River southerly into the rubber forests or areas of that part of the Free State of the Kongo.

And that he inform the Senate of the names of American citizens to whom such concession has been made, and as to the territorial boundaries thereof, and as to the terms thereof, and as to the rights, privileges, and powers given by such concession to such company or syndicate. And also as to what powers are given by such concession to such company or syndicate to exercise government or control over the native people of such area, either separately or in cooperation with the government exercised by King Leopold over the Free State of the Kongo. And that the President inform the Senate whether the company or syndicate, as above referred to, has submitted its concession to the Government of the United States for approval or disapproval, and whether the same has been approved.

And also that the President is requested to inform the Senate whether the Government has any information as to the exclusive concession of a right to gather rubber in the forests of Liberia has been made by the Liberian Government to a British company or syndicate, and the terms and conditions of such concession, and to what extent the same has been or is being executed.

Mr. MORGAN. I will not ask for the present consideration of the resolution, as some Senators desire to examine it more carefully before it is acted upon by the Senate.

The VICE-PRESIDENT. The resolution will be placed upon the Calendar.

Mr. MORGAN. I have here a statement of my own, signed by myself, for which no other Senator is in any wise responsible, and which I desire to have printed in the RECORD in support of the report I have just made.

There being no objection, Mr. MORGAN'S statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF THE REPORT SUBMITTED BY MR. MORGAN.

It is especially true in the Kongo Free State that by far the greatest asset which nature has placed in possession of the native population is the capacity of that region for producing india rubber. The variety of plants from which india rubber is obtained in that country is greater than anywhere else in the world, and the quality of the rubber is unexcelled. It is an industry in that country that is capable of being increased in value by the simplest and most uninstructed forms of labor. No basis of actual civilization is placed in reach of the barbarian tribes of the earth that compares with the production of india rubber, and in the effort to reserve to them the ownership of their native lands and forests no foundation is so reliable as the production of india rubber. It has very suddenly grown to be one of the leading products of commerce throughout the world. It is classed along with wheat, cotton, and wool in its capacity to yield revenue in gold to the simplest forms of human labor and skill.

In every tropical region of the earth the production of india rubber is rapidly becoming the leading industry, and the capitalists of the civilized nations are eagerly pushing into these rubber forests with all manner of monopolistic arrangements for subjecting this great product—the gift of nature—to their craving for wealth. This product, with its accessories of mahogany, ivory, and palm oil, all of them very valuable, is at the foundation of the most arbitrary and unjustifiable usurpation in the Free State of the Kongo that has ever existed in any country or over any people. It has induced Leopold, King of the Belgians, to unite his supposed royal authority and power with his vast private fortune for the purpose of exploiting the lands, the people, and the natural products from the Kongo Free State for his personal emolument. There is really no question that he has accumulated in this way vast sums of money which belong to the people of the Free State of the Kongo. He has been repaid ten times over all the money he ever expended in his efforts to exploit the Kongo country.

He has set apart a very large proportion of this land as a private domain of what he calls the Crown, over which he exercises absolute authority, and he has drawn to himself the support of capitalists and men of power and influence throughout Europe. He has granted concessions of large areas of land to syndicates composed of men of wealth, enterprise, and great political influence. Having thus fortified himself in his aggressions with these extraordinary supports, he has pressed his demands upon the native population of the Kongo Free State and imposed his tasks upon them of personal labor to the extreme of cruelty.

Humanity throughout the world rises in protest against his arbitrary work, and has been already voiced through the resolution adopted by the Senate of the United States.

These concessionnaires of this so-called King of the Free State of the Kongo have been empowered by him to exercise the same distressing authority over the people, which they have proceeded to enforce without restraint and without the responsibilities to public opinion which should check their avarice and greed in dealing with an ignorant and subjugated people.

It is not far to go to get evidence that is conclusive as to the inhuman barbarities that have been inflicted by the ruler of the Free State of the Kongo and the concessionnaires of King Leopold upon these helpless people.

The report of the commission appointed by Leopold to investigate this subject, after full examination, establishes the shocking inhumanity of his conduct and that of his concessionnaires toward the Kongo people. This report, after it was made, was held by Leopold from publication until the public opinion of the world forced him to give it out, and then, through partial translations, it was softened and modified in many particulars, in order to deceive the world.

If we could feel that in respect to the weight, power, and influence of the truth we would be justified in setting aside every report that has been made by the missionaries and by travelers and explorers, and by the consul-general of Great Britain, and treating them as idle and malicious stories, yet quite enough is disclosed in the report of the commission organized and sent out by King Leopold to prove the inhumanity that he and his concessionnaires have inflicted upon these helpless people. There is no plea or apology or excuse that can avoid the naked and rugged truth as it is disclosed in the report of the commission sent out by Leopold. No argument can be adduced to modify or evade the conclusion that the reign of Leopold in the Free State of the Kongo has been personally selfish and has inflicted more terrible inhumanity upon these people than is to be found recorded in any book of history.

It is not now necessary to develop more fully the facts that comprise the history of this inhuman combination to amass wealth from the property, the labor, the sufferings, and the oppressions of the people of the Free State of the Kongo. The case is sufficiently established in the report which King Leopold has at last been compelled to send out to the world, made by his own commission.

The Senate of the United States, with these facts, through its Committee on Foreign Relations, has acted upon the report of Leopold's commission, and also upon the great mass of testimony that is even more reliable which has been presented in memorials to Congress by the Kongo Reform Association and by many other associations and people. This multitude of witnesses adds a crushing weight to the facts disclosed in the report of Leopold's commission. Acting upon this mass of evidence, including the report of Leopold's commission, the Senate has deliberated upon this painful situation and has been compelled to adopt the following resolution:

"*Resolved*, That the President is respectfully advised that in case he shall find that such allegations are established by proof he will receive the cordial support of the Senate in any steps, not inconsistent with treaty or other international obligations, or with the traditional American foreign policy which forbids participation by the United States in the settlement of political questions which are entirely European in their scope, he may deem it wise to take in cooperation with or in aid of any of the powers signatories of the treaty of Berlin for the amelioration of the condition of such inhabitants."

This resolution is based upon the statement that "it is alleged that the native inhabitants of the basin of the Kongo have been subjected to inhuman treatment of a character that should claim the attention and excite the compassion of the people of the United States."

This basis of humanity has often been considered quite sufficient to excite the Government of the United States to inquire and sometimes to interpose for the relief of oppressed people. In fact, no greater oppression or misfortune has been visited upon any people without attracting either the legislative or diplomatic efforts of the United States Government to minister to their relief. There is no reason why the sufferings of the people of the Kongo Free State should not excite similar attention, when the alleged inhumanity by one who assumes royal authority over them is the motive of our actions. But the real basis of our own action in respect to the Free State of the Kongo and its inhabitants rests upon a moral and national duty that we owe to millions of people in the United States who are of African descent, and to very many of whom the Kongo Free State is their fatherland.

When the Constitution of the United States abolished the slave trade there were hundreds of thousands of negroes in our midst who were held in slavery. Very many of these people were natives of the Kongo Free State, and all of them came from that State or adjoining countries. Laws were enacted by the United States and other nations, and treaties were entered into, that punished the slave trade in the future as piracy.

In pursuance of these engagements, negroes that were cap-

tured from slave ships by vessels of the United States were returned to Africa. They could not possibly have been returned to the place from which they had been captured, and the Congress of the United States, acting in concert with the legislature of Maryland, instituted, organized, and put in force, with the consent of the negro chiefs of Liberia, a colony of negroes so captured and of negroes emancipated by their owners in the United States, and matured that colony into a republic whose independence and flag was recognized by all the Christian nations of the earth.

It is not necessary to go through the history of this interesting progress, as the demonstrated result stands forth proudly as the expression of the will of the American people that negroes that had been exiled from their homes in Africa, and were afterwards emancipated from slavery, should have a home on the continent of Africa, to which they could return in peace and without interference from any source. The emancipated negro was regarded as an exile from his home through the operations of the slave trade, in which Great Britain and her American colonies had been active participants, and the world recognized the moral and political right and duty to secure a home to these exiles in their fatherland.

Since the progress of emancipation has removed the bonds of slavery from every person of African descent in the United States, these emancipated negroes occupy justly the same attitude that those held who were captured from slave ships or were emancipated by their owners and congregated in Liberia. The moral duty of returning the exiled negroes to their fatherland, which was so expressly affirmed in our dealings with Liberia, may not be so compulsory or so necessary as the colonization of Liberia was in 1820; but the right of the negro to return to his fatherland, without obstruction from any source whatever, is the right of every exile to return home after his banishment has ended. It is a right that must be exercised freely and voluntarily, and no compulsion of law can be justly exercised over the exile to determine his course of conduct. The emigration on the part of the negro must be voluntary. There are millions of negroes in the United States who earnestly desire to return to their fatherland in the Kongo Free State, and the question is whether any influence or power on the earth or any ruler of the Kongo has the rightful power to prevent his free access to that country and the protection of his natural rights as a human being while residing there.

This question was considered by the Congress of the United States and settled when Mr. Stanley, supported by the enterprise of the New York Herald, had astounded all Europe by the discovery of the sources of the Kongo River, which reaches nearly across the entire breadth of the continent of Africa. America adopted the honor of the enterprise and rejoiced in Stanley's success, while wondering, however, that Europe had so long delayed in making the exploration that Stanley completed. He brought with him a number of treaties made with the kings of African tribes in the Kongo country, probably a hundred of such engagements, all looking to the combination of the numerous tribal kingdoms in a general association or government that would secure the entire watershed of the Kongo River forever to the native people of that country, in whom the sovereignty of that region was acknowledged to reside.

Here was furnished the opportunity to the civilized nations of the earth to dedicate the basin of the Kongo to the sovereign ownership of its native inhabitants, and also to protect them against the still active slave trade that was conducted by Arabs and some Christian nations.

Soon after Stanley's discovery of the Kongo River scientific explorers went into that country and established posts and made treaties of peace with the native kings for the purpose of contributing the results of their explorations to geographers and scientists of all countries. They claimed nothing of the native kings except places of abode and peace and protection, which was heartily accorded to them. A society of this character, called the African International Society, was organized at Brussels. It was constituted by enterprising men, devoted to science, from every European country, and among its most prominent and active members was the honorable Mr. Sanford, of Florida, formerly minister to the court of Brussels from the United States. Through the provision of the International African Society considerable development of scientific and trading posts was made, and a conference or congress of European powers was called to meet at Brussels through the invitation of that society, to take into consideration the interests of Kongo people and to regulate their dealings with the inhabitants of that country. That conference met at Brussels, and the United States was represented in its deliberations. A general act was signed, which embodied the regulation agreed upon, and the United States Government adhered to it as a signatory power. Before that convention met the Congress of the United States took up the question of the future government of the Kongo Basin. This action of Congress resulted in the following declaration by the Secretary of State on the 22d of April, 1884:

"Frederick T. Frelinghuysen, Secretary of State, duly empowered therefor by the President of the United States of America, and pursuant to the advice and consent of the Senate, heretofore given, acknowledges the receipt of the foregoing notification from the International Association of the Kongo, and declares that, in harmony with the traditional policy of the United States, which enjoins a proper regard for the commercial interests of their citizens while, at the same time, avoiding interference with controversies between other powers, as well as alliance with foreign nations, the Government of the United States announces its sympathy with and approval of the human and benevolent purposes of the International Association of the Kongo, administering, as it does, the interests of the Free State there established, and will order the officers of the United States, both on land and sea, to recognize the flag of the International African Association as the flag of a friendly government.

"In testimony whereof he has hereunto set his hand and affixed his seal this 22d day of April, A. D. 1884, in the city of Washington.

"FREDK. T. FRELINGHUYSEN."

Later, in January, 1892, the act signed at Brussels in 1890 was ratified by the Senate as to all parts thereof except such parts of such convention as relate to any interest in the possessions of protectorates established or obtained on that continent by other powers, or any approval of the wisdom, expediency, or lawfulness thereof.

The act of Brussels was signed on the 2d of July, 1890. The act relates chiefly to the suppression of the slave trade, but makes many provisions that are incidental to that general purpose, such as importation of firearms and of spirituous liquors and the protection of liberated slaves in their rightful possessions. There were fifteen signatory powers to that act, including "His Majesty the Sovereign of the Independent State of the Kongo," represented by his minister of state, and the director-general in the department of foreign affairs of Belgium.

In the preamble of this act it is declared that the signatory powers are "equally actuated by the firm intention of putting an end to the crimes and devastation engendered by the traffic in African slaves, of efficiently protecting the aboriginal population of Africa, and of securing for that vast continent the benefits of peace and civilization."

In Article I of the act it is stated that the powers declare that the most effective means of counteracting the slave trade in the interior of Africa are the following:

"Progressive organization of the administrative, judicial, religious, and military services in the African territory placed under the sovereignty or protectorate of civilized nations."

Many other things, including the construction of roads and railways, are enumerated as the purposes that the act is intended to execute; to diminish intestine wars between tribes by means of arbitration; to initiate them in agricultural labor and in the industrial arts so as to increase their welfare; to raise them to civilization and bring about the extinction of barbarous customs, such as cannibalism and human sacrifices; to give aid and protection to commercial enterprises; to watch over their legality by especially controlling contracts for service with natives, and to prepare the way for the foundation of permanent centers of cultivation and of commercial settlements; and protect, without distinction of creed, the missions which are already or that may hereafter be established.

To all of these purposes intended to secure peace, independence, and prosperity to the people of the Kongo and not to rob them of any of their rights, liberties, or possessions, the United States gave its consent for the ratification of the general act signed at Brussels in 1890. Without further enumerating or discussing the other affairs of our relations with the Kongo Free State, and without discussing the declaration of its independence made by Congress, or under the act of Brussels, it seems to be very clear that the Government of the United States has not only the right but the duty in interposing to see that these liberties, benefits, and advantages are secure to the people of the Free State of the Kongo.

Leopold was never made sovereign of the Free State of the Kongo. He certainly is not its king, and he has no sovereign ownership of that great territory and no arbitrary power of government over its inhabitants. The act of Brussels was a contract amongst the great powers of Europe intended to shelter and protect these people in their rights until they could grow up into a condition of wisdom and self-government that would

enable them to select their own sovereign ruler. It was a guardianship and was not a transfer of sovereign ownership to Leopold over the Free State of the Kongo.

The negroes of that country have never given their consent in any form to the sovereignty of King Leopold. They are still under the guardianship of the civilized nations of Europe and the United States, and we have a perfect right to ascertain whether Leopold is exercising over them an ownership and a control in the name of law, and of all the productions of the Kongo Basin in the manner described in the various reports and remonstrances that have been sent to the Congress of the United States by our own people.

But there is a still more direct inquiry that the Government of the United States is compelled to make in respect of the conduct of its own citizens in accepting concessions from Leopold of large areas of land in the heart of the Kongo Free State, for the purpose of working the forests for india rubber and other native productions. It is not denied that King Leopold has made concessions to some of our wealthiest and most prominent citizens of a large area of land along the Kassai River for the purpose of producing rubber. This may be a most propitious event for the security and prosperity of that part of the Kongo Free State; but the title that is claimed by his company comes by grant from Leopold, and it at least needs confirmation by the signatory powers to the Brussels act before it can be accepted as a valid conveyance.

No imputation is made against the conduct or purposes of this concessionary company. It is supposed that this company must have communicated so important a transaction to the Government of the United States. If this has not been done, it is the plain duty of the Government to make inquiry as to the extent and as to all the terms and conditions of the grant.

The Government of Liberia, it is asserted on good authority, has made a concession of all of its india rubber and mahogany lands to a British syndicate, and this is a subject into which the United States is in duty bound to inquire. It is the duty of the United States Government to see to it that no barrier or impediment is created by the act of Leopold or by any other authority to debar the exiled Africans who have been held in slavery in the United States from the right to return to their native land and to hold, in company with their kinspeople, the free and unobstructed opportunity to enjoy the great advantages which are now offered to them, and which the United States owes to them of repatriation in their own country without let or hindrance.

The native resources of Central Africa present vast stores of treasure to invite their aid in developing the wealth of that country, and it is time that the United States should interpose its just powers, whatever they may be, in aiding these exiles to establish their sovereign rights in the country that God has given to them.

T. E. BOYT.

Mr. CULLOM. I should like to call up the bill (H. R. 19275) for the relief of T. E. Boyt, reported yesterday without amendment from the Committee on Finance.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to T. E. Boyt, of Vienna, Ill., $461, to reimburse him for said sum paid by him for a technical violation of the internal-revenue laws of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25738) to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River, to report it favorably without amendment.

Mr. BLACKBURN. I wish to ask the indulgence of the Senate to put the bill upon its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CUMBERLAND RIVER BRIDGES.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25739) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River, to report it favorably without amendment.

Mr. BLACKBURN. I likewise request the present consideration of the bill just reported.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WATER PIPES TO STATEN ISLAND.

Mr. FRYE. I report back favorably from the Committee on Commerce, with an amendment in the nature of a substitute, the bill (S. 8328) to permit the city of New York or the Hudson County Water Company, or either of them, to lay, maintain, and operate two water-pipe lines across and under the waters of the Kill von Kull from Bayonne, N. J., to Staten Island, and I submit a report thereon. I ask for the present consideration of the bill. There will be no need of reading the bill, but simply the amendment, which proposes to strike out all after the enacting clause and insert a substitute.

The VICE-PRESIDENT. The proposed substitute will be read for the information of the Senate.

The SECRETARY. The committee report to strike out all after the enacting clause and insert:

That it shall be lawful for the Hudson County Water Company, a corporation of the State of New Jersey, its successors and assigns, to lay and maintain two water pipes, for the transportation of water which may be legally transported through the same, across and under the Kill von Kull, from Bayonne, N. J., to Staten Island, being the Borough of Richmond, in the city and State of New York, such pipes to be laid in accordance with plans approved by the Secretary of War, and the work to be done under the direction of the Board of Engineers.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to permit the laying of two water pipes from Bayonne, N. J., to Staten Island, New York."

BILLS INTRODUCED.

Mr. BURKETT introduced a bill (S. 8614) to amend the act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GALLINGER introduced a bill (S. 8615) to amend section 11 of an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. GAMBLE introduced a bill (S. 8616) granting an increase of pension to Martha A. Sheldon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 8617) granting an increase of pension to Hannah Ross; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 8618) for the relief of Robert Michaels; which was read twice by its title, and referred to the Committee on Claims.

Mr. OVERMAN (for Mr. SIMMONS) introduced a bill (S. 8619) for the relief of the estate of John Henry Jackson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 8620) granting a pension to Susan Coffee; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. BLACKBURN submitted an amendment to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House of Representatives, etc., a sum equal to one month's pay, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and ordered to be printed.

Mr. PILES submitted an amendment proposing to appropriate $24,000 for the construction of a wharf and storehouse thereon at Waaddah Island, Neah Bay, Washington, for the use of the Revenue Cutter and Life-Saving Service, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DEPEW submitted an amendment providing that hereafter the salary of the assistant appraisers at the port of New

York shall be $4,000 annually, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McENERY submitted an amendment authorizing the Secretary of the Treasury to return to the Citizens' Bank of Louisiana the money taken from that bank by military order on June 19, 1862, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HEYBURN submitted an amendment relative to appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation for the reclamation of arid lands, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

M. R. WILLIAM GREBE.

On motion of Mr. LONG, it was

*Ordered*, That there may be withdrawn from the files of the Senate all papers relating to the bill (S. 2738, 59th Cong.) for the relief of M. R. William Grebe, there having been no adverse report thereon.

SCHEDULE OF CLAIMS, JUDGMENTS, AND AWARDS.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate the following schedule and lists of claims, judgments, and awards requiring appropriations by Congress not heretofore reported to Congress at the present session, namely:

First. Schedule of claims allowed by the accounting officers of the Treasury under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874.

Second. List of judgments rendered by the Court of Claims against the United States.

Third. List of judgments rendered by the Court of Claims in favor of claimants and against the United States under the act to provide for the adjudication and payment of claims arising from Indian depredations, approved March 3, 1891.

Fourth. List of judgments rendered against the United States by the circuit and district courts of the United States under the act to provide for bringing suits against the Government of the United States, approved March 3, 1887.

Fifth. List of awards made by the Spanish Treaty Claims Commission under the act to carry into effect the stipulations of Article VII of the treaty between the United States and Spain, concluded on the 10th day of December, 1898, approved March 2, 1901.

DENATURED ALCOHOL.

Mr. ALDRICH. I ask that the hearings held by the Committee on Finance on House bill No. 24816, known as the "amendment of the free-alcohol law," be printed as a Senate document and that 500 additional copies be printed for the use of the Committee on Finance.

The VICE-PRESIDENT. Without objection, it is so ordered.

DUTY ON LEAF TOBACCO.

Mr. ALDRICH. I ask that the hearings held by the subcommittees to the Committee on Finance during the Fifty-eighth and Fifty-ninth Congresses on House bills Nos. 14896 and 14972, known as the "free-alcohol bills," be printed as a Senate document and that 500 additional copies be printed for the use of the Committee on Finance.

The VICE-PRESIDENT. Without objection, it is so ordered.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

H. R. 17013. An act for the relief of Charles A. Going; and

H. R. 20490. An act for the relief of Frank J. Ladner.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army;

H. R. 25801. An act granting an honorable discharge to Seth Davis; and

H. R. 20128. An act to complete the naval record of Patrick Naddy was read twice by its title, and referred to the Committee on Naval Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs;

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described;

H. R. 24945. An act for the relief of M. I. Gallups, R. S. Smith, W. N. Gill, J. A. Weaver, I. S. Cadenhead, Davis Gillenwaters, and John McLemore;

H. R. 22543. Granting to the town of Pawnee, in Pawnee County, Okla., certain lands for park, educational, and other purposes was read twice by its title, and referred to the Committee on Territories;

H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company was read twice by its title, and referred to the Committee on Finance; and

H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations, or among the several States, or with Indian tribes, and to protect the same" was read twice by its title, and referred to the Committee on Patents.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana;

H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals;

H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals; and

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoals.

ALLEN V. REED.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 7676) authorizing the appointment of Allen V. Reed, now captain on the retired list of the Navy, as commodore on the retired list of the Navy, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DICK. I move the Senate insist upon its amendments and agree to the conference asked by the House of Representatives, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. DICK, Mr. GALLINGER, and Mr. MALLORY as the conferees on the part of the Senate.

ALASKA MINING CLAIMS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives agreeing to all the amendments of the Senate to the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska except amendment No. 9, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BEVERIDGE. I move that the Senate insist upon its amendment still in disagreement and agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice-President appointed Mr. DILLINGHAM, Mr. PILES, and Mr. PATTERSON as the conferees on the part of the Senate.

Mr. CARTER subsequently said: Mr. President, I ask unanimous consent that the order of the Senate appointing conferees on the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska be reconsidered.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Montana asks unanimous consent that the order appointing conferees on the bill which he has named be reconsidered. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARTER. I now move that the Senate recede from its amendment numbered 9 to that bill, which is the only question that has been in controversy.

The motion was agreed to.

Mr. ALDRICH. Will the Senator from Montana kindly explain the nature of the amendment?

Mr. CARTER. The amendment in question relates to a rule of proof which was adopted by the Senate on my motion. It is

contended that the House provision meets the conditions and that the amendment should be disagreed to. I am willing that the amendment shall be withdrawn and leave the matter as it came from the other House in that particular. There were a number of amendments adopted by the Senate, and this is the only one in disagreement.

The PRESIDING OFFICER. In the absence of objection, amendment numbered 9 will be receded from.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following acts:

On March 1:

S. 4506. An act to provide for the better registration of births in the District of Columbia, and for other purposes;

S. 6993. An act to create the Barnaby road, from its intersection with the Livingston road to the District line, a public highway in the District of Columbia;

S. 8208. An act authorizing the extension of Park place NW.;

S. 8510. An act to amend an act providing for the public printing and binding and the distribution of public documents;

S. 925. An act authorizing the construction of four steam vessels for the Revenue-Cutter Service of the United States; and

S. 7684. An act to provide and maintain for the port of Galveston, Tex., a customs boarding boat.

ELIJAH B. HUDSON.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, referred to the Committee on Pensions:

*To the Senate:*

In compliance with Senate resolution (the House of Representatives concurring) of February 28, 1907, I return herewith Senate bill No. 6078, entitled "An act granting an increase of pension to Elijah B. Hudson."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 1, 1907.*

INTERNATIONAL CONFERENCE OF AMERICAN STATES.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of State, submitting the report, with accompanying papers, of the delegates of the United States to the Third International Conference of American States, held at the city of Rio de Janeiro, Brazil, from July 21 to August 26, 1906.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 1, 1907.*

COPIAH COUNTY, MISS.

Mr. FULTON. Mr. President, yesterday I entered a motion to reconsider the vote whereby the bill (H. R. 3518) for the relief of Copiah County, Miss., was passed. I also asked at that time that the bill might be recalled in order that the vote might be reconsidered. I now renew the request for the recall of the bill from the House of Representatives.

Mr. McLAURIN. Mr. President, I believe under the latter part of Rule XIII the motion has to be put immediately without debate, but I ask unanimous consent before that is done to say a few words in reference to this matter.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none. The Senator from Mississippi will proceed.

Mr. McLAURIN. Mr. President, this is a bill that was passed day before yesterday. It is a bill to refund to Copiah County the costs paid in a litigation between the Government and that county, the Government as complainant and the Virginia Bridge and Iron Company as defendant, in a suit that was instituted by the Government for an injunction enjoining the building of a bridge across Pearl River near Rockport. The bill was filed by the Government and a preliminary injunction granted thereon. The injunction was granted by Judge Niles, of the United States district court. After some litigation the injunction was dissolved and judgment rendered in favor of the defendant for the dissolution of the injunction, and not only for the dissolution of the injunction, but for the payment of the costs.

An appeal was taken to the circuit court of appeals at New Orleans. Before the appeal was heard an act of Congress was passed and approved by the Executive authorizing the construction of the bridge, and that obviated the necessity of further litigation. The costs were $164.50.

This bill was introduced in the House and passed the House after the Committee on Claims of the House had carefully considered the merits of the bill, reported favorably to the House, and the House passed the bill some ten days or two weeks ago.

As I stated yesterday, there was no meeting of the Committee on Claims last Tuesday. Only three members of the committee, including the chairman, attended, and the meeting was called off by the chairman. I then asked the consent of the chairman to poll the committee. He stated to me that it was not necessary to get his consent, which I knew already, but I did not intend to poll the committee unless he did consent. He consented to the polling of the committee, with the statement that while he would not object to the consideration of the bill he would oppose the bill. I polled the committee and obtained the consent of every member of the committee who was in the city at the time, except the chairman, to a favorable report of the bill.

The bill was reported, as I stated yesterday, while there was a good deal of confusion in the Senate Chamber day before yesterday when the Calendar was being cleared of unobjected bills. I asked unanimous consent for the present consideration of the bill, which was given, and the bill was considered and passed by the Senate.

It carries only $164.50. The objection of the chairman is that it sets a bad precedent. I do not think it sets a bad precedent for the Government to pay that which it ought to pay. A very poor man may go into court and lose his case. The costs are adjudged against him and he is compelled to pay not only his own costs but the costs of the opposing litigant. There is no reason why the same rule should not apply to the Government of the United States. If the Government goes in and puts any party, the humblest party in the country, to the expense of litigation the Government ought to pay the costs just the same as anybody else pays it.

The Government does pay for the acts of its officers when people are hurt through the misconduct of its officers. Claims are presented week after week to the Committee on Claims, considered by the Committee on Claims, and reported favorably to this body and passed through the House of Representatives and become laws indemnifying people who have suffered because of the misconduct of officers of the Government. There is no reason why that should not be done in cases of litigation. When a powerful government goes to law with one of its citizens, it does not make any difference whether it is a private individual of the humblest class and standing in the country, or whether it is one of the subdivisions of the sovereignty of the country, as a State or a county, if it loses it ought to pay the costs as anybody else who loses pays the costs.

We go into Cuba and spend millions of dollars that are really unauthorized by law, and that sets a bad example and a bad precedent. We spend millions of dollars for expositions. I heard a discussion in this Chamber yesterday in which it was said a bad precedent had been set in the expenditure of $28,000,000 for expositions. Surely if the Government can expend these sums for the pacification of a neighboring country like Cuba, or for the exposition of the material growth and strength and greatness of the country, it ought to pay this small pittance of a just claim against the Government; it ought not to be repudiated.

Of course if the motion shall prevail, and if the bill shall be recalled from the House, that is an end to it. Inasmuch as it has passed, as many other unobjected bills were passed day before yesterday, and as has been done during the sitting of this and previous Congresses, it seems to me it were better to leave it as it is.

I probably have a little more feeling in this matter than ordinarily, because when I was a young man, only 23 years of age, the county of Copiah gave the casting vote that made me the district attorney of that district, and I feel an interest in their recovering the sum of money which they have expended, and which justice demands shall be refunded. I urge the Senate not to recall the bill from the House.

Mr. FULTON. Mr. President——

Mr. PROCTOR. I rise to present the conference report on the agricultural appropriation bill.

Mr. PETTUS. I wish simply to ask the Senator from Oregon to state the attitude of the House toward all bills of the Senate allowing claims.

The VICE-PRESIDENT. The Senator from Vermont has risen to present a conference report. After its consideration is concluded the Chair will recognize the Senator from Oregon.

Mr. FULTON. I will explain the attitude of the committee then.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 24815, "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 13, 44, 45, 50, 56, 57, 62, 63, 64, 67, 68, 69, 71, 74, 75, 76, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 46, 47, 49, 51, 53, 54, 55, 58, 59, 60, 61, 65, 66, 73, 81, 82, 83, 84, 85, 87, and 89; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "ninety-five thousand seven hundred and sixty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "one hundred and nineteen thousand two hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In line 1 of said amendment, after the word "and," insert "also;" and on page 34, in line 6, after the word "into," strike out the words "interstate or;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "officers," strike out the word "for" and insert in lieu thereof the word "of;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "Congress," insert the words "classified and;" and in the same line, after the word "detailed," insert the words "reports of all receipts by the Forest Service and classified and detailed;" and in line 11 of said amendment, after the word "receipt," insert "and there is hereby appropriated and made available, as the Secretary of Agriculture may direct, out of any funds in the Treasury not otherwise appropriated, so much as may be necessary to make refunds to depositors of money heretofore or hereafter deposited by them to secure the purchase price on the sale of any products or for the use of any land or resources of the national forests in excess of amounts found actually due from them to the United States;" and in line 26 of said amendment, after the word "sources," strike out the colon and the matter following down to and including the word "reserve" in line 30; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Restore the matter stricken out, in addition to the matter inserted by the Senate; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF BIOLOGICAL SURVEY.

"Salaries, Bureau of Biological Survey: One biologist, who shall be Chief of Bureau, three thousand dollars; one clerk, class one, one thousand two hundred dollars; two clerks, at one thousand dollars each, two thousand dollars; one clerk, nine hundred dollars; one messenger or laborer, four hundred and eighty dollars; in all, seven thousand five hundred and eighty dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "fifty-two thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following:

"Nutrition investigations: To enable the Secretary of Agriculture to incur such expenses as may be necessary for the packing, transporting to, and storing in Washington, D. C., of all apparatus now the property of the Government and used in the nutrition investigations, five thousand dollars, or so much thereof as may be necessary."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one million and thirteen thousand two hundred and twenty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twelve thousand three hundred and ninety dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seventy thousand and fifty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "eight million six hundred and ninety-two thousand two hundred and ninety dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In line 9 of said amendment strike out the word "Government's" and insert in lieu thereof the word "Government;" and in line 10, after the word "as," strike out the word "a," and in the same line strike out the word "reserve" and in lieu thereof insert the word "reserves;" and the Senate agree to the same.

On page 40, in line 24, after the word "forests," insert the words "in the District of Columbia or elsewhere;" and the Senate agree to the same.

On amendments numbered 88 and 90 the committee of conference have been unable to agree.

REDFIELD PROCTOR,
H. C. HANSBROUGH,
F. M. SIMMONS,
*Managers on the part of the Senate.*

J. W. WADSWORTH,
CHAS. F. SCOTT,
JOHN LAMB,
*Managers on the part of the House.*

Mr. ALDRICH. I should be glad if the chairman of the committee would explain to the Senate the fate of the various amendments that were put upon the bill in the Senate.

Mr. PROCTOR. Will the Senator from Rhode Island indicate the amendments in which he is interested?

Mr. ALDRICH. I am interested in the fate of the amendments in regard to the reports of receipts and estimates for expenditures required of the Secretary.

Mr. PROCTOR. All those were kept in, and in one point were strengthened. In the case of the Forestry Service the conferees added also a detailed report of receipts. Everything that the Senate put in was retained in that item.

Mr. ALDRICH. What became of the amendment moved by the Senator from Oregon which was inserted in the bill?

Mr. PROCTOR. That was retained except that the conferees made an addition.

Mr. CULLOM. I should like to inquire what became of the appropriation for the Biological Survey and whether it was retained.

Mr. PROCTOR. The provision for the organization was restored precisely as it was last year.

Mr. CULLOM. What about the appropriation?

Mr. PROCTOR. There was no increase in the appropriation. It was left just as it was last year.

Mr. LODGE. I thought that as the bill came from the House the service was retained, but the Bureau was abolished, and the office of Chief of Bureau was abolished.

Mr. PROCTOR. The conferees restored the Bureau.

Mr. LODGE. The Bureau is restored?

Mr. PROCTOR. It is restored just as it was last year. We omitted a clerk or two, I believe, in the way we restored it here.

Mr. LODGE. The Chief was restored?

Mr. PROCTOR. The Chief was restored. The whole organization was restored.

The VICE-PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

Mr. PROCTOR. I move that the Senate further insist upon

amendments numbered 88 and 90, which were not agreed upon by the conferees and ask for a further conference with the House, the conferees to be appointed by the Chair.

Mr. GALLINGER. I will ask the Senator what amendments those were?

Mr. PROCTOR. Amendment numbered 88 is the one relating to agricultural colleges. The other is the matter of the total.

The VICE-PRESIDENT. The Senator from Vermont moves that the Senate further insist on its amendments numbered 88 and 90 and ask a further conference with the House of Representatives, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. PROCTOR, Mr. HANSBROUGH, and Mr. SIMMONS as the conferees on the part of the Senate.

### COPIAH COUNTY, MISS.

Mr. FULTON. I now renew my motion to recall from the House of Representatives the bill (H. R. 3518) for the relief of Copiah County, Miss. Perhaps, in view of what the Senator from Mississippi has said, I should explain briefly the character of the bill and why I wish to have it recalled.

The VICE-PRESIDENT. Is there objection to the Senator from Oregon making an explanation? The Chair hears none. The Senator from Oregon will proceed.

Mr. FULTON. It is true, Mr. President, as the Senator from Mississippi says, that the amount carried by the bill is small. But the precedent established by it may lead to very considerable appropriations in the future, and on principle I think the legislation is absolutely vicious. It is against the policy of the Government to assess costs in court cases against the Government, except in some exceptional instances, and I think all will agree that whenever costs shall be charged against the Government they shall be charged pursuant to some general rule established by law, and that the payment of costs ought not to depend upon special legislation in individual cases.

If we are going to charge the Government with costs in every case in which it engages in litigation, we should do so by a general rule that will apply to all litigants alike. We ought not to permit litigants to come into Congress and get through special bills paying costs in special cases, and that is what this bill does.

I do not want to go into the merits of the case at all. It is sufficient to say that, under the general law, litigants can not recover costs, and we ought not to provide for such a recovery by special legislation. Had I been here, I should have objected to the bill when it came up—not to its consideration, but to its passage—but being absent, and being the chairman of the committee from which the bill came—and it came against my protest—I felt it my duty to present the matter to the Senate and ask that it be recalled in order that it may be again considered.

The VICE-PRESIDENT. The question is on the motion of the Senator from Oregon [Mr. FULTON].

The motion was agreed to.

Mr. McLAURIN. Mr. President, I should like to inquire if this action on the part of the Senate merely recalls the bill from the other House?

The VICE-PRESIDENT. It merely recalls the bill from the other House. When the bill shall have been returned the question will be upon the motion to reconsider the vote by which the bill was passed.

Mr. McLAURIN. Can that question be put now, Mr. President?

The VICE-PRESIDENT. The question can not be put until the Senate is in control of the bill. The bill has passed out of the control of the Senate.

### LEGALITY OF BUSINESS DONE BY EXPRESS COMPANIES.

Mr. BURKETT. I submit the resolution which I send to the desk and ask unanimous consent for its immediate consideration.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Whereas on January 4, 1907, at Kansas City, Mo., the Western Fruit Jobbers' Association, in convention assembled, charged that the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company are unlawfully engaged, especially in the West, in the business of buying, selling, and handling on consignment fruit, vegetables, and oysters, thus coming into direct competition with merchants and jobbers engaged in such business; that no such business is contemplated or sanctioned in their articles of incorpoartion, but is contrary to and in violation of the powers legally conferred upon them; that the trafficking in merchandise which they transport is an illegitimate business for express companies to engage in, and is destructive of the legitimate business of fruit jobbers and produce merchants; that it gives opportunity for covering up discriminations, the payment of rebates, and unlawful practices, and that said express companies have increased and are increasing their charges for the transportation of fruits, produce, and other merchandise to an unreasonable extent, to the detriment of growers, shippers, and consumers; and

Whereas the said Western Fruit Jobbers' Association, at the time and place mentioned, by resolutions duly adopted, not only condemned and denounced as injurious and unlawful the contest for business between express companies and merchants engaged in legitimate trade in fruit, produce, and oysters, but demanded that a vigorous and rigorous examination and investigation of the methods and practices adopted and in use by said express companies be instituted by Federal authority, to the end that accurate information may be obtained, abuses and discriminations corrected, and unlawful business prohibited: Therefore, be it

*Resolved*, That the Interstate Commerce Commission be, and is hereby, directed to inquire, investigate, and report to the Senate—

First. Whether the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company, or either of them, are unlawfully engaged, through their local or other agents, in the business of buying, selling, or handling on consignment fruits, vegetables, and oysters entering into interstate commerce.

Second. Whether such business is contemplated or sanctioned by the articles of incorporation of said express companies.

Third. Whether such business is carried on in violation of the provisions of the act to regulate interstate commerce.

Fourth. Whether the carrying on of such business by said express companies is inimical to or destructive of the legitimate business of fruit and produce merchants and gives an unfair advantage to the agents of said express companies, which is used by them to the disadvantage and detriment of legitimate shippers and receivers of fruit and produce.

Fifth. Whether the carrying on of such business gives to said express companies an opportunity to cover up discriminations, to pay rebates, and engage in other unlawful practices.

Sixth. Whether said express companies have increased and are increasing their charges for the transportation of fruits, produce, and other merchandise to an unreasonable extent, to the detriment of growers, shippers, receivers, and consumers of such fruits, produce, and other merchandise.

Seventh. That the Interstate Commerce Commission be required to make the investigation at its earliest possible convenience and to report the facts and its conclusions thereon, together with its recommendations, as soon as it can be done, consistent with the performance of its public duty.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. KEAN. I ask the Senator from Nebraska to let the resolution lie over for a day, because I wish to point out to him a great many inaccuracies in the statement contained in the resolution in regard to the companies named therein.

Mr. BURKETT. Very well. It is simply a resolution asking for certain information.

Mr. KEAN. Some of the companies to which the resolution refers are not corporations at all; they are not incorporated.

Mr. BURKETT. I am content that the resolution shall lie over.

The VICE-PRESIDENT. The resolution will lie over until to-morrow.

### HOT SPRINGS RESERVATION, ARK.

Mr. CLARKE of Arkansas. I submit the resolution, which I send to the desk, and ask that it be referred to the Committee on Public Lands.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

*Resolved*, That a committee of three members of the Senate be appointed by the President of the Senate to make inquiry and take testimony in regard to the government of the permanent Hot Springs Reservation, in Arkansas, with respect particularly to the regulations of the Secretary of the Interior governing leases of water privileges, use of waters, and registration of physicians, and that it be, and hereby is, authorized to visit Hot Springs, Ark., to send for persons and papers and administer oaths and report thereon, by bill or otherwise.

The VICE-PRESIDENT. The question is on the motion of the Senator from Arkansas, that the resolution be referred to the Committee on Public Lands.

Mr. GALLINGER. Mr. President, as that resolution will involve an expenditure from the contingent fund of the Senate, it will have first to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE-PRESIDENT. As stated by the Senator from New Hampshire, the resolution involving certain expenditures, it will be necessary first to have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. CLARKE of Arkansas. I thought, as it was a matter relating to the Hot Springs Reservation and the Committee on Public Lands has charge of such matters, that the resolution should be referred to that committee; but the disposition suggested by the Senator from New Hampshire is entirely satisfactory to me.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

### JOHN WALLER.

Mr. DEPEW. I ask unanimous consent for the present consideration of the bill (H. R. 6104) to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails.

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to John Waller, late postmaster at Monticello, N. Y., $426.25, to reimburse him for moneys expended in carrying the United States mails and for damages consequent therefrom.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COAL-LAND LOCATIONS IN ALASKA.

Mr. FULTON. I ask unanimous consent for the present consideration of the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska.

The bill was up the other day and was passed over, not under objection, but by consent. It is a very important bill, and necessarily will have to be passed with an amendment, and it may probably require a conference. Therefore I hope it may now be acted upon.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon for the present consideration of the bill named by him?

Mr. NEWLANDS. I should like to have an opportunity to examine the bill, Mr. President.

The VICE-PRESIDENT. Is there objection?

Mr. NEWLANDS. For the present, I object.

The VICE-PRESIDENT. Objection is made.

CLAIMS OF POSTMASTERS IN THE STATES AND TERRITORIES.

Mr. DICK. I ask unanimous consent for the present consideration of Senate resolution No. 171, which was submitted by me on June 29, 1906, with reference to the claims of postmasters in the States and Territories.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read as follows:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to have stated in the Sixth Auditor's Office the salary accounts of former postmasters who served at post-offices in the various States and Territories of the United States in terms between July 1, 1864, and July 1, 1874, and who applied to the Postmaster-General, prior to January 1, 1887, for payment of increased salary under the act of March 3, 1883, such salary accounts to be stated upon the registered returns of each postmaster for each term of service specified, and by the method and rule laid down by the Postmaster-General for the statement and payment of salary accounts of former postmasters under the act of March 3, 1883, in his public order of February 16, 1884, directing payment of salaries by commissions and box rents, less the salaries paid at time of service; and to enable the Secretary of the Treasury the better to comply with this resolution the Postmaster-General is hereby directed to turn over to the Sixth Auditor all the data now in his hands pertaining to each and every such claim, and the Secretary of the Treasury is hereby directed to report to the Senate such stated salary accounts of former postmasters as soon as they can be made ready, not later than the beginning of the second session of the Fifty-ninth Congress.

Mr. DICK. I desire to modify the resolution by inserting, in line 2, on page 1, after the word "stated," the words "and audited;" in line 10, on page 2, after the word "postmasters," by inserting "by States;" in the same line, after the word "ready," by inserting "all claims to be reported;" in line 11, before the word "session," by inserting "first;" and in the same line, before the word "Congress," by striking out "Fifty-ninth" and inserting "Sixtieth."

The VICE-PRESIDENT. The resolution as modified by the Senator from Ohio will be read.

The Secretary read the resolution as modified, as follows:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to have stated and audited in the Sixth Auditor's Office the salary accounts of former postmasters who served at post-offices in the various States and Territories of the United States in terms between July 1, 1864, and July 1, 1874, and who applied to the Postmaster-General, prior to January 1, 1887, for payment of increased salary under the act of March 3, 1883, such salary accounts to be stated upon the registered returns of each postmaster for each term of service specified, and by the method and rule laid down by the Postmaster-General for the statement and payment of salary accounts of former postmasters under the act of March 3, 1883, in his public order of February 16, 1884, directing payment of salaries by commissions and box rents, less the salaries paid at time of service; and to enable the Secretary of the Treasury the better to comply with this resolution the Postmaster-General is hereby directed to turn over to the Sixth Auditor all the data now in his hands pertaining to each and every such claim; and the Secretary of the Treasury is hereby directed to report to the Senate such stated salary accounts of former postmasters, by States, as soon as they can be made ready, all claims to be reported not later than the beginning of the first session of the Sixtieth Congress.

By unanimous consent, the Senate proceeded to consider the resolution.

Mr. CULLOM. I believe that resolution covers the whole country, does it not?

Mr. FRYE. Yes; it covers all the States and Territories.

Mr. CULLOM. Very well.

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

EDITH A. HAWLEY.

Mr. BULKELEY. I ask unanimous consent for the present consideration of the bill (S. 569) granting a pension to Edith A. Hawley.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Connecticut for the present consideration of the bill referred to by him?

Mr. McCUMBER. I have no objection to the present consideration of the bill, Mr. President. I wish to say, however, that it can not be discussed under the five-minute rule; but I have no objection to considering it as long as the Senate desires to consider it. It comes from the Committee on Pensions adversely reported.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BULKELEY. I desire to propose an amendment to the bill. In line 9, before the word "dollars," I move to strike out "one hundred" and insert "fifty."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 9, before the word "dollars," it is proposed to strike out "one hundred" and insert "fifty;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edith A. Hawley, widow of Joseph R. Hawley, late a brigadier-general and brevet major-general, United States Volunteers, and brigadier-general, United States Army, retired, and pay her a pension at the rate of $50 per month.

The amendment was agreed to.

Mr. BULKELEY. Mr. President, I do not desire at this moment to detain the Senate with any remarks unless there is opposition developed to the bill. If there is any opposition, I should like, at a later period, to make some remarks.

Mr. McCUMBER. Mr. President, there is perhaps no question relating to private pension matters that is more important than the question which is raised by this bill. I desire to call the attention of the Senate to the fact that this bill has been reported adversely by the unanimous vote, I believe, of the Senate Committee on Pensions. It is well for us to give a single thought to the one object of all special pension legislation.

We have general legislation which provides what any soldier shall receive for any wound; what he shall receive for any disability; what the widow of any officer shall receive, and when and under what conditions a pension will be granted. If, Mr. President, that law is not proper and sufficient, then we should change the law. If the law is proper and just, we should not change that law and for the benefit of a single individual. The object of creating the Pensions Committee, if I understand correctly, was to reach by special legislation those particular cases that could not justly be dealt with under the general legislation. That is its object.

Congress has been accused—I think somewhat unjustly—of applying the special pension provisions so as to benefit particular persons, who, it is said, have "a pull" with some member of the Senate or some Member of the House. It has been the desire and the continued effort of the Committee on Pensions to absolutely repel any such unjust accusation. We have tried to apply the special pension legislation to those cases, and to those cases only, where the party making application could show clearly and distinctly that his or her case was such that great destitution would follow except for special pension legislation.

When the widow of any officer has applied to the Pensions Committee for special consideration we have considered, first, the service of her husband; we have considered, secondly, her own age; and, thirdly, her financial condition. If it were found that her case was not such as would justify the committee in reporting favorably on the ground that destitution would result, except for the action of Congress, we have universally reported the case adversely, or, what is equivalent thereto, we have not reported it at all.

To take up a single case in which there is the least necessity for any legislation by Congress, and make that case a precedent for every other one of the cases that comes before Congress, Mr. President, is to open the door wide for every pension bill that comes before Congress; and if that is to be done we may as well abolish the Pension Bureau and make the Committees on Pensions of the two Houses the Bureau of Pensions for the Government of the United States.

Mr. President, I do not know that this matter is of very much moment to the Senate or to Senators. If it is, certainly I should like their attention to this attempt to invade and destroy the rules that have been adopted by the Pensions Committees of both Houses. When we had but a hundred or two or three hundred cases before the committee in a single session, it was probably not necessary to have rules that should govern each case;

but when, instead of coming in by the hundred we have before us perhaps from five to ten thousand cases during a session, it is quite necessary that we should lay down some rules to guide us in determining under what conditions and in what amount a pension will be granted in any particular case. We have had to adopt rules, which have been concurred in by both the Senate and the House Committees on Pensions. One of these rules is that an original pension shall never be granted beyond that sum which would be granted by the Department, supposing that death had occurred while the officer was in service. In this case, therefore, under the rules, the greatest amount of pension that could be allowed would be $30 per month.

The second rule, which is the most important of all the rules, is that no pension will be granted where there is not a necessity for a pension. We have turned down case after case where the widow of a soldier showed that she had four or five or six or ten thousand dollars. The statement that comes before us in this case, upon the admitted testimony of the claimant in a letter, is that she values her property at $50,000, much of which is in the stock of the Courant, a paper published in Connecticut, and the value of which, I think, has increased considerably in the last two or three years. But in any event it is admitted in this case that the value of the property is fully up to $50,000, from which there is a constant income, reported by the claimant as being about $2,400 a year.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. Certainly.

Mr. GALLINGER. In this case, Mr. President, I was solicited to perform a friendly act; and I wrote Mrs. Hawley, asking her for a statement as to her financial condition, and she wrote me a letter, which I referred to the Committee on Pensions, in which she said that her entire property amounted to $40,000. I will ask the Senator if he has subsequent and different information?

Mr. McCUMBER. I have her letter in which she places it at $50,000.

Mr. GALLINGER. I simply recall the fact——

Mr. McCUMBER. I think it was $40,000 in the Courant, and she had $10,000 in addition that was invested, making $50,000 in all.

Mr. GALLINGER. I think the Senator is mistaken about that, and I wish he would refer to his papers.

Mr. McCUMBER. The papers show that it is $50,000. I have not got them here, because I did not know the case was coming up at this time.

Mr. President, I ask the Secretary to read the adverse report of the Committee on Pensions.

The VICE-PRESIDENT. Without objection, the Secretary will read the report.

The Secretary read the report submitted by Mr. McCUMBER on February 20, 1907, as follows:

The Committee on Pensions, to whom was referred the bill (S. 569) granting a pension to Edith A. Hawley, have examined the same and report:

This bill proposes to grant a pension of $100 per month to Edith A. Hawley, widow of Joseph R. Hawley, late brigadier-general and brevet major-general, United States Volunteers, and brigadier-general, United States Army, retired.

General Hawley was born at Stewartsville, N. C., October 31, 1826, and died in this city March 18, 1905, at the ripe old age of 78 years. He had a remarkable career both in civil and military life.

At the breaking out of the war he entered the Union Army as a captain, and subsequently became colonel and brigadier-general and brevet major-general of volunteers. He was honorably mustered out of the military service in January, 1866.

After the war General Hawley attained a high place in civil life. He became governor of Connecticut in 1866, and in 1872 was elected a Member of the National House of Representatives. He served several terms as a Member of Congress and later as United States Senator from Connecticut, his service expiring March 3, 1905. While a member of the Senate General Hawley served for fifteen years as chairman of the Committee on Military Affairs and exhibited unusual zeal in behalf of his old comrades.

Immediately after the expiration of his term as Senator he was, by act of Congress, placed on the retired list of the Army with the rank of brigadier-general.

General Hawley did not marry the claimant until late in life, namely, November 15, 1887. She is still in the prime of womanhood, being now about 55 years of age, and in good health. She can obtain no pension under existing laws, hence the effort to obtain one from Congress; and while your committee recognize the distinguished services of General Hawley, they do not believe that they are justified in recommending legislation in behalf of his widow.

It appears that Mrs. Hawley has considerable resources and is a woman of substantial means. According to her own statement she is possessed of $50,000, well invested, yielding her an income of at least $2,400 per year.

Mrs. Hawley therefore has no claim other than the services rendered by her husband, which the citizens of this great country can realize. It has, however, been the policy of your committee to recommend for pension only those cases in which the need for relief is urgent—those cases, in fact, in which the claimants have nothing at all, and are in dependent circumstances. That this is the proper policy for Congress to pursue in the bestowal of its pension benefactions is obviously too true to admit of argument, and that Mrs. Hawley's case is not a proper one for Congressional action your committee believe to be equally well founded.

Mrs. Hawley has abundant means, left her by General Hawley, to care for herself. She is at present living in Europe, and is in no sense in need of any help from the Government.

Without discussing the high rate of pension proposed in the bill it is sufficient to say that your committee believe that it would be a very bad precedent to grant a pension to anyone situated as Mrs. Hawley is. It must be manifest to everyone that to add to the pension roll by special legislation those who are neither sick nor needy would be wholly contrary to the original purpose of the Government in granting pensions to its defenders, and would amount to an increase in the pension expenditures for which there would be no good and sufficient warrant and an injustice to every pensioner who is not the recipient of such special favor.

Your committee have had under consideration many cases far more meritorious than this one, cases in which the soldiers rendered equally long and highly distinguished service in the Army or Navy, leaving widows with considerably less substantial means than are present in this case. From the standpoint of service they possess equal merit and from the standpoint of financial condition they possess far greater merit than does this case. In none of these cases has favorable action been recommended, and to now grant it in the least meritorious case would justly subject not only the committee but the Congress to the charge of favoritism in its pension legislation.

Based upon the belief that this case is not a proper one for the action of your committee, the committee feel constrained to report the bill back adversely with the recommendation that it be indefinitely postponed.

Mr. McCUMBER. Mr. President, I presume that only the chairman of the Committee on Pensions can appreciate fully what a precedent means. I can give the Senate some idea of what it does mean. Every one of these pensions is scanned very carefully by every person who thinks that he or she is entitled to more than he or she is receiving from the Government as a pension, and the moment we allow one a greater sum than another receives under similar or like conditions, or the moment we grant to one where we fail to grant to another under like conditions, that moment every other one is before the committee with appeals to be placed exactly in the same position. A great many years ago, Mr. President——

Mr. MALLORY. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. McCUMBER. Certainly.

Mr. MALLORY. Does Mrs. Hawley draw any pension at all now?

Mr. McCUMBER. She draws none at the present time.

Mr. MALLORY. Did General Hawley draw any pension?

Mr. McCUMBER. General Hawley did not draw a pension.

A good many years ago quite an excessive pension was granted to Mrs. Logan, the widow of John A. Logan.

Mr. GALLINGER. And Mrs. Frank P. Blair.

Mr. McCUMBER. And Mrs. Frank P. Blair.

Mr. GALLINGER. Two thousand dollars each.

Mr. McCUMBER. Those cases have been brought to the committee again and again and by almost every widow who claims or desires to make a claim for Government assistance. They make it upon the ground that their husbands served as faithfully and were as good officers as the husbands of the widows named—and no one can deny that every soldier did his duty and that every general did the duty prescribed for him to do—and you can not meet those cases by any possibility except to acknowledge that the Senate and the House in their love for this or that veteran have gone beyond what would be strict justice, when we consider all of those who ought to have consideration by Congress.

Mr. President, the widow of the private soldier who married after 1890 receives no pension at all, no matter how poor she may be, no matter how destitute her circumstances may be, and yet we are asked to take up widows of officers, married about the same time—young women, practically, as we regard age in these days—and although they are wealthy as compared with the widows of privates, to give them from fifty to a hundred dollars a month. Every time you do that you do an injustice to every other widow. If we have a hundred soldiers, for instance, under like conditions, each of them entitled to $30 a month, and we raise one of them to $50 a month, by that very one act we are doing ninety-nine cases of rank injustice, and that is one of the things the Congress should guard against committing.

Mr. President, what is the financial condition of Mrs. Hawley? The very least that can be said is that her property is worth $50,000. Whenever the time comes, if it ever does, that the widow of General Hawley is in reduced circumstances to the least extent, then she can come before the Congress, and Congress will do her justice. But so long as there is no necessity for this pension, so long as it can be said that it is given not to meet a necessitous condition, but as a compliment, then let us wait until the claimant comes within the rule. No one

will accord to General Hawley a higher rank as a soldier and as a citizen than I, and I am willing that the Senate should pass any resolution it may see fit, emblazoning to whatever extent it desires his virtues and his great generalship and his statesmanship. But if we are going to vote money merely as a matter of recognition of qualities, we can vote the whole Government bankrupt in a very short time.

But the principal objection, the one above all others that I have to urge against this bill, is, first, that there is no necessity of the pension from a financial standpoint. Secondly, it establishes a precedent which the committee would be forced to follow in the future. I have in my committee room to-day a vast number of applications for widows' pensions—widows of officers, widows who feel that the Government ought to support them. We have failed to report those bills favorably, because we felt that by reporting them favorably we would do a great injustice to many other widows who are exactly in like conditions and like circumstances.

At this time I can not fail to mention a growing sentiment in the United States on the part of the widows of officers—a sentiment that seems to be entirely wanting on the part of widows of privates who served the country in time of great need. I speak of it as a growing tendency, because the younger widows—those who have married lately, not the old widows who suffered during the war times, but the younger ones who have married since the eighties and the nineties—seem to feel that the Government owes them a living and should support them and their children absolutely merely because they married Army officers.

I can give an example which would perhaps illustrate this sentiment. Only last winter two women, both widows, came before me to express their feelings concerning the matter of pensions. One of them was the widow of a captain, I think. Proudly she swept up to the committee room and announced that the Government could not expect her to live on $40 a month; that the Government owed her the duty of supporting her and caring for her in the manner in which she has been accustomed to live.

The very same day a poor widow of this city, about 70 years of age, who had received $12 a month by a special pension bill, appeared before me and with tears coursing her old wrinkled face, thanked God for such a glorious and noble Government that would look after the widows of the old soldiers. One of them with a grateful heart for the little $12 per month; the other demanding, as a matter of right, that she should receive more than $40 a month. The one of them poor and needy; the other one in no need whatever. I deprecate the growing sentiment that the moment a woman marries an officer she becomes thereby entitled to the support of the Government of the United States and aid for the education of her children.

I had before me the other day a case where the pension which had been granted under the general law was $30 per month. The letter which came to me from this widow stated—although she was married but a few years ago, being the wife of a soldier in the Philippine war, and had suffered none of the hardships of the old widows of the soldiers of the war of 1861 to 1865—that she thought she was entitled to a greater sum than $30 per month, "because," she said, "I must now send my oldest daughter to school to educate her, and I desire to educate her as an artist." Ah, Mr. President, I thought that this good woman, for a good woman she is, ought to thank her God every morning that she saw the dollar drop into the plate from a generous Government and not expect that Government in addition to look after her and her children exclusively, so that no effort on her part would be required, and the only effort would be on the part of the Government to raise the taxes necessary.

Whenever you raise one of these persons beyond the law rating, I insist you are doing a great injustice to every one of the others. Let us take the case of Mrs. Hawley, a noble, true, generous woman. Fifty thousand dollars constitute her assests, according to a letter which I have. She is not living in the United States to-day. Her home is here, but to-day she is in Europe. She is living in Europe. She is able to travel and spend her summers and winters in Europe, and yet we are asked to appropriate $50 a month for this woman—wealthy from the general standpoint of wealth in the United States—while many of the old women who in the years from 1861 to 1865 took care of their little brood while the husband was in the war, receive the bare pittance of $8 a month. I for one shall never stand for such injustice, not only against every one of the widows of the war soldiers, but an injustice against the American people. It is an injustice whenever you pick out one of these widows and place her upon the pinnacle so much above the others that you must measure her standard by the standard of $50 a month, when there is no necessity for the granting of the pension.

It is easy for Senators to feel that this does not amount to anything; that they will pass the bill in the Senate, and the committee will not be responsible for it. The committee is responsible for every injustice, and no injustice is greater than the injustice of unequal treatment. We are striving for equal treatment. We believe, and I firmly believe, that no person should receive the benefit of a special bill unless his condition is such that he would suffer without it, and that the duty of the Government is to shield these old men who fought for the country during the serious period between 1861 and 1865. I can not stand here and see injustice done to the widow of a single one of these old veterans by picking up the widow of some one, because we loved the general, and placing his widow so much above the others that every one of them can complain, and justly complain, of unjust and unequal treatment.

Mr. CLAPP. Is this subject to the point of order?

Mr. McCUMBER. No; I do not think it is subject to a point of order.

Mr. CLAPP. I meant to ask if it is not subject to objection to its present consideration.

Mr. McCUMBER. Yes; it is subject to objection as to present consideration.

Mr. SCOTT. Mr. President, I want to say——

Mr. McCUMBER. I desire to state finally that I will answer any question concerning this matter, but——

Mr. SCOTT. Give me a chance.

Mr. McCUMBER. I certainly will. The Senator has never been without an opportunity to express himself so far as I am concerned.

Mr. SCOTT. If objection is to be raised, I will not have the opportunity.

Mr. McCUMBER. Whenever the condition of Mrs. Hawley or the widow of any other general or private who served in the Army is such as to bring her within the rules, whenever it is necessary to guard against suffering in any manner, then she can come, and justly come, before Congress for assistance. But until that condition arises she ought not to come and ask for a pension which is not needed.

Mr. SCOTT. Mr. President, I have been very much interested in the very elaborate remarks of the Senator from North Dakota [Mr. McCUMBER], especially as he is chairman of the Committee on Pensions. I am glad to know that he has concluded that the proper thing to do is to be just and generous to a class of people in this country who are deserving of pensions. It is only a few weeks ago that I remember be brought in a minority report against a bill which I reported for the Army nurses, trying to get a pension for these grand old ladies who held a cup of cold water to the lips of the dying soldier, were he either Confederate or Union; who took the apron off her body and tied up his wounded limb; who administerd to him on the battlefield, and sent the trinkets which were in his pocket home to the widow; to whom were dictated the last words of the dying boy to his mother. Yet this generous Senator from North Dakota brought in a minority report against pensioning these grand old women, when there are less than 400 of them, and many of them 80 and 90 years of age. I am glad that he has had a reversal of feeling, and that he is now willing to pension these poor widows and these nurses and those who are deserving, although he is not willing to pension the widows of general officers.

Mrs. Hawley has been more honest than a great many widows who have come before the Committee on Pensions since I have been on that committee. She has admitted the amount of property she owns. I have known other widows who, in order to secure a pension, have transferred their property to their daughters or their sons, in order that they might not have the property on account of which the Senator from North Dakota and others would refuse to give them a pension.

General Hawley served his country in the Army. He was a leader in the battles of his country, as much so almost as General Logan and General Sheridan. General Sheridan's widow gets $2,500 a year pension. Mrs. Logan gets $2,000 and has vastly more property than Mrs. Hawley. Mrs. Blair receives $2,000. General Hawley was a member of this body for twenty-four years, I believe. Had he died while a member of this body his widow would have received $5,000. The property that Mrs. Hawley has inherited by the death of her husband is a newspaper publication, and we all know how precarious that is. She has two daughters. Of course those daughters are entitled to one-third each of that property.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from New Hampshire?

Mr. SCOTT. Certainly.

Mr. GALLINGER. If the Senator will permit me, I will say that reference is made in the report of the committee to the

fact that General Hawley was placed on the retired list by the action of Congress. It is, I think, proper that it should go in the RECORD that he lived only long enough to draw one month's pay under that act.

The Senator from West Virginia will recall the fact, as he doubtless does, that in addition to Mrs. Sheridan receiving $2,500 a year, Mrs. Logan and Mrs. Frank P. Blair receive $2,000 a year each. And if the Senator should go back and examine the RECORD during the time when I was honored by holding the position of chairman of the Pensions Committee—and I think I tried as diligently to do justice as any man ever did in that place—he will find that there are scores and scores of widows of general officers who had no title to pension under the law who were placed on the pension roll at fifty or seventy-five dollars a month—soldiers very much less distinguished than General Hawley was either in military or civil life.

Mr. SCOTT. Mr. President, I am sure there is not a Senator or a citizen who has read history who is not convinced that General Hawley gave the better part of his life to the services of the Government of the United States, either in the capacity of soldier or legislator. I served with him on the Military Affairs Committee from the time I came to the Senate until he retired from this body. I had hoped when the other day this body was generous and honest enough to forget the past and give the widow of Stonewall Jackson a pension of $20 a month, of which I heartily approved, for his services in the Mexican war, there would not be a voice raised against granting a pension to Mrs. Hawley.

I remember standing over in this grand cemetery of ours at Arlington a few years ago when three hundred and more bodies were brought back from Cuba for interment. The President of the United States and the Vice-President, who is now in the chair, attended. When we looked off and saw that grand monument to the Father of his Country, the beautiful river flowing past to the sea; when we approached these graves, by each of which was standing a casket wrapped with the flag of our country, and looking saw those boys from Texas, and Ohio, and Arkansas, and Maine, and Virginia, then, Mr. President, all the bitter feeling of fraternal strife was wiped out. I hope that this bill will pass without a dissenting voice, and the names of Mrs. Jackson and Mrs. Hawley placed alongside each other on the pension roll by the same Congress will show most effectually the era of good will and forgetfulness.

Mr. McCUMBER. Mr. President, the Senator from West Virginia speaks with some feeling about the minority report upon the nurses' bill which passed the other day. I think the Senator is not justified in the view that he has expressed here on the floor in reference to that bill. My report was based upon a principle on which I am willing to stand and stake my reputation as a man who has sympathy for the old soldier and the widow of the old soldier. I want to tell the Senator from West Virginia that while I reverence the nurse I still reverence the soldier who fought four years, and I considered it an injustice that when the man who stood in the ranks four years and fought was receiving $12 a month the nurse who was there six months should receive $25 a month. I do not stand for such inequality and injustice. When the Senator himself brought the bill down so that the nurses would receive exactly what the soldiers receive at the same age, there was not a voice in opposition to it. That inequality was the only opposition.

Mr. SCOTT. I had to do it in order to get the bill out of the committee.

Mr. McCUMBER. Certainly; for it would have been opposed here. Everyone I think who has a clear sense of equality of treatment would have been opposed to saying that the nurse who served six months is entitled to $25 a month and the soldier who served forty-eight months is entitled to but ten and twelve.

Mr. SCOTT. I do not think the Senator wants to be misleading in his argument and to represent that the nurses served only six months. Many of them served three years, the same as soldiers did.

Mr. McCUMBER. The record will show that a great majority of them served one year. That is what the report shows, and the basis of the law is six months' service. They must have served six months in order to draw a pension. When the pension was reduced so that equal justice was done, then there was no objection to it whatever.

Mr. President, the nurses did a great deal for this country in those perilous days, but they did no more than most of the mothers and sisters during that same length of time. I say that the mother who had to bring up during those hard times of the civil war half a dozen little children and care for them while perhaps the only son was away in the Army and the father was away in the Army is entitled to just as much consideration as the nurses of the civil war. It was in behalf of the great army of the widows of the brave soldiers of the civil war that I pleaded against the injustice of holding them down to $8 a month while the nurses were placed at $25 per month. The moment the bill was reduced to what was just and proper it found the unanimous support of all the members of the committee.

The Senator speaks of our pensioning the widow of General Jackson. We did, Mr. President, but how much? Twenty dollars a month, I think it is, or $30. I think we passed it at $30 or more and it was reduced to $20, or it may have been reduced to $30 in the House. I am not certain about that; but what was the showing? The showing before the committee was that she had no property whatever to amount to anything. That presents an entirely different case from that where the widow has half a hundred thousand dollars and is able to travel in Europe and over the country.

Mr. President, I am willing to join the Senate in any memorial it desires to pass as to the character and the services of General Hawley, but I am unwilling to take the widow, not a war widow by any means, but who was married in 1887, I think, and place her so much above all of the other widows of the officers and the widows of the private soldiers in that great struggle for the life of the nation that everyone must necessarily feel, if he has the pride of humanity in his heart, that they have been treated unjustly. And it is an unjust treatment.

Mr. President, I call attention to three provisions in the rules of the Committee on Pensions. I do not know how long these rules have been in existence, but they have been the rules of the committee since I have been a member of it, for at least eight years. Rule 5 reads:

> RULE 5. Bills for increasing pensions which have been granted by the Bureau under the act of June 27, 1890, at less than $12 per month will not be given consideration. The soldier must establish his title to and be granted the maximum rate provided by said act before applying to Congress. If it be shown that a claimant who is in receipt of pension at the maximum rate under that law is in absolutely destitute circumstances, or suffering from a permanent disability of an extreme nature, a bill proposing to grant additional pension may be favorably considered, and if a rejected claim exists under the general law, the equities in the latter claim will receive consideration in connection with the bill.

In speaking of the general law with reference to widows the rule reads:

> No allowance of pension to widows will be recommended above the general-law rating, except in case of destitution or extreme physical disability, to be substantiated by competent testimony, and no original pension will be recommended in excess of the rating provided by the general law for a similar rank.

If there is anything that has been adopted as a rule and which necessarily had to be adopted as a rule, it was the question of destitution. Otherwise, as I have stated, we might as well make the Committee on Pensions the Bureau of Pensions and be done with it. It was intended to cover, I repeat, those cases where the general law, by reason of its generality, would not reach and do justice in specific cases and where great suffering would ensue except for timely intervention by a bill in Congress. Under this rule it has been our custom to require everyone, widows of officers and others, to make a showing before the Bureau, and to make such a showing as that they would be entitled to receive the $12 per month or the $8 per month under the law of 1890. That would establish at least the financial condition of the widows, and having established it in a better manner than we can, beyond any question, that such widow did not have an income beyond $250 per year, we then took up the case and granted the extra amount that would in any way relieve her destitution.

While we have not drawn the line absolutely between the widow of the private and the widow of a general as to what constitutes destitution, the doubts and the differences always being resolved in favor of the widow, that what might be destitution for the widow of the general might not be destitution for the widow of the common soldier, so far as I myself am personally concerned I have tried to make that distinction just as small as possible, and were it in my power I am willing to say that I would make no difference, but that destitution should mean exactly the same in one case that it means in the other.

Mr. GALLINGER. Mr. President, I will occupy a very few minutes' time in the discussion of this bill, which was introduced by the senior Senator from Connecticut [Mr. BULKELEY] on the 5th day of December, 1905, and has been in the Committee on Pensions from that time until a few days ago.

I appreciate the difficulties that the Senator from North Dakota has to deal with in administering the affairs of the committee over which he so ably presides. I was there myself for several years, and I know that it is a difficult and perplexing business.

I want to say, in the first place, that it is a late day for any Senator to argue against precedents in reference to pension

legislation. Our statute books are full of acts that are different from all that preceded them, and they make precedents; but we acted upon those, as we thought, wisely, and I am not at all alarmed to-day at establishing a precedent in reference to private pension legislation in this body.

I only wish that this bill might have been brought before Congress at an early day, either adversely or otherwise, so that we might have had some hope of its being enacted into law before this Congress terminates.

It is, Mr. President, a matter of profound regret to me that this debate has occurred. It seems to me that it is a very poor tribute to the memory of one of the bravest soldiers and most distinguished public servants this country has ever known. I think the memory of General Hawley deserves a better fate. But the bill is here, and we have got to deal with it as best we can.

While I was chairman of the Committee on Pensions scores and scores and scores of bills were passed for the widows of general officers at $50 a month, some of them at $75, and some of them at $100 or over. As has been suggested, there are several precedents where we have given $2,000 a year, and in one case $2,500 a year, on no better claim, as a matter of fact, than there is in this case. Those widows had property; but their husbands had rendered conspicuous service to the country, and we recognized it in that way.

I am glad, Mr. President, that the Senator from West Virginia has said a word on this question. The Senator from North Dakota was mistaken when he stated that the Committee on Pensions was unanimous in this matter, because the Senator from West Virginia, himself a distinguished soldier, is a member of that committee.

Mr. McCUMBER. I said I thought they were unanimous, and I corrected it when the Senator from West Virginia said that he was in favor of it.

Mr. GALLINGER. I am afraid, Mr. President, that this case never was very fully brought to the attention of the Committee on Pensions.

Mr. McCUMBER. On the contrary, I want to correct the Senator and state that it was before the committee time and again.

Mr. GALLINGER. Well, Mr. President, that is probably so, but my information has been somewhat different from that; but we will let that go. I say I am very glad the Senator from West Virginia, himself a very distinguished soldier, a member of the committee, has spoken with the earnestness that he has, and I am glad that he recognizes that the paltry sum proposed to be given to Mrs. Hawley is only a partial recognition for the services not only that General Hawley rendered, but that she rendered as the wife of General Hawley.

Mr. President, those of us who remember that man—great as a soldier, great as a private citizen, and great as a member of this body during the long term of twenty-four years—those of us who remember that man for the last year of his life as he tottered in and out of this Chamber can well understand what that devoted wife, herself in her early life a trained nurse, did to make his last years years of comparative ease and of comfort.

I know something about it, because I have been in that home. I have seen that woman caring for him on the street, caring for him as she would for a child, and I am not going to stand upon a technicality in this case, nor am I going to be frightened because of a possible precedent that may be established.

When Mrs. Hawley married General Hawley she found one child in the household. She took care of that child as though it was her own. She bore children to General Hawley and cared for them, and she is now trying to care for them; trying to educate them. Who says that that cultured woman, the wife of that great man, should not be placed in a position where she can educate those children and put them in a position in life where they may do credit to her and to her lost husband?

I do not blame the Senator from North Dakota at all for the position he takes if he feels that it is his conscientious duty to do so, but I do say, Mr. President, that we ought to act generously in this matter, and that we ought not to be frightened by any fear of precedents or of doing what the Senator from North Dakota thinks is an injustice.

The VICE-PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

Mr. HANSBROUGH. I hardly feel justified in having the unfinished business laid aside. I understand that other Senators desire to address the Senate on the pending measure.

Mr. GALLINGER. It will take but a very little while. I am about through.

Mr. HANSBROUGH. If the speeches are few and of a brief nature and we can get the unfinished business before the Senate within a reasonable time I will consent that it may be laid aside temporarily.

The VICE-PRESIDENT. Without objection, the unfinished business will be laid aside temporarily. The Senator from New Hampshire will proceed.

Mr. GALLINGER. I have but a word to add, Mr. President. The Senator from North Dakota has called attention to the fact that women who married soldiers after the act of June 27, 1890, are not pensionable under that law. That is true, so far as that one act is concerned. They are pensionable under the general law, and we have taken scores and hundreds of those cases and passed special acts in their behalf, and they are on the pension roll to-day.

So this is not an innovation. It is true that the proposed pension is a little larger than has been granted to widows of private soldiers, and why should it not be?

Mr. BLACKBURN. Will the Senator from New Hampshire yield to me for a moment?

Mr. GALLINGER. Certainly.

Mr. BLACKBURN. I do not desire, Mr. President, nor purpose to prolong the debate upon the bill, but it occurred to me that probably I should say a word.

I served for a long while as a member of the Committee on Military Affairs while General Hawley was its chairman. I am personally cognizant of the devotion and care that he received at the hands of his wife during the last years of his life when his condition was especially and peculiarly helpless.

Further, Mr. President, I am prompted by reason of the reflection that General Hawley and myself served on opposite sides during the civil war. I most cordially indorse everything that has been said on his behalf. I agree thoroughly with the sentiments expressed by the Senator from New Hampshire [Mr. GALLINGER], and I sincerely trust that the Senate will with the same unanimity with which it passed the bill that made him an exception to the rule in placing him upon the retired list extend the same kindly treatment to the surviving widow.

Mr. GALLINGER. I have only to add, Mr. President, that had General Hawley applied for a pension himself he could have drawn many thousands of dollars from the Treasury of the United States. He did not do that.

Another circumstance worthy of mention is that General Hawley was placed on the retired list and lived to draw only one month's salary. Again, he died very shortly after leaving the Senate. Had he remained here a little while longer his wife would have received the gratuity that is always given by Congress to the wives of deceased Representatives and Senators.

Now, Mr. President, I think the circumstances all justify us in voting for the bill. I should be glad to vote for it unamended, but the Senator from Connecticut [Mr. BULKELEY] has moved to reduce the amount from $100 to $50. I trust there may be practical unanimity in passing the bill and doing justice to the devoted woman who gave some of the best years of her life to caring for this man who did such conspicuous service to the country, both on the battlefield and in the Senate Chamber.

Mr. PETTUS. Mr. President, I served under General Hawley for a couple of years upon the Committee on Military Affairs, and I want to say in answer to the Senator in charge of the pension bills that this is no extension of the precedent. There is one case that I recollect, where a brigadier-general's widow, married long after the war, without any children by her last marriage, received first $50 and then $75. This is allowed to the widow of General Hull.

Mr. SPOONER. Mr. President, only a word.

I pay to the Senator from North Dakota, chairman of the Committee on Pensions, tribute of my respectful admiration for the manner in which he has conducted the business of that committee. He has given to it not only assiduity, but a large measure of kindliness and justice and the discrimination which he felt the general public interest required. I want to say, in a sentence, that I think there never has been at the head of that committee a Senator whose duty has been more faithfully and ably discharged, and it is in many ways a thankless duty.

Situated as the Senator from North Dakota is as chairman of that committee, dealing, as he is obliged to, with thousands of claims which must be rejected and dealing with thou-

sands which are granted, I can understand that there must be rules limiting the cases in which relief will be awarded and also limiting the amounts to be awarded. I can realize how anxious that Senator is that rules shall be carefully observed and that precedents shall not be permitted to break over them.

But, Mr. President, while the Senator from North Dakota is not only a just man but is a very generous man, he must remember that all rules have their exceptions. While there may be, and doubtless is, more of mathematical reasoning and more of cold logic in the position and discussion of this matter by the Senator from North Dakota than in that of those who favor the bill, nevertheless, upon reasons partly logical and partly sentimental, this exception to the rule ought to be justified.

When I listened to the Senator from North Dakota, whose tribute to General Hawley and his services was a generous one, I could not exclude from my memory General Hawley as I knew him and served with him here. To save my life I could not keep from looking for a face which I can not see and listening for a voice which I can not hear. I saw him again standing in the Senate in his place heard him again pleading in trumpet tones over and over again for relief for the comrades of the war, and their orphans and their widows. He seemed to regard all soldiers of honorable service as his bunk mates almost.

General Hawley was a general officer. He was five years in the Army, and during the five years General Hawley was in the Army, if he had been less patriotic, if he, with his great ability, his positive genius, had remained at home and devoted himself to the upbuilding of a business and to the conservation of purely selfish interests, he would have been a man beyond need for *himself* or his family ever of anything from the public Treasury.

When I left the Senate in 1891, not having been here long enough to quite disable me from some indulgences, I had three riding horses of which I was fond and which I would not sell, but was quite willing to give away. I offered one to General Hawley. This was long ago, when he was strong, Mr. President, when there was timbre in his voice. A strong, chivalrous gentleman he always was. He thanked me with tears in his eyes, and said to me: "I have not money enough to pay for his keep; give him to some Senator who is able to take care of him."

Mr. President, a private soldier offers his life and so does the general offer his life under the flag. But there is a great difference in the status of the two. The private soldier obeys orders. The general is responsible for the command, for success, and it is impossible and it always has been regarded as impossible to treat the two, each being absolutely meritorious, upon exactly the same basis.

I can not myself forget that during a great many years he served the public here at a salary not in the slightest commensurate with the work which he performed and the service which he rendered.

We gave, as has been stated, to the widow of Gen. John A. Logan, who in addition to long and splendid military service had long service in the Senate, a pension. We have given to the widows of other officers pensions, in exceptional cases, as General Hawley's case is an exceptional one.

The Senator from North Dakota refers to the fact that Mrs. Hawley and the daughters *are able* to travel abroad and now live in Europe. I doubt not that it is with her as it is with many whom some of us have known, that she lives abroad because she can afford there on smaller income the mode of life to which she has been fairly accustomed, and secure there the instruction required by her daughters which here would be more expensive than she could permit.

I have not been thinking of Mrs. Hawley; I have been thinking of General Hawley; I have been thinking of Senator Hawley; I have been thinking of the splendid soldier, Mr. President, and the loyal, devoted, eloquent, broad-minded Senator; and I would not be willing, if a vote of mine could prevent it, that his widow should be obliged to come here *in forma pauperis* knocking at the door of the Chamber in which he sat for so many years an honored and faithful Senator. The country owes more than that to the memory of General Hawley for his services in the field in defense of the Union.

Mr. President, his daughters, upon whom he bestowed the accumulated love, which, although it was in his heart for children, had been denied to his home until late in life—we should have some care for them. It is not enough, speaking in such a case and upon such a subject, that they should be decently clad; that they have food. It is due, Mr. President, to the memory of such a man, who rendered so great and long-continued service, that they should be so educated as to fit them for the position to which they were born and in which it was the prayer of his heart they might during their lives remain.

Something has been said about General Hawley being placed on the retired list. I have some doubt if he realized for two consecutive hours that Congress had passed that act, because we all know that the palsy of brain and of body had almost shut him out from keen interest in the affairs of the world.

It is an exceptional case. The American people are a sentimental people, and they will feel, and so will the soldiers feel, and so will the right-minded widows of soldiers feel, Mr. President, that the right thing for Congress, all things considered, is to grant this $50 a month to General Hawley's widow. Some day they will build a monument of marble to him in this capital that will cost twenty-five or thirty thousand dollars. It would be the irony of fate if his memory is so decorated, as it should be, that the daughters of his love should have been wanting in provision for which those of us, however poor we may be, struggle and pray for our loved ones.

There is much in what the Senator from North Dakota says. While his general reasoning is correct and while his attitude justifies no impeachment either of his sense of justice or his generosity, I can not but feel, Mr. President, that this is one of those cases which ought to be regarded as an exception to the rules of the Committees on Pensions of both Houses, which are wise and necessary rules, and that where we have made so many exceptions hitherto we ought not to draw the line on the widow and the orphan children of Gen. Joseph R. Hawley.

I shall vote for this pension, which I understand has been agreed shall be reduced in amount to $50 a month.

Mr. McCUMBER. Mr. President, I thank the Senator from Wisconsin [Mr. SPOONER] for the kind compliments he has given me. I can not but contrast them somewhat with the statement that was made by the Senator from West Virginia [Mr. SCOTT].

Whatever in error may have been done in the Committee on Pensions, it has been an error of the mind and not an error of the heart. If there has been any one thing which I have tried to do justly and rightly, it has been to secure as nearly exact justice as it was possible to secure under the conditions.

Mr. PATTERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. McCUMBER. In a moment.

But the effort to secure justice has never been so great as has been the effort to prevent injustice. I have tried to do both faithfully and honestly.

Mr. PATTERSON. Mr. President, I have served here on the Pensions Committee, of which the Senator from North Dakota [Mr. McCUMBER] is chairman, and the report which he has made and the effort he is making, and very properly making, is precisely what I had expected from that Senator in this case, and should expect from him in any similar case. I discovered very early in my service that the Senator from North Dakota had fixed and definite rules for the guidance of his conduct as chairman of the Pensions Committee, and that those rules were based upon his sense of justice. I discovered that whenever any pension bill was under consideration, whether of a public nature or of a private nature, his conduct was always gauged by his sense of patriotism, by a deep tenderness of feeling, but, above all and beyond all, by a sense of justice to all, having in mind the widow of the private soldier as well as the widow of the officer. That he should make this report and say what he has said on the floor of the Senate in opposition to the granting of this pension was what any Senator who has been familiar with the rules of conduct which have guided him as chairman of the committee was led to expect and must have expected.

Say what one will, there is a spice of favoritism in the bill that I expect to vote for. The close association of Senators with General Hawley for so many years, the personal knowledge that they have of his services to the country and of his family relations, do, whether sensibly or insensibly, swerve them in his favor and in favor of the woman, his widow, who survives him. The chairman of the Committee on Pensions, I know much to his regret and to a certain extent doing violence to the tenderness of his heart, has felt constrained that he may be consistent, that no improper precedent may be set to guide or control the future action of the committee or of the Senate, to take the course that he has.

I doubt, Mr. President, if there ever has been a chairman of the Pensions Committee who has served it and served the country more zealously, conscientiously, and justly than has the Senator from North Dakota. It is a great committee. Millions of dollars must be disbursed annually through the action of that committee. New claims will be placed upon the statute books against the Government through the action of that committee; and the Senator from North Dakota has ever realized the responsibilities that have rested upon him by virtue of his position, and has always fearlessly observed those responsibilities,

and has endeavored to enforce his convictions upon the floor of the Senate. While in all human probability the sentiment of tender sympathy that pervades this body for such a member as was General Hawley, having in mind his Senatorial services, his services in other civil positions, and his services upon the field, will lead Senators to vote for this bill, it is no reflection whatever upon the Senator from North Dakota; and the action he has taken in opposition meets my entire approval.

Mr. CARMACK. Mr. President, I supported the position taken by the chairman of the Committee on Pensions [Mr. McCUMBER] in committee, and I shall support his position upon the floor.

I believe, Mr. President, we are about to take action that will establish a dangerous precedent. Senators speak of this as an exception—a justifiable exception to a rule—but in matters of legislation an exception often becomes a rule. I think the proper question to be inquired into here, and which should govern every pension case, is whether or not there is such a state of need or destitution as to justify the granting of a pension. Such a condition does not exist in this case. The chairman of the committee has simply taken and upheld the position he has upheld in all like cases.

I want to say, Mr. President, that, as chairman of that committee, the Senator from North Dakota has never, under any circumstances, permitted himself to be guided by mere matters of sentiment and influenced thereby to violate a salutary rule, and if this Senate shall do that in this case, I believe it will simply show that the chairman of the Committee on Pensions is wiser than the Senate.

I know that the chairman of the committee feels just as I do, that if he should be guided by his sentiments and his feelings alone he would vote for this pension. I do not believe, Mr. President, simply because General Hawley was a Senator of the United States and served in this body with Senators who are now here that we are justified in making such an exception in this case. I shall therefore vote against the bill.

Mr. DANIEL. Mr. President, a few sentences will suffice to state my views respecting this bill. There is no rule of the Senate that applies to it. There is a rule observed by the committee for itself which in no wise affects either the right or the propriety of any action which the Senate may deem proper to take.

I regard this not only as an exceptional case, but a rarely exceptional case. General Hawley gave the vigor of his whole life to the service of his country, first in war and then in peace. He was a conspicuous, a brave, and an able soldier, who underwent the hardships of war from beginning to end and brought out of the war an honored and respected name. When the war was over he was connected for many years with most important public affairs, and rendered long, faithful, diligent, and distinguished service.

We are all moved more or less by our feelings and sentiments. I do not think that the world is worse that we are so moved. They introduce into our conduct that equity of consideration that can never be bound up in any ironclad rule.

After being an important figure in a great strife, General Hawley had upon his shoulders, as chairman of the Committee on Military Affairs of this body, a most onerous burden to bear with respect to the Army of the United States, to its organization, and to the many details that apply to military affairs. He had that high and responsible position during the Spanish war, and the labors entailed upon him were as important as they were numerous and heavy. It was within that time, or shortly afterwards, that his health broke down, no doubt in considerable measure from the assiduity and fidelity with which he had discharged his public duties.

Service with him here in the Senate enabled us to be witnesses of the eye and witnesses of the ear and witnesses of the understanding to the great services that he rendered to his people, and if, under the convictions of wisdom and respect, we may be also moved in some degree by our regard for the man, surely it is no offense against any worthy interest of this country or against the best traits of human nature.

But were it a cold proposition, one of mere calculation, according to the facts, which bespeak themselves, this is a rarely exceptional case, which will make no ill precedent if it be applied to cases of the same order and description.

The speech of the Senator from North Dakota [Mr. McCUMBER] was a noble and worthy speech. It bespoke the just opinions which belong to one who is charged with the duties which he has to perform as chairman of the Committee on Pensions. The concurrence in his opinion of the distinguished Senator from Tennessee [Mr. CARMACK] is of the same order. Sitting as judges on the committee they treat all alike, and having made a rule for themselves they abide it. Their speeches are logical if their premises be recognized. But their rules do not bind us. We are differently situated. I do not recognize that in treating with the concerns of a nation which involve great careers of prolonged, unusual, and extraordinary service you can ever embrace the principles which should govern them in any severe rule, or one that should not properly yield to the dignity of a particular case and of particular service.

I had rather indulged the hope, Mr. President, that this bill might pass with unanimity as a tribute to one who spent his whole life, not in the pursuit of self-advantage, who did not seek the rewards which come from fortune, and who, instead of making money his object, was controlled and governed throughout by a patriotism which is a worthy example to all who may follow him. If the principle which shall rule those of us in giving an affirmative vote to this bill shall be in all cases observed, no harm can befall the Republic.

Mr. BULKELEY. Mr. President, in asking the Senate to take up and consider and pass the bill which is now pending I did not intend to antagonize in any way the general rules laid down by the Pensions Committee for their guidance in the consideration of pension cases. The four or five thousand cases which we have before us at every session of Congress are all special cases and are passed upon by the committee and by the Congress on their merits. The beneficiaries under the pending bill are the widow and, indirectly, the children of the late Gen. Joseph R. Hawley. He was a distinguished citizen of Connecticut in his earlier life. He was the first soldier in Connecticut to sign the roll under the call for troops in April, 1861, and I saw him in the uniform of a private as he entered the ranks in my own State. He was promoted to a captaincy and went into the field with the first company of three-months' troops from my native State. At the expiration of his term of service he returned to his State and immediately reenlisted under the command of our great general, Alfred H. Terry, in the formation of the celebrated fighting Seventh Connecticut Regiment as its lieutenant-colonel, rising from a lieutenant-colonelcy by reason of his merit to the command of his regiment, and afterwards to the star of a brigadier, and then retiring after almost five years of service in the Army in January, 1866, with the brevet rank and the stars of a major-general.

By retiring from military life he never left the public service. He was at once the choice of the people of Connecticut for the governorship of that State. For three terms he was elected to the lower branch of Congress. He was president of the great Centennial Exposition, in Philadelphia, in 1876, and for four terms he served his State and the nation faithfully in this branch of Congress.

The Senate needs no justification, I take it, for the action which I have asked in the passage of this bill. The comrades in arms of General Hawley will need no justification for the action proposed, except his own record in his country's service, which I hold in my hand, as taken from the files of the War Department and furnished me by The Military Secretary. It is a most honorable record of a gallant soldier and of his five years' participation in the great struggle in which the country was engaged from 1861 to 1865, and I ask permission to have it printed in the RECORD, without reading, as a part of my remarks.

The PRESIDING OFFICER (Mr. KEAN in the chair). Without objection, permission is granted.

The record referred to is as follows:

WAR DEPARTMENT,
THE MILITARY SECRETARY'S OFFICE.

Statement of the military service of Brevet Maj. Gen. Joseph R. Hawley, late captain, First Connecticut Infantry; colonel Seventh Connecticut Infantry, and brigadier-general of United States Volunteers.

Joseph R. Hawley was mustered into service at New Haven, Conn., April 22, 1861, as captain Company A, First Connecticut Infantry Volunteers, to serve three months, and was mustered out of service as captain with his company July 13, 1861. Captain Hawley is not reported absent from his command during this service. The regiment was attached to the First Brigade, First Division, Army of Northeastern Virginia.

He was again mustered into service at New Haven, Conn., September 17, 1861, as lieutenant-colonel Seventh Connecticut Infantry Volunteers, to serve three years, and as colonel same regiment to date June 20, 1862. Under the provisions of the act of Congress approved June 3, 1884, and the acts amendatory thereof, he is considered by this Department as commissioned to the grade of colonel Seventh Connecticut Volunteers, to take effect from May 19, 1862, vice Alfred H. Terry, promoted.

This regiment left New Haven for Washington in September, 1861, and was assigned to and formed a part of the expeditionary corps under Brig. Gen. T. W. Sherman which sailed from Annapolis, Md., in the latter part of October, 1861, arriving at Port Royal, S. C., November 4, 1861.

Colonel Hawley appears to have been present with his command until July 29, 1862, when he was ordered north on recruiting service. He returned and reassumed command of his regiment at Hilton Head, S. C., September 5, 1862, and remained in command of it until September 13, 1863, being for a portion of the time (namely, from May 12, 1863, to about August 18, 1863) also in command of the post at St.

Augustine, Fla., where a part of the regiment was stationed. On September 13, 1863, he was assigned to the command of the Third Brigade, United States forces, at Morris Island, South Carolina, and remained in command of that brigade until October 14, 1863, when his regiment was ordered to St. Helena Island, South Carolina. From October 14, 1863, to February 4, 1864, he was in command of the "post and United States forces" at St. Helena Island. On February 4, 1864, he was assigned to the command of the brigade known as "Hawley's brigade," attached to the Florida expeditionary forces commanded by Brig. Gen. T. Seymour, and thereafter, until September, 1864, held brigade commands (with rank of colonel) as follows:

February 4 to 26, 1864, Hawley's brigade; February 26 to April, 1864, Second Brigade, Ames's division, Tenth Army Corps (this brigade was transferred to Virginia about April 17, 1864); April 23 to May 7, 1864, Third Brigade, First Division, Tenth Army Corps; May 8 to September, 1864, Second Brigade, First Division, Tenth Army Corps. On September 12, 1864, at the request of Gen. A. H. Terry, commanding the division, he was ordered to Connecticut on recruiting service and in charge of enlisted men.

On September 13, 1864, he was appointed brigadier-general of volunteers, to rank from the same date, and accepted the appointment on September 17, 1864. On October 12, 1864, he returned from recruiting service and reassumed command of the Second Brigade, First Division, Tenth Army Corps, and continued in command of that brigade until November 1, 1864, except from October 20 to 28, 1864, when he was temporarily in command of the Third Division, Tenth Army Corps. On November 1, 1864, General Hawley was placed in command of a provisional division, which was ordered to New York City during the Presidential election of November 8, 1864. The troops composing the division embarked at Fort Monroe November 3, 1864; arrived at New York November 6, 1864; reembarked November 14 and 15, 1864, and arrived at their former station near Deep Bottom, Virginia, November 17, 1864.

General Hawley's subsequent commands were as follows:

November 17 to December 2, 1864, Second Brigade, First Division, Tenth Army Corps; December 3, 1864, to January 1, 1865, Second Brigade, First Division, Twenty-fourth Army Corps; January 1 to February 1, 1865, First Division, Twenty-fourth Army Corps; February 17 to March 1, 1865, chief of staff United States forces at Fort Fisher, N. C.; March 1, 1865, to June 23, 1865, district of Wilmington, N. C.; July 5, 1865, to October 28, 1865, chief of staff department of Virginia.

In General Orders, No. 135, from the War Department, Adjutant-General's office, dated August 24, 1865, it was announced that, by direction of the President, Brig. Gen. Joseph R. Hawley was thereby honorably mustered out of the service of the United States, his services being no longer needed. In Special Orders, No. 468, from the War Department, Adjutant-General's office, dated August 30, 1865, it was announced that so much of General Orders, No. 135, from the War Department, Adjutant-General's office, dated August 24, 1865, as mustered Brigadier-General Hawley out of service was thereby revoked.

On October 28, 1865, he was relieved from duty as chief of staff Department of Virginia, and ordered to his home, thence to report by letter, and was mustered out and honorably discharged the service as brigadier-general of volunteers, to date from January 15, 1866, in General Orders, No. 168, War Department, Adjutant-General's office, dated December 28, 1865.

He was brevetted major-general, United States Volunteers, to date from September 28, 1865, "for gallant and meritorious services during the war."

During his service General Hawley participated in battles and actions as follows:

As captain, First Connecticut Infantry (three months) Volunteers: Battle of Bull Run, Virginia, July 21, 1861.

As lieutenant-colonel and colonel, Seventh Connecticut Infantry Volunteers: Action at Fort Pulaski, Ga., April 10 and 11, 1862; battle at Secessionville, on James Island, South Carolina, June 16, 1862; action at St. Johns Bluff, Florida, October 2, 1862, and action at Coosawatchie, on the Pocotaligo River, South Carolina, October 22, 1863.

As colonel, Seventh Connecticut Infantry, in command of a brigade: Battle of Olustee, Fla., February 20, 1864, and in actions at Chester Station, Virginia, May 10, 1864; south side of the James, May 14, 1864; Palmers Creek, near Drewrys Bluff, Va., May 13 to 16, 1864; Bermuda Hundred, Va., May 27 and June 2, 1864; in front of Petersburg, Va., June 9, 1864, and Deep Bottom, or Deep Run, Virginia, August 14, 15, 16, and 18, 1864.

As brigadier-general of volunteers: Actions at Darbytown road, Virginia, October 13, 27, and 28, 1864.

General Hawley's conduct at the battle of Bull Run, Virginia, July 21, 1861 (when he was serving as captain, First Connecticut Infantry), was favorably commented upon by Col. E. D. Keyes, Eleventh Infantry, who commanded in that battle the First Brigade, First Division, of the Army of Northeastern Virginia. In his report, dated July 25, 1861, Colonel Keyes says:

"I observed the activity of Captains Hawley and * * * on the field."

General Hawley is also favorably mentioned in the report, dated March 25, 1864, of Brig. Gen. T. Seymour, commanding the Florida expeditionary forces, of the action at Olustee, Fla., February 20, 1864.

General Seymour says: "Colonels Hawley and ———, also commanding brigades, conducted their troops with great personal intelligence and valor."

Following are copies of and extracts from letters and indorsements found on file, in which the promotion of Colonel Hawley to the grade of brigadier-general and brevet major-general of volunteers is recommended:

STATE OF CONNECTICUT,
EXECUTIVE DEPARTMENT,
*Hartford, February 2, 1863.*

To ABRAHAM LINCOLN,
*President of the United States.*

SIR: Permit me to commend to your favorable consideration Col. Joseph R. Hawley, of the Seventh Regiment Connecticut Volunteers, as an officer well qualified for the appointment of brigadier-general of volunteers.

Colonel Hawley raised the first company organized in this State to suppress the rebellion, has risen by his merits to his present position, and shown himself equal to every emergency and capable of bearing every responsibility which has been placed upon him. He is a gentleman of high reputation and unexceptionable character, of untiring energy, whose whole soul is engaged in overwhelming the enemies of the Government.

With high consideration, I am, your obedient servant,
WILLIAM A. BUCKINGHAM.

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HEADQUARTERS DEPARTMENT OF THE SOUTH,
*Hilton Head, S. C., February 26, 1864.*

To the ADJUTANT-GENERAL OF THE ARMY,
*Washington, D. C.*

SIR: In compliance with your request of the 29th ultimo, I have the honor to commend for promotion to the brevet of brigadier-general the following-named colonels serving in this department:

* * * * * * *

Fifth. Col. J. R. Hawley, Seventh Connecticut Volunteers, for meritorious services generally and for conspicuous gallantry at the fight at Olustee, Fla., February 20, 1864.

* * * * * * *

Very respectfully, your obedient servant,
Q. A. GILLMORE,
*Major-General Commanding.*

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HEADQUARTERS, DISTRICT OF FLORIDA, DEPARTMENT SOUTH,
*Jacksonville, Fla., March 3, 1864.*

Maj. Gen. Q. A. GILLMORE,
*Commanding Department South.*

SIR: I have the honor to recommend for advancement Col. J. R. Hawley, Seventh Connecticut Volunteers, an officer whose previous reputation in this Department has always been so high for intelligence and good conduct as to have entitled him to and to procure for him recommendations for advancement from other officers than myself.

Colonel Hawley commanded a brigade at Olustee February 20, and his good conduct in this severe battle was such as justly to confirm all previous action in his favor.

And I therefore respectfully urge for him the honor that is believed to be his due.

Very respectfully, General, your most obedient servant,
T. SEYMOUR,
*Brigadier-General, Commanding.*

[Indorsement.]

Respectfully forwarded to the Adjutant-General of the Army, approved and urgently recommended. Colonel Hawley's promotion to a brevet of brigadier-general is requested. Colonel Hawley was recommended for a brevet of brigadier-general in my letter to the Adjutant-General of the Army of February 26.

Q. A. GILLMORE, *Major-General.*

Headquarters, Department South,
*Hilton Head, S. C., March 12, 1864.*

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STATE OF CONNECTICUT,
EXECUTIVE DEPARTMENT,
*Norwich, April 20, 1864.*

SIR: Permit me to call your attention to the merits of Col. J. R. Hawley, Seventh Connecticut Volunteers, for whose promotion application has been made.

He is a large hearted, thoroughly honest, and earnestly patriotic man. Abandoning an influential editorial position, he has from the commencement of the rebellion given himself to the service, being a captain in the three months' and a colonel in a three years' regiment now reenlisted. He has always shown himself a sagacious, brave, and efficient officer. Held in such high estimation at home that, unsolicited by himself, he received an honorable appointment of delegate at large to the Baltimore convention, and so esteemed in the field that he is trusted by his superiors and honored by his subordinates. I am confident you never will regret his promotion. If he can not be promoted at present, I would earnestly request, if it can be done, that he may be brevetted a brigadier-general.

I am, with high regard and esteem, your obedient servant,
WM. A. BUCKINGHAM,
*Governor of Connecticut.*

ABRAHAM LINCOLN,
*President of the United States.*

STATE OF CONNECTICUT,
*New Haven, May 18, 1864.*

His Excellency ABRAHAM LINCOLN,
*President of the United States:*

The undersigned, State officers, members of the general assembly, and other citizens of the State of Connecticut, beg leave to ask at the hands of Your Excellency the nomination of Joseph R. Hawley, of Hartford, in said State, now colonel of the Seventh Regiment of Connecticut Volunteers, for the commission of a brigadier-general of volunteers.

Colonel Hawley has been in the volunteer service of his country from the beginning of the war, and is now acting brigadier in General Butler's army, Terry's division, Tenth Army Corps, Gillmore commanding.

Sumter fell on Saturday. On the Monday following his was among the first names in the first company that was that day raised and the first in the State tendered to the governor for the defense of the country.

First chosen first lieutenant and then captain, he led his company into the first fight of the war, and on that disastrous day his commanding and courageous "steady, boys" kept his line unbroken and brought them off with honor from the field.

Having served out his term he raised another company at once, without asking for promotion, but was thereupon made lieutenant-colonel of the Seventh Connecticut Volunteers, and on the promotion of Colonel Terry became its commanding officer.

The Seventh Connecticut has written its own eulogy on the history of this war, and its well-earned fame it gladly shares with its beloved commander.

Thus Colonel Hawley has been in the service from the start, and for most of the time as commander of a regiment or brigade. His tried coolness, bravery, ability, and good conduct in the camp and in the field have marked him as a soldier of no common merit and one eminently fit for the commission asked by his fellow-citizens to be conferred upon him.

His part in the bloody contests of Bull Run, Pulaski, James Island, Morris Island, Pocotaligo, and Olustee has made for him a most wonorable record.

Connecticut takes a just pride in her heroic sons, living and dead, and feels it to be a pleasant duty to promote the advancement of her young men, who are among the truest and bravest, and thus furnish them with a new stimulus for emulating the deeds of her distinguished names who have fallen in the defense of their country.

Signed by the governor, lieutenant-governor, and other State officials and 55 others, members of the State senate and house of representatives, including the speaker of the house.

HEADQUARTERS FIRST DIVISION, TENTH ARMY CORPS,
*Bermuda Hundred, May 29, 1864.*

WILLIAM FAXON, Esq., *Washington, D. C.*

MY DEAR SIR: I know that you need no prompting to do all in your power for Joe Hawley's advancement or advantage, and yet I have his promotion so much at heart that I can not forbear writing to you to urge that his friends in Washington should make strenuous effort to secure it. To an "outsider" it would seem that a member of the Cabinet must have the power to secure the promotion of an officer of such undeniable ability and brilliant services. I know that Mr. Welles is very friendly to Hawley. I know also his delicacy about asking for appointments for his friends, but can not he be induced in this instance to abandon his usual rule and ask earnestly that this long-delayed justice shall be done?

Would it be of use for me to write to Mr. Welles on the subject? Is there anything that we can do here that would be likely to forward the matter?

Please let me hear from you as soon as may suit your convenience.

In the meantime believe me to be, very sincerely, yours,

ALFRED H. TERRY.

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WASHINGTON, *June 15, 1864.*

His Excellency ABRAHAM LINCOLN,
*President of the United States.*

SIR: I have the honor to forward to you the accompanying recommendations of Col. Joseph R. Hawley for the office of brigadier-general of volunteers. To these recommendations I wish to add my cordial indorsement and to say that, in my judgment, he has honestly earned and fairly deserves his promotion.

I am, very respectfully, your obedient servant,

HENRY C. DEMING.

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His Excellency ABRAHAM LINCOLN,

SIR: Please forgive me for inclosing this slip for your perusal. Col. Joseph R. Hawley has served his country nobly, having been in the Army since the commencement of the war.

His name was the first down in Connecticut in answer to your first call. He served as captain during the three months' service. Immediately upon returning he recruited a company for the three years' service, and his was the first company to go into camp in that service in the State. He was appointed lieutenant-colonel of the Seventh Connecticut, was long since made its colonel, and has now for many months had command of a brigade.

I have heard Governor Buckingham and many other Connecticut gentlemen lament his nonpromotion.

My husband, as you well know, don't like to interfere too much in Army appointments. He has spoken on this subject often to you and also to the Secretary of War. He feels very desirous to see so good a patriot and able military man as Colonel Hawley has proved himself receive the promotion he has nobly earned.

Please excuse my boldness and think of this—it will be a just act. I would not presume to address you on such a subject did I not so well know the feelings of wise men in the matter.

With great respect, always your friend,

Mrs. GIDEON WELLES.

June 27, 1864.

[Indorsement.]

Submitted to the Secretary of War and General Halleck.

A. LINCOLN.

June 28, 1864.

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HEADQUARTERS FIRST DIVISION TENTH ARMY CORPS,
*Bermuda Hundred, Va., July 12, 1864.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

DEAR SIR: May I venture to address you for the purpose of asking your active interference in behalf of the promotion of our friend Colonel Hawley? I know that you entertain a high opinion of, and sentiments of friendship for him, and perhaps I should assume that every effort in his behalf which your position permits you to make has already been made, but as I do not know this to be the case, and as it seems to me that the influence of a member of the Cabinet, energetically exercised in favor of one who has been so strongly recommended as he has been, of one who possesses such undoubted qualifications, of one who by his services has so fully earned the reward could scarcely fail to secure his promotion, I respectfully ask that such influence may be exercised. I am well aware that I need say nothing to you of Colonel Hawley's general ability, of his honorable character, or of his sincere, unselfish patriotism, but I have served with him for three years and I probably am better acquainted than anyone else with his military capacity and with the facts upon which his claims to promotion rest. I will therefore hastily sketch his military career.

Immediately after the fall of Sumter he raised a company for the First Connecticut Volunteers, and was elected its captain. In this capacity he participated in the summer campaign, receiving official notice of his conduct at the first battle of Bull Run. His regiment was mustered out of service in August, 1861, and he immediately raised a company for the Seventh Connecticut Regiment. Of this regiment he was appointed lieutenant-colonel, and he accompanied it to South Carolina as a part of General Sherman's expedition.

Soon after the capture of Port Royal his regiment was sent to Tybee Island and upon it devolved a very large part of the labor of the siege of Pulaski. During the bombardment of the fort Colonel Hawley was constantly in the trenches, and he rendered valuable service.

In May, 1862, a vacancy having occurred in the colonelcy of the regiment, Colonel Hawley was promoted to fill it. In the following June the regiment took part in General Benham's operations on James Island, and he led it with conspicuous gallantry in the unfortunate assault on Fort Lamar.

On the 22d of October of the same year he commanded his regiment at the battle of Pocotalgio and received very honorable mention of his good conduct in the reports of his commanding officers.

In January, 1863, he was assigned to the command of Fernandina, Fla. This post was a difficult one to govern as it was a mongrel population of contrabands, loyal and semiloyal refugees, and covert rebels, and it had fallen into a bad and disorderly state under the colonel's predecessor. After he took command matters speedily changed their aspect, and the post became one of the most quiet and orderly in the department. Such a high degree of administrative ability did he evince that when similar difficulties arose at St. Augustine he was transferred to that place for the purpose of effecting similar reforms. Equally good results followed in his new command.

In June, 1863, four companies of his regiment under the lieutenant-colonel formed part of General Gillmore's forces when he moved on Charleston. These companies led the attack on Morris Island July 10 and also the assault on Wagner July 11. Immediately after the commencement of the operation Colonel Hawley earnestly solicited General Gillmore to permit him to join him with the remainder of his regiment. In accordance with his request he was ordered to Morris Island, where he remained sometimes in command of his regiment and sometimes in command of a brigade until the close of the siege.

For his services there and elsewhere he was recommended by General Gillmore for promotion.

When the expedition to Florida was undertaken last winter he was placed in command of one of General Seymour's brigades. During the whole of that affair he commanded it with marked ability. His conduct at Olustee is spoken of as beyond praise. In the language of a brother officer, "If there was any glory in that fight it belonged to Hawley."

When the Tenth Corps was reorganized prior to coming to Virginia General Gillmore brigaded his troops with special reference to making him the senior officer in one of the brigades, and consequently its commander. With his brigade thus constituted he has taken part in all General Butler's operations in this vicinity, and he still commands it. At the battle of Drurys Bluff he displayed most distinguished courage and ability, repulsing with his troops four distinct and separate assaults of the enemy.

Of his capacity as a regimental commander, let the reputation of his regiment, universally acknowledged to be the best in the corps, speak. Of his capacity as a brigade commander, the fact that the organization of the corps was specially arranged so as to give him such a position while many colonels senior to him commanded regiments only is a sufficient proof.

Not content with merely fulfilling his routine duties, he has been an industrious student, and to-day is better read and better informed as a soldier than a large proportion of those of our officers who have been regularly bred to the profession of arms. With his whole heart in the cause and eminently conscientious in the discharge of his duty, he has been and is a most faithful and valuable servant of the Government.

It seems to me that such a man should not be left without the usual reward of such services and that the promotion which has been given to so many who were his inferiors, both in rank and service, should not be denied to him.

I have heard that the name of Colonel Stedman, of the Eleventh Connecticut, has been mentioned for promotion. I believe that Colonel Stedman is a good officer, but I am sure that neither his merit nor services will bear comparison with Colonel Hawley's, and I most sincerely hope that Hawley may be spared the mortification which he would feel were his junior to be promoted over him. I have written at great length and I fear that I have trespassed on both your time and patience, but I have thought that perhaps you were not aware how strong Colonel Hawley's claims are, and I could not do even this meager justice to the subject in fewer words.

Permit me to congratulate you on the splendid success of the *Kearsarge*, and to subscribe myself,

Very respectfully, your friend and obedient servant,

ALFRED H. TERRY.

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WASHINGTON, *July 16, 1864.*

SIR: I beg leave to submit to you a letter from General Terry in behalf of Col. Joseph R. Hawley, to whose merits I have on former occasions called your attention.

All that is said in his favor by General Terry I would fully indorse. I have known him intimately for ten years and know of no one who has been more devoted to the cause in which we are all interested than Colonel Hawley. He volunteered at the very beginning and has continued in active service since. The governor and others earnestly desire his promotion; his friends have seen others of less merit and capability promoted, and they feel extremely solicitous, as you will perceive by General Terry's letter, that his worth and services should be recognized.

It is, I believe, the only instance where I have asked this distinction, and this I have preferred on separate occasions, with others, because I know the honor could not be more worthily bestowed.

Very respectfully,

GIDEON WELLES.

His Excellency A. LINCOLN.

[Indorsement.]

I believe Mr. Welles has never had a brigadier-general on his recommendation. I wish this appointment made so soon as it can be with consistency.

A. LINCOLN.

July 18, 1864.

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111 REMSEN STREET, *Brooklyn, N. Y., July 23, 1864.*

The ADJUTANT-GENERAL OF THE ARMY,
*Washington, D. C.*

SIR: I have the honor to call the attention of the Department to my recommendation now on file in your office of certain colonels of volunteers for the brevet of brigadier-general. The letter of recommendation is not now before me, but I desire particularly to call attention to the merits of

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Col. Joseph R. Hawley, Seventh Connecticut Volunteers, * * * all officers of great merit and of long and faithful service.

I am not aware that any of my recommendations for brevets have received favorable action.

Very respectfully, your obedient servant,

Q. A. GILLMORE, *Major-General.*

HEADQUARTERS FIRST DIVISION,
TENTH ARMY CORPS,
*Before Petersburg, Va., August 16, 1864.*

Lieut. Col. E. W. SMITH,
*Acting Adjutant-General, Tenth Army Corps.*

COLONEL: I have the honor to recommend that Col. Joseph R. Hawley, of the Seventh Regiment Connecticut Volunteers, who now commands and since the organization of the corps has commanded the Second brigade of this division, be promoted to the rank of brigadier-general for his distinguished gallantry at the battle of Deep Run on the 16th instant.

During the whole of the present campaign Colonel Hawley has rendered most efficient service. At the battle of Drurys Bluff his brigade repulsed four distinct assaults from greatly superior numbers of the enemy, and at Deep Run, although suffering from illness which made every movement painful to him and which would have kept many men from the field, he led his brigade in the charge upon the enemy's works, and when they were carried advanced beyond them and successfully engaged the heavy masses which were soon concentrated upon us. On this occasion, as well as in every action in which he has been engaged, he has set a splendid example of courage and devotion to the service of his country; an example which is eminently deserving of recognition and reward.

I am, Colonel, very respectfully, your obedient servant,
ALFRED H. TERRY,
*Brigadier-General, U. S. Volunteers.*

[First indorsement.]

HEADQUARTERS TENTH ARMY CORPS,
*Before Petersburg, Va., September 7, 1864.*

Respectfully forwarded; earnestly recommended.
D. B. BIRNEY, *Major-General.*

[Second indorsement.]

The promotion of Colonel Hawley is most deserved, and it will be beneficial to the service that he should receive his brevet to a command which he has actually and gallantly exercised for many months.
BENJ. F. BUTLER,
*Major-General, Commanding.*

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HEADQUARTERS DEPARTMENT OF VIRGINIA,
*Richmond, July 15, 1865.*

Hon. E. M. STANTON,
*Secretary of War.*

SIR: I respectfully but earnestly recommend that the following-named officers be promoted for faithful and efficient service during the war and for gallant conduct in the field, viz:

Brig. Gen. J. R. Hawley, United States Volunteers, to be major-general by brevet. * * *

Much of the service of these officers has been under my personal observation, and I make this recommendation in the belief that the promotion which I ask for them has been fully earned by meritorious conduct.

I have the honor to be, sir, very respectfully, your obedient servant,
ALFRED H. TERRY,
*Major-General, Commanding.*

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[First indorsement.]

Approved and respectfully forwarded to the Secretary of War.
U. S. GRANT,
*Lieutenant-General.*

HEADQUARTERS ARMY OF THE UNITED STATES,
*October 19, 1865.*

[Second indorsement.]

Approved.
E. M. STANTON,
*Secretary of War.*

STATE OF CONNECTICUT,
EXECUTIVE DEPARTMENT,
*Norwich, September 22, 1865.*

SIR: I would respectfully ask you to give Brig. Gen. Joseph R. Hawley, chief of the staff of Maj. Gen. A. H. Terry, now at Richmond, the brevet promotion of major-general.

General Hawley's name stands first on the roll of Connecticut volunteers. He raised the first company in the State that entered the service for the purpose of suppressing the rebellion and went as a lieutenant. He has voluntarily been in some of the severest battles and in some of the most responsible positions, where he has ever proved able to meet the highest expectations of his friends. In integrity and high character he is unimpeachable and is one of the most fearless, earnest, able and judicious advocates of the rights of man in New England. His brevet promotion would, I feel confident, be right.

With high regard, your obedient servant,
WILLIAM A. BUCKINGHAM,
*Governor of Connecticut.*

Hon. E. M. STANTON,
*Secretary of War, Washington, D. C.*

Official statement furnished to Mr. R. W. Thompson, clerk, Committee on Military Affairs, United States Senate, January 31, 1905.

By authority of the Secretary of War:
F. C. AINSWORTH,
*Major-General, U. S. A., The Military Secretary.*

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JOSEPH ROSWELL HAWLEY.

Joseph Roswell Hawley, of Hartford, Conn., was born at Stewartsville, Richmond County, N. C., October 31, 1826; graduated from Hamilton College, New York, in 1847; admitted to the bar in 1850 at Hartford, Conn.; practiced law six and a half years; became editor of the Hartford Evening Press in February, 1857, which, in 1867, was consolidated with the Hartford Courant, of which he became editor; enlisted in the Union Army as a captain April 18, 1861; became brigadier and brevet major general; mustered out January 15, 1866; elected governor of Connecticut in April, 1866; delegate to the free-soil national convention of 1852; Presidential elector in 1868; president of the Republican national conventions of 1872, 1876, and 1880; president of the United States Centennial Commission from its organization in March, 1873, to the completion of the work of the Centennial Exposition; trustee of Hamilton College; received the degree of doctor of laws from Hamilton College, Yale University, and Trinity College; elected in November, 1872, a Representative to the Forty-second Congress to fill a vacancy caused by the death of J. L. Strong; reelected to the Forty-third and Forty-sixth Congresses; elected to the United States Senate as a Republican to succeed William W. Eaton, Democrat; took his seat March 4, 1881; reelected in 1887, 1893, and 1899. His last term expired March 3, 1905. Brigadier-general, United States Army, retired, by authority of special act of Congress. Died March 18, 1905, at Washington, D. C.

Mr. BULKELEY. Without detaining the Senate any longer, I merely wish to say that to this good woman, who for fifteen years or more of the latter part of General Hawley's life was his devoted and faithful wife and in his declining years ministered to his every want, we owe, for his sake, I believe, not as a compliment, but as an expression of gratitude to him and for her services to him, the small pittance which we are asking for in this bill.

Mr. President, in my opinion the passage of this bill will furnish no precedent other than to follow the precedents that have long been established by this body and by Congress. I hold in my hand a list furnished me by the Pension Bureau of about 200 widows of gallant soldiers, who, by special acts of Congress, are receiving to-day pensions from $200 and more down to $50 per month. This bill will add another name to this royal list of women who are deserving as well of the Congress and the country as their distinguished husbands who served so gallantly during the war.

Mr. GALLINGER. I trust the Senator will put that list in the RECORD.

Mr. BULKELEY. I ask that the list may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, permission is granted.

The list referred to is as follows:

*List showing the names and amounts of pension of all widows now pensioned at and above the rate of $50 per month.*

| Name of widow. | Name of soldier or sailor. | Rank. | Rate per month. |
|---|---|---|---|
| Garfield, Lucretia R. | James A. | President of United States | $416.66⅔ |
| Sheridan, Irene Rucker | Philip H. | General | 208.33⅓ |
| Blair, Apolline A. | Francis P. | Major-general | 166.66⅔ |
| Logan, Mary S. | John A. | do | 166.66⅔ |
| Anderson, Eliza B. | Robert. | Brigadier-general | 100.00 |
| Banks, Mary Palmer | Nathaniel P. | do | 100.00 |
| Corse, Frances. | John M. | Brevet major-general | 100.00 |
| Custer, Elizabeth C. | George A. | Major-General | 100.00 |
| Doubleday, Mary. | Abner | do | 100.00 |
| Gibbon, Fanny Moale | John | do | 100.00 |
| Gresham, Matilda | Walter Q. | Brigadier-general | 100.00 |
| Hartranft, Sallie D | John F. | Major-general | 100.00 |
| Kilpatrick, Louisa Vde. | Judson | do | 100.00 |
| Mower, Betsey A. | Joseph A. | Colonel | 100.00 |
| Nicholson, Mary Heap. | James W. A. | Admiral | 100.00 |
| Ricketts, Frances A. P. | James B. | Major-general | 100.00 |
| Shields, Mary A. | James | Brigadier-general | 100.00 |
| Stannard, Emily J. | George J. | do | 100.00 |
| Wallen, Laura L. | Henry D. | Lieutenant-colonel and colonel | 100.00 |
| Warren, Emily F. | Gouverneur K. | Major-general | 100.00 |
| Whitaker, Henrietta O. | Walter C. | Colonel and brigadier-general | 100.00 |
| Wilkes, Mary | Charles. | Admiral | 100.00 |
| Ayers, Juliet Opie H | Romeyn B. | Colonel and brigadier-general | 75.00 |
| Blunt, Nancy C. | James G. | Major-general | 75.00 |
| Cogswell, Eva D. | William | Brigadier-general | 75.00 |
| Ewing, Ellen C. | Thomas | Brevet major-general | 75.00 |
| Milroy, Mary J. | Robert H. | Major-general | 75.00 |
| Plummer, Frances H. | Joseph B. | Brigadier-general | 75.00 |
| Dulany, Jane | William | Colonel | 72.00 |
| Alexander, Eveline M. | Andrew J. | Lieutenant-colonel | 50.00 |
| Alexander, Eliza J | Francis. | Lieutenant | 50.00 |
| Alexander, Sallie R. | Thomas L. | Lieutenant-colonel | 50.00 |
| Arnold, Abby P. | Richard | Brigadier-general | 50.00 |
| Baker, Margaret T. | Samuel H. | Commander | 50.00 |
| Barnes, Mary T. | Joseph K. | Surgeon-General | 50.00 |
| Bedel, Mary A. | John | Brigadier-general | 50.00 |
| Benham, E. A. (Mrs.) | Henry W. | General, U. S. Engineers | 50.00 |
| Berry, Almira M | Hiram G. | Major-general | 50.00 |
| Birney, Maria A. | David | do | 50.00 |
| Blaisdell, Mary A | William | Colonel and brigadier-general | 50.00 |
| Blake, Margaret A | George A. H. | Colonel | 50.00 |
| Bleecker, Sarah R. | John V. B. | Paymaster, U. S. Navy | 50.00 |
| Boggs, Henrietta E. | Charles S. | Rear-admiral | 50.00 |
| Boughton, Celeste A | Horace | Brevet brigadier-general | 50.00 |
| Breese, Martha I. C | Kidder R. | Captain | 50.00 |
| Brannon, Eva W. | John M. | Brigadier-general | 50.00 |
| Brent, Jane D | Thomas L. | Captain | 50.00 |
| Buell, Rochie B | George P. | General | 50.00 |
| Burns, Priscilla R. | William W. | Brigadier-general | 50.00 |
| Carr, Mary Gould | Joseph B. | Brigadier and brevet major-general. | 50.00 |
| Casey, Emma W. | Thomas L. | Brigadier-general and Chief of Engineers. | 50.00 |
| Clements, Mary I. R. | Bennett A. | Surgeon | 50.00 |
| Clendennin, Sophia D. | David R. | Major | 50.00 |
| Crane, Sarah N. | Charles H. | Surgeon-General | 50.00 |
| Creighton, Elizabeth W. | Blakely | Rear-admiral | 50.00 |
| Crocker, Charlotte D. | Marcellus M. | Brigadier-general | 50.00 |
| Cushing, Katherine L. | William B. | Commander, U. S. N. | 50.00 |
| Dallas, Mary B. | Alexander J. | Captain | 50.00 |
| Dana, Frances T. | William Starr. | Commander | 50.00 |
| Dandridge, Betty T. | W. W. S. Bliss. | Lieutenant-colonel | 50.00 |

*List showing the names and amounts of pension of all widows now pensioned at and above the rate of $50 per month*—Continued.

| Name of widow. | Name of soldier or sailor. | Rank. | Rate per month. |
|---|---|---|---|
| Davidson, Clara B | John W | Brigadier-general | $50.00 |
| Davis, Fannie L | John Lee | Rear-admiral | 50.00 |
| Donaldson, Harriet E | Edward | do | 50.00 |
| Duncan, Julia Jones | Samuel A | Brevet major-general | 50.00 |
| Duryee, Caroline E | Abraham | Brigadier-general | 50.00 |
| Dustin, Elmira E | Daniel | Colonel | 50.00 |
| Eastman, Mary A. L | Robert L | Captain and brevet major | 50.00 |
| Edes, Grace F | Benjamin L | Lieutenant-commander | 50.00 |
| Elliott, Valeria B | Washington L. | Lieutenant-colonel | 50.00 |
| Emory, Matilda W | William H | Major-general | 50.00 |
| English, Elizabeth M | Earl | Rear-admiral | 50.00 |
| Enochs, Annis H | William H | Lieutenant-colonel and brevet brigadier-general. | 50.00 |
| Ewing, Virginia L. M | Charles | Captain | 50.00 |
| Fairfax, Josephine F | Donald McN | Rear-admiral | 50.00 |
| Foster, Anna J | John G | Major-general | 50.00 |
| Lawton, Mamie Craig | Henry W | Lieutenant-colonel, U. S. A., and major-general, U. S. V., Mar. 1, 1901. | 50.00 |
| Frailey, Eliza H | James M | Commander | 50.00 |
| Gibson, Martha M | William H | Colonel and brevet brigadier-general. | 50.00 |
| Gibson, Mary M | William | Commander | 50.00 |
| Goodfellow, Eleanor B | Henry | Major and judge-advocate | 50.00 |
| Greene, Mary A | S. Dana | Commander | 50.00 |
| Gregg, Harriet C | John Irvin | Brevet major-general and colonel. | 50.00 |
| Guest, Anna J | John | Commodore | 50.00 |
| Hamilton, Sophia J | Charles S | Major-general | 50.00 |
| Heckman, Eliza Craig | John Irvin | Brigadier-general | 50.00 |
| Hough, Caroline A | John | do | 50.00 |
| Hunt, Mary B | Henry J | Brevet major-general | 50.00 |
| Jackson, Patsy | James S | Brigadier-general | 50.00 |
| Jameson, Julia A | Charles D | do | 50.00 |
| Jardine, Catharine R | Edward | do | 50.00 |
| Jeffers, Lucy Le G | William N | Lieutenant | 50.00 |
| Johnson, Elvira L | Philip C | Commodore | 50.00 |
| Johnson, Sue B | Hilbert M. L. | Colonel and brevet brigadier-general. | 50.00 |
| Jones, Frederica B | Roger | Brigadier and inspector-general. | 50.00 |
| Kautz, Fannie | August V | Brigadier-general | 50.00 |
| Kiernan, Harriet J | James L | do | 50.00 |
| King, Matilda C | John H | Colonel and brevet major-general. | 50.00 |
| Kelley, Mary C | Benjamin F | Brevet major-general | 50.00 |
| Kelton, Josephine P | John C | Brigadier-general | 50.00 |
| Kennon, Brittannia W | Beverly | Captain | 50.00 |
| De Krafft, Elizabeth S | John C. P | Commander and rear-admiral | 50.00 |
| Lardner, Ellen | James L | Rear-admiral | 50.00 |
| Lawler, Elizabeth H | Michael K | Brigadier-general | 50.00 |
| Lee, Elizabeth R | Samuel P | Major and brevet lieutenant-colonel. | 50.00 |
| Leggett, Weltha Post | Mortimer D | Major-general | 50.00 |
| Le Roy, Mary B | William E | Rear-admiral | 50.00 |
| Lovell, Margaret J | Charles S | Brigadier-general | 50.00 |
| Lyman, Catlina | William C | Assistant surgeon | 50.00 |
| McAllister, Amelia H | Julian | Colonel, Ordnance Department. | 50.00 |
| McCauley, Elsie Alden | Charles G | Colonel commandant U. S. Marine Corps. | 50.00 |
| McKean, Sarah P | Thomas J | Brigadier-general | 50.00 |
| McKeever, Mary F | Isaac | Captain | 50.00 |
| McKibbin, Marion | David B | Colonel and brevet brigadier-general. | 50.00 |
| McNeil, Martha | John | Brigadier and brevet major-general. | 50.00 |
| Maccoun, Harvey E | Robert T | Surgeon | 50.00 |
| Macomb, Anne R | John N | Colonel | 50.00 |
| Mallery, Helen M | Garrick | Captain and brevet lieutenant-colonel. | 50.00 |
| Marchand, Margaret D | John B | Commander | 50.00 |
| Meagher, Elizabeth M. J | Thomas F | Brigadier-general | 50.00 |
| Middleton, Ellida J | Edward | Rear-admiral | 50.00 |
| Mitchell, Jennie S | Robert B | Brigadier-general | 50.00 |
| Morrow, Isabella | Henry A | Colonel and brevet major-general. | 50.00 |
| Mullaney, Jennie H | J. R. Madison | Commander | 50.00 |
| Mulligan, Marian A | James A | Colonel | 50.00 |
| Murray, Florence | Alexander | Rear-admiral | 50.00 |
| Newton, Anna M | John | Major-general and brigadier-general. | 50.00 |
| Nichols, Clara L | William A | Colonel and brevet major-general. | 50.00 |
| Nields, Rebecca P | Henry C | Lieutenant-commander | 50.00 |
| Noyes, Margarette B | Edward F | Colonel | 50.00 |
| Poe, Eleanor Carroll | Orlando M | do | 50.00 |
| Potter, Alice K | Joseph H | Brigadier-general | 50.00 |
| Piatt, Theodora M | Benjamin M | Captain and assistant adjutant-general. | 50.00 |
| Quackenbush, Cynthia H. | Stephen P | Rear-admiral | 50.00 |
| Radford, Mary L | William | do | 50.00 |
| Rice, Louise M | Samuel A | Brigadier-general | 50.00 |
| Scott, Elizabeth G | Robert N | Lieutenant-colonel | 50.00 |
| Scott, Julia T | Gustavus H | Lieutenant | 50.00 |
| Semmes, Mary M | Alexander A | Commander | 50.00 |
| Simon, Rebecca E | William J | Surgeon, ranking lieutenant-commander. | 50.00 |
| Skerrett, Margaret L | Joseph S | Rear-admiral | 50.00 |
| Slocum, Abby J | John S | Colonel | 50.00 |
| Smith, Lena D | Green Clay | Brigadier-general | 50.00 |
| Smith, Margaret F | William | Commodore | 50.00 |
| Smyth, Amanda M | Thomas A | Brigadier-general | 50.00 |



*List showing the names and amounts of pension of all widows now pensioned at and above the rate of $50 per month*—Continued.

| Name of widow. | Name of soldier or sailor. | Rank. | Rate per month. |
|---|---|---|---|
| Spencer, William L. (Mrs.). | George E | Colonel | $50.00 |
| Spotts, Elizabeth H | James H | Rear-admiral | 50.00 |
| Starkweather, Louisa A | John C | Colonel and brigadier-general | 50.00 |
| Steedman, Margaret | James B | Major-general | 50.00 |
| Stevens, Margaret L | Isaac J | Brigadier-general | 50.00 |
| Stone, Jeannie | Charles P | do | 50.00 |
| Stoneman, Mary O. H | George | Major-general | 50.00 |
| Sutherland, Elizabeth W | Charles | Surgeon-general | 50.00 |
| Sweeny, Eugenia R | Thomas W | Brigadier-general | 50.00 |
| Thornburgh, Eliza W | Thomas T | Major | 50.00 |
| Truxtun, Mary C | William T | Captain | 50.00 |
| Van Cleve, Charlotte O | Horatio P | Brigadier and brevet major-general. | 50.00 |
| Vandever, Jane H | William | Brigadier-general | 50.00 |
| Van Derveer, Emily M | Ferdinand | do | 50.00 |
| Ward, Elizabeth | Durbin | General | 50.00 |
| Weitzel, Louisa | Godfrey | Lieutenant-colonel and brigadier-general. | 50.00 |
| Whelan, Adeline | William | Surgeon | 50.00 |
| White, Caroline H | George B | Captain and Chief Bureau Yards and Docks. | 50.00 |
| Winship, Mary B | Oscar P | Major | 50.00 |
| Woodrum, Martha F | James | Private | 50.00 |
| Woods, Cecilia I | Charles R | Colonel | 50.00 |
| Worden, Olivia T | John L | Rear-admiral | 50.00 |
| Wyman, Emily M | Robert H | do | 50.00 |
| Yates, Susan D | Arthur R | Captain | 50.00 |

Mr. BRANDEGEE. Mr. President, I do not intend to consume more than a moment or two of the time of the Senate, but I desire to thank the Senator from North Dakota [Mr. HANSBROUGH], who was kind enough to consent that the unfinished business might be temporarily laid aside for the consideration of this bill. We realize that but for his courtesy the bill could not have been brought to a vote at this session of Congress.

I desire particularly to express to the leader of the minority [Mr. BLACKBURN] the appreciation which the people of Connecticut, irrespective of party, and the comrades of General Hawley, will feel for the very considerate and feeling remarks which he has made upon this occasion.

Mr. President, I shall vote for this bill with great pleasure, and I feel that in so doing I shall not be doing an injustice to anybody nor creating any sort of discrimination against anybody. I shall not vote for this bill, as was suggested in the remarks of one Senator, as in any way according a pension because the soldier was a Senator of the United States. I shall vote for the bill because it bestows a small pension, which is needed, in my judgment, upon the widow of one of the most distinguished generals that this country ever knew, and because it is a feeble attempt on the part of Congress in a certain measure to express the honor and esteem in which it holds that general, and because it does it upon the ground, not that he was a Senator of the United States, but that he for five years served his country faithfully in every military rank from that of private to major-general. I think upon that ground it is justified, irrespective of any mere technical rule which may govern the attitude of the committee in the consideration of such cases.

Mr. GALLINGER. Mr. President, I desire to make a correction. I filed with the Committee on Pensions a letter from Mrs. Hawley giving a statement as to her property. My recollection was that it was $40,000. The chairman of the committee suggested that it was $50,000, which I mildly disputed. I find upon reference to the letter that the chairman of the committee was right and that I had forgotten the exact amount. It was $50,000.

Mr. BACON. Mr. President, I do not know that the yeas and nays are to be called on the passage of the pending bill, and for that reason only I rise to say that I shall vote for it. Twelve years ago when I first came to this body there were a great many Federal soldiers on the other side of the Chamber, and almost all the Senators on this side of the Chamber who represented Southern States had been Confederate soldiers. It is a vanishing band on each side. There are comparatively few left on either side. I think all of the Confederate soldiers on this side of the Chamber who are now present, except myself, have indicated their intention to support this bill. I beg pardon of the Senator from Kentucky [Mr. MCCREARY], who says to me that he has not spoken, but that he intends to support the bill. Sitting behind my seat, I did not see that he is present. I am glad of the opportunity to say it for him, if he does not say it for himself. That being the case, I was unwilling that the opportunity should pass to put myself on record, which

might not be given in the absence of the call of the yeas and nays. I served in this Chamber for ten years with General Hawley, and I am very glad to give my voice in harmony with that which has already been said as to the character of the man and as to his services here and in the field.

Ordinarily, Mr. President, Senators from my section have little to say on the subject of pensions. We think it not in good taste for us to take any part in opposition to pensions, and we usually leave the matter of pensions to the Senators of either party who represent States in the northern part of the United States. But there are exceptions, and I think this is one of them, and I am glad to have this opportunity.

I am particularly glad to say this in view of the fact that there have been recently in more than one instance evidences of the desire of Senators on the other side of the Chamber to show their consideration for those of us on this side of the Chamber, not only in the granting of such pensions as was stated by the Senator from West Virginia [Mr. SCOTT], as in the case of the widow of Stonewall Jackson, but in the removal from the statutes of the country of words which were unpleasant, not to say offensive, to those of us who happened to be on the other side of that great conflict.

I repeat I should have said nothing if I had known that there was going to be a call of the yeas and nays, and not knowing that I felt impelled to have a record made of the position which I occupy in the matter.

Mr. McCUMBER. Mr. President, were I voting my sentiments in this case, the bill would have been reported long ago and it would have been reported favorably. It would have been reported for the entire amount. Were I voting my sentiments *on all of the* bills which come before the Committee on Pensions, it is equally true that nearly every one of them would be at a much higher rate than that at which they are reported to this body. But I could not, at the grave of a friend, so allow my sentiments to govern me as to do injustice to the living. I could not, with all my love of General Hawley and my admiration for his record, vote for that which I thought would be an injustice to thousands upon thousands of widows of good and noble officers and brave soldiers who fought in the great civil war.

I was loath to bring in this bill with an adverse report. That it did not appear upon the Calendar before this time is due to the request of Senators, who still hoped that I might possibly bring in a favorable report, and it has been delayed undoubtedly because of that desire and hope upon their part, and when they saw that the report would not be favorable, they then asked that it be brought in even with an unfavorable report, that it might be voted upon.

Mr. President, I believe in paying as high a tribute as any one possibly could pay to the memory of General Hawley. I am willing that we shall erect a statue to his memory, as has been suggested by the Senator from New Hampshire. It may be a shaft to the very skies and that on every foot of it may be written his noble record. But I do not wish to see it capped with an injustice toward any other American citizen, and that is why I have opposed the granting of a pension in this case, as the expression of our gratitude in the measure of dollars instead of in words of praise and sentiment, when I know that a pension would be taken as, and will be, a precedent for all others.

Mr. President, Senators have spoken of the devotion of this woman to her husband. Ah, when Senators speak continually of the devotion of the wives of officers to their husbands they seem to forget that devotion is a natural element in woman's heart, and that it is just as strong, just as ardent, just as true, just as noble on the part of thousands upon thousands of widows of privates and widows of minor officers. It is not a peculiarity on the part of the wife of this general. It is something which always exists, and, thank God, always will exist. It is not something that should be paid for or that should be considered a purchasable quantity. It is that which we honor, which we adore in womankind; and as I say, it is as wide as the great wide world. This devotion is the same in her case as it is in the case of the thousands upon thousands of other widows.

The Senator from Wisconsin [Mr. SPOONER] said that all rules have their exceptions. Aye, Mr. President, they have. But the exception should always be exercised toward mercy and humanity. If we should make an exception, that exception should always be toward the poor and the lowly and those in necessitous conditions. I think Senators will agree with me that I have yielded and bended those rules again and again to reach necessitous cases. I think I have tried to apply them in such manner that none for whose benefit they were framed shall go away and feel that they are in necessitous condition or must suffer in any manner whatever without receiving aid.

The Senator from Wisconsin says there is a difference between the widow of the officer and the widow of the private, intimating, as I understand, that the question of necessity as applied to one should not be the same as the necessity as applied to another; that destitution in one case means one thing, and that destitution in another case means another thing. I deny it. Let me give the Senate an example of two boys, brothers, we will say, born before 1850. One of them through a Representative or a Senator got a position in our great institution of learning, either in the Navy or in the Army. One is made a general. The other boy remains at home. Both go into the Army. One serves as a colonel and finally becomes a general. The other serves as a private. One gives his life to his country. The other gives his life to his country. Both have left widows to mourn their loss. One widow has lived a life of comparative ease as the wife of an officer. The other widow has lived a life of hardship as the wife of a private soldier. Then, if we are to give either of these two persons one touch of generosity from the hands of the Government, I can but feel that we should give the poor woman who has struggled and suffered equal consideration with the one who has not. I can but believe if we are to give one of them a touch of heaven before they enter into their last state, it should be in favor of the one who has suffered more and who has given more in giving the life of the one who was her support. I deny that we should make any distinction whatever.

I admit, however, that this sentiment is strong. I understand, as everyone on the Pensions Committee understands, that where there is pressure from one man to raise the pension of the widow of a private soldier there are a thousand importunities to come to the aid of the widow of an officer. I have tried to bring one up as near to the standard as the other, and I certainly am thankful to every Senator here who has borne kindly with me where I have explained to him the impossibility of raising this one or that one beyond a given amount without doing an injustice to all the others.

It is proposed now to pension this widow at $50 a month, a woman worth $50,000, able to travel abroad, to educate her children; and here come those who are worth nothing and who are drawing $30 a month, and they appeal to me. What am I to say? What answer can I give? Their husbands made a noble record also; possibly not as high as that of this officer, but they gave all they had. They did their duty honestly and fairly and justly. They performed every duty that a soldier was compelled to perform. What answer can I give to the hundreds that come before the committee and say, "We have nothing. You have granted to the widow of one, with an acknowledged property standing of $50,000, $50 a month." What will you do for the one who has nothing and who is receiving but $30 per month? Ah, Senators here can answer that, but those who are upon the committee can not answer it, because there is no answer. The only answer that can possibly be given is that the Senate, in its love for a fellow-member, in memory of the great soldier, with that sentiment and affection which they felt for him, gave this as a tribute to his memory, and not because of the necessitous condition of the widow. That does not answer, though, when the people are demanding exact justice.

Mr. President, it is said that this is an exceptional case. Every report and affidavit and letter that comes before the committee will recite a case as an exceptional case, and they will go into the record of the officer. Indeed, they are all exceptional cases. If they were not exceptional cases, they could not receive any consideration whatever by the Committee on Pensions. There has been printed or offered to be printed in the RECORD a list of many who have been granted $50 a month. But if I understand it correctly there are very few, if any, who have been granted that rate except they showed to some extent or to some degree destitution. That, I understand, has been the basis, practically, of every one of them.

We proposed here the other day to grant a pension of $50 a month to a man who had once been a member of this body—General Blair, from New Hampshire. It was raised upon the floor to $72 a month on motion of the Senator from New Hampshire. I made no objection whatever. But here was a poor old man who had given his whole life, and a life of labor, to the public service, and although wounded many times, although a noble general, with a fine record, he never once would draw a pension or ask for it, and he never even asked that a bill be introduced in his behalf. It was introduced by the Senator from New Hampshire, and without one word from the ex-Senator the pension was granted. But he was not a person

holding $50,000 worth of property. If he had been worth half of that sum, I do not believe he would have accepted the pension, because so long as he could stand and perform duty and earn a livelihood, he would not come to the Government for any help whatever.

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Connecticut?

Mr. McCUMBER. I yield.

Mr. BULKELEY. It is only for a moment. I desire to say in connection with the remarks of the Senator from North Dakota that from an examination of the records I find that almost the last case that was reported from the Pensions Committee was where the widow for whose benefit the bill was pending testified that she had a hundred thousand dollars, and the bill was recommended by the committee, and passed. I do not think the Senator from North Dakota was chairman of the committee at the time.

Mr. McCUMBER. I do not know what the Senator from Connecticut refers to. It certainly did not occur since I have been on the committee.

Mr. BULKELEY. I refer to the widow of General Lawton, who was killed in the Philippine Islands.

Mr. McCUMBER. I have stated that some pensions have been granted although destitution was not established. I was not chairman of the committee at the time referred to by the Senator from Connecticut.

Mr. HANSBROUGH. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to his colleague?

Mr. McCUMBER. Certainly.

Mr. HANSBROUGH. I agreed to have the unfinished business temporarily laid aside at 1 o'clock for thirty minutes or thereabouts. It has been over one hour. I serve notice now that unless this debate is to cease very soon I shall ask for the regular order.

Mr. BULKELEY. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Connecticut?

Mr. McCUMBER. I yield.

Mr. BULKELEY. I trust the Senator from North Dakota will let this bill come to a vote. I hope there will be no further debate after the chairman of the committee has finished.

Mr. HANSBROUGH. I was ready to vote on the bill an hour ago.

Mr. BULKELEY. I know it. So was I.

Mr. ALDRICH. I should like to have a few minutes.

Mr. PENROSE. I desire to present a conference report and to ask for its present consideration.

Mr. ALDRICH. I hope the Senator from Pennsylvania will withhold action upon the report until we dispose of this matter. It can not take more than a very few minutes.

Mr. PENROSE. The conference report can be presented to the Senate, and I will withhold action; but this discussion seems to be endless, and it is very important to have the appropriation bill get over to the House and be acted upon.

Mr. ALDRICH. I myself should like to have two minutes, or one minute perhaps, to say a few words in memory of General Hawley.

Mr. PENROSE. I will withhold the report until the Senator concludes.

Mr. McCUMBER. Mr. President, this bill will pass the Senate. I shall not ask for a division or for the yeas and nays upon it. I feel that I can say that it will pass the Senate as the sentiment of this body and because of its love for General Hawley, for the purpose of showing its appreciation of his long services in the Army and in this body; and while the rules of the committee have been overruled by the Senate, I can not myself vote for this bill for the reason I have given. I feel that if I did so I would do a thousand injustices.

Mr. ALDRICH obtained the floor.

Mr. MALLORY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Florida?

Mr. ALDRICH. I do not propose to take more than a minute, I will say to the Senator.

Mr. MALLORY. I shall not take more than two minutes.

Mr. HANSBROUGH. I call for the regular order.

Mr. FRYE (to Mr. HANSBROUGH). Give them three minutes.

The VICE-PRESIDENT. The regular order is demanded.

Mr. ALDRICH. I will not take more than one minute.

The VICE-PRESIDENT. The Senator from North Dakota demands the regular order.

Mr. HANSBROUGH. I will give the Senator from Rhode Island and the Senator from Florida five minutes between them, and they can divide it.

Mr. ALDRICH. I yield to the Senator from Florida.

Mr. MALLORY. I believe I have a right to the floor.

Mr. ALDRICH. I beg the Senator's pardon. I thought the Chair recognized me.

The VICE-PRESIDENT. The Chair first recognized the Senator from Rhode Island and asked the Senator from Rhode Island if he would yield to the Senator from Florida.

Mr. MALLORY. I desired merely to state that I understand the Senator from Georgia [Mr. BACON]——

Mr. ALDRICH. I yield to the Senator from Florida.

Mr. MALLORY. I understand that the Senator from Georgia [Mr. BACON] a few minutes ago stated that every ex-Confederate in this body would vote for this bill.

Mr. BACON. The Senator from Florida is mistaken.

Mr. MALLORY. I was not present at the time.

The VICE-PRESIDENT. Does the Senator from Florida yield to the Senator from Georgia?

Mr. MALLORY. Certainly.

Mr. BACON. I simply said that those ex-Confederates who were present had already spoken in favor of the bill, as I supposed; but I found out afterwards that I was mistaken. The Senator from Kentucky [Mr. McCREARY] called my attention to the fact. I thought he was out of the Chamber. I expressly excluded those who were not in the Chamber.

Mr. TALIAFERRO rose.

Mr. BACON. I want to say, furthermore, that I did not know that my young friend, the junior Senator from Florida [Mr. TALIAFERRO], was a Confederate soldier. He looks so young that I had not included him in the class.

Mr. MALLORY. I desire to say that I have not the slightest objection to giving all the pensions that are proper to every Union veteran. I have never voted against a single pension bill since I have been in the Senate. I have listened to the arguments in this case, and I am satisfied that the position taken by the chairman of the committee is correct.

Mr. TALIAFERRO. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the junior Senator from Florida?

Mr. ALDRICH. Under restrictions which have been placed upon me I have only a minute.

Mr. TALIAFERRO. I can take the floor in my own right later, if the Senator from Rhode Island declines to yield.

Mr. ALDRICH. I yield to the Senator if he desires to go ahead now.

Mr. TALIAFERRO. I simply desire to make a statement.

As a member of the Committee on Pensions, I think it perhaps proper that I should have a word to say. I united in the report of the committee against the passage of this bill. I did so not out of hostility to General Hawley or to any veteran of the Federal Army. I considered the bill before the committee just as I have considered every other bill which has been brought there. When it was taken up we applied the rules of the committee to the consideration of the bill. It was shown that the widow of General Hawley had a considerable income, an income perhaps sufficient to comfortably support her and her family, and the committee held, and I held with the committee, that it was not proper that the Congress should vote her a pension of $50 a month.

Mr. ALDRICH. Mr. President, I do not think the chairman of the Committee on Pensions or the members of that committee can be justly criticised for their attitude upon this bill. The duties of the members of that committee are certainly very onerous. They are obliged by circumstances to adopt rigorous rules and to enforce them, as they have done in this case. But these rules should not necessarily be applied to the action of the Senate.

This body during my service has passed pension bills for the benefit of the widows and families of great soldiers, about which there was no dissent here and no dissent in the country. In these bills the character and the service of the soldier have been recognized as the basis of Congressional action.

What has been done in the United States in this direction, in granting pensions to the widows and families of General Grant and General Sheridan and General Logan and a large number of other great soldiers, as a recognition of the soldiers' services, has been in the line of the policy adopted in every civilized country since history commenced. Great soldiers have been rewarded by grants of money, their memory perpetuated by the erection of monuments, their families made the recipients of numerous evidences of the appreciation of a grateful people.

It was my fortune to have known General Hawley many years before he entered the Senate, as a Member of the House of Rep-

resentatives, as commissioner in charge of the Philadelphia Exposition, as governor of the State of Connecticut. The Senator and I entered the Senate in the same year, and I have had opportunities during all that time to know as well as any man could the character of his services. I am sure that no people ever had a more patriotic and devoted servant, in every capacity, than the American people had in Joseph R. Hawley, and in the passage of the bill which is now under consideration I am sure that the Senate of the United States will in a very small degree show the appreciation in which the American people hold his services.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPRINT OF PENSION APPROPRIATION BILL.

Mr. McCUMBER. I ask that an order may be made for a reprint of the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions, being the amendment in the nature of a substitute, showing the amendments to the amendment by number.

The VICE-PRESIDENT. Without objection, it is so ordered.

COMMITTEE SERVICE.

Mr. BLACKBURN. With the expiration of my term in the Senate, Mr. President, a vacancy will occur upon the Committee on Military Affairs. As the inquiry with which that committee is charged will be carried on during the vacation of Congress, I ask to be excused from further service upon the committee, in order that a vacancy may be avoided.

The VICE-PRESIDENT. The Senator from Kentucky asks to be excused from further service upon the Committee on Military Affairs. Is there objection? The Chair hears none, and the Senator is excused.

Mr. BLACKBURN. Now I would ask that the junior Senator from Tennessee [Mr. FRAZIER] may be assigned to fill the vacancy on that committee.

The VICE-PRESIDENT. The Senator from Kentucky moves that the Senator from Tennessee [Mr. FRAZIER] be appointed to fill the vacancy upon the Committee on Military Affairs.

The motion was agreed to.

ANNA JOHNSON.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 8580) granting land to Anna Johnson, which was, in line 7, to strike out "three" and insert "twenty-five."

Mr. HANSBROUGH. I move that the Senate concur in the amendment of the House of Representatives.

Mr. ALDRICH. What is the amendment?

The VICE-PRESIDENT. It is merely in the description of the land.

The motion was agreed to.

DENATURED ALCOHOL.

Mr. HANSBROUGH. I ask that the unfinished business be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

The VICE-PRESIDENT. Two amendments were reported by the Committee on Finance. The first amendment will be stated.

The SECRETARY. On page 2, line 4, after the word "alcohol," at the end of the first section, insert the following proviso:

*Provided*, That rum of not less than 150° proof may be withdrawn, for denaturation only, in accordance with the provisions of said act of June 7, 1906, and in accordance with the provisions of this act.

Mr. HANSBROUGH. There seems to be no objection to this amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

Mr. ALDRICH. The next amendment is the one which was contested.

The SECRETARY. In section 4, on page 4, line 4, after the word "distilleries," insert "except the provisions of section 3284 of the Revised Statutes;" so as to make the section read:

SEC. 4. That at distilleries producing alcohol from any substance whatever, for denaturation only, and having a daily spirit-producing capacity of not exceeding 100 proof gallons, the use of cisterns or tanks of such size and construction as may be deemed expedient may be permitted in lieu of distillery bonded warehouses, and the production, storage, the manner and process of denaturing on the distillery premises the alcohol produced, and transportation of such alcohol, and the operation of such distilleries shall be upon the execution of such bonds and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, and such distilleries may by such regulations be exempted from such provisions of the existing laws relating to distilleries, except the provisions of section 3284 of the Revised Statutes, as may be deemed expedient by said officials.

Mr. HANSBROUGH. That is the amendment which many Senators here, including myself, claim nullifies the whole bill.

Mr. DANIEL. I desire at the proper time, if it be not in order now, to offer an amendment to come in after the word "may," in line 8, on page 1 of the bill. I move at that point to insert the words "after January 1, 1908." I suppose the committee amendment ought to be disposed of before my amendment is considered.

Mr. FRYE. Let us have a vote on the committee amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. HANSBROUGH. I should like to understand the amendment offered by the Senator from Virginia.

The VICE-PRESIDENT. The Secretary will read the amendment proposed by the Senator from Virginia.

The SECRETARY. On page 1, line 8, after the word "may," insert "after January 1, 1908;" so as to read:

That notwithstanding anything contained in the act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, domestic alcohol when suitably denatured may, after January 1, 1908, be withdrawn from bond without the payment of internal-revenue tax, etc.

Mr. CARTER. What is the insertion?

Mr. HANSBROUGH. What are the words proposed to be inserted?

Mr. DANIEL. I will explain it in a moment.

The VICE-PRESIDENT. The Secretary will again read the amendment.

The Secretary again read Mr. DANIEL's amendment.

Mr. CULLOM. What has become of the committee amendment?

The VICE-PRESIDENT. The second committee amendment has not been agreed to.

Mr. DANIEL. Mr. President, I desire to make a few remarks concerning the bill.

The VICE-PRESIDENT. Does the Senator from Virginia desire action upon the second committee amendment to be deferred?

Mr. DANIEL. I do not desire action upon it until after I have had something to say.

The VICE-PRESIDENT. The Senator from Virginia will proceed.

Mr. DANIEL. Mr. President, the present measure has been already amended at the instance of many manufacturers both of rum and of tobacco in this country so as to include rum as one of the spirits that may be withdrawn from bonded warehouses for denaturization. There can be no objection to that that I can see. The first section of the bill is one that has attracted considerable objection. It provides that notwithstanding the act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials, alcohol after being suitably denatured under that act may be withdrawn from bond without the payment of internal-revenue tax "and used in the manufacture of ether and chloroform and other definite chemical substances where said alcohol is changed into some other chemical substance and does not appear in the finished product as alcohol."

The effect of this act will be disastrous to the present manufacturers of ether, and my object in speaking to this amendment is to call attention to the effect it will have and to the improvidence of rapid and fundamental changes in the laws that regulate this subject.

There is in the city of Richmond a firm engaged in the manufacture of ether. Through their expertness in its manufacture they have considerably reduced its price. Under the laws as they existed before the act of June 7 of last year they were conducting a prosperous and successful business. At the time that act was passed they were represented before the committee, and were heard, and went away satisfied that their manufacture would not be interfered with. Under these circumstances they put more capital into their plant, and they find now, about eight months after apparently deliberate action had been taken on this subject, that they are menaced by a change of law which will prove ruinous to their business.

The establishment to which I refer is the American Ether Company, of Richmond, Va. It is engaged in the manufacture of sulphuric ether without the use of alcohol. It was at their

instance in large measure, though they were joined by others somewhat in the same situation, that denatured alcohol was not allowed to be used for making ether. They state in a communication which I have before me that under this assurance the company has spent large sums of money in perfecting its plant and has accumulated large stocks of ether. It is now proposed to amend the law so as to permit the manufacture of ether from free alcohol. They say in objection to this proposition, first, that the amount of ether made in this country is so very small that the benefit to the people at large would not be commensurate. They show that the total amount of ether made in the United States in 1905 was 871,394 pounds, valued at $440,240, as stated in Bulletin 57 of the Bureau of the Census, page 40. Of this amount the American Ether Company, of Richmond, to which I refer, produced 365,000 pounds, leaving 506,394 pounds made from tax-paid alcohol, and this manufacture yielded the Government about $250,000 of revenue.

They argue as a conclusion from these premises that to save users in this country about $300,000 the Government would lose $250,000 in revenue and their own investment of $200,000 would be entirely destroyed. They further present the argument—

> Third. That Congress having settled this matter at the last session of Congress, assuring us that our business would not be injured, it does not seem fair now to amend the law just as it is going into effect, in such a manner as not only to destroy our investment in our plant, but to render valueless the large expenditures made by us in perfecting our plant since last summer and to cause us a very heavy loss on our stock of ether, which we have since then accumulated.

In response to the suggestion that with the use of free alcohol for ether the market and manufacture of ether would be alike increased, they say that the only other outlet for cheaper ether would be for smokeless powder, and that according to their best information ether can not be made cheap enough from free alcohol to compete with the present solvents used by powder makers.

They state that they have letters from some of the largest manufacturers, who say that to enable them to use it the price could not be over 10 cents per pound, whereas to make ether from denatured alcohol would cost the manufacturer to make, for material alone, 10 cents per pound, to which must be added his profit, interest, wear and tear on his plant, packages, transportation, and other incidental charges.

Mr. President, I am well aware that if it be demonstrated that a change of taxation is largely beneficial to the great mass of the people, one who urges that a particular factory or factories may be damaged puts himself in a position which is not usually respected in Congress and which can not be rightfully or successfully measured against a general public consideration. But, at least, Mr. President, when such menaces appear to an established order of things, when the subject has been canvassed in Congress and has been dealt with with knowledge of the conditions which exist and of the injury which a change would superinduce, it is not the part of a wise legislator to act hastily or indiscreetly so as to impair properties and disorder manufactures which have been engaged and which are progressing under an established and recently ordained order of things. It is wise that innovations should take place slowly, that society may adjust itself to them as far as practicable by reasonable anticipation.

If it should come to pass that Congress now, so soon upon the heels of its former treatment of this subject, should fundamentally reverse its policy and should reenact statutes which destroy and break down those institutions and establishments which have been erected upon the acceptance of the policy, it should at least "temper the wind to the shorn lamb" and give all opportunity that fittingly may be given for such readjustment as may be indispensable.

It is with a view to the possibility of the passage of this bill that I have, therefore, proposed the amendment, which will in due time be considered, postponing the operation of this revolutionary and destructive controversy to at least the 1st day of January, 1908.

I have before me, Mr. President, quite a number of papers and the testimony of the hearings which have been had upon this subject. On page 16 of the hearings before the Finance Committee, Mr. John B. Purcell, of Richmond, appeared as a representative of the American Ether Company, in which he is himself engaged as a representative of a house long established and of high standing in the city of Richmond. At this hearing he testified as follows:

> After the passage of the free-alcohol bill by the House last summer, we proposed to add an amendment in the Senate explicitly forbidding the use of denatured alcohol for the manufacture of ether, as the wording of the bill was not, in our opinion, sufficiently definite on that point, and at the suggestion of Hon. JOHN LAMB, Representative from our district, we sought and obtained through him an interview with Mr. HILL, the patron of the present bill, Mr. JOHN SHARP WILLIAMS, and Mr. CHAMP CLARK, all members of the Ways and Means Committee, and apprised them of the amendment we desired. They all and severally assured us that our amendment was unnecessary, as it was the unanimous opinion of their committee that ether could not be made from alcohol, and that the Commissioner of Revenue concurred in the view. With this assurance our amendment was not offered. When the bill was reported to the Senate, Senator MARTIN asked the chairman, Senator ALDRICH, if the bill would permit of ether being made from denatured alcohol, and the Senator replied "that it would not be permitted." Senator MARTIN asked the chairman if he knew what would be the view of the Commissioner of Internal Revenue on that point, and Senator ALDRICH stated that he did know, and that the Commissioner took the same view.

This is attested by the CONGRESSIONAL RECORD at the time of the passage of the bill, Mr. President, and these are the assurances, or at least some of the assurances, which were received by the representatives of the American Ether Company when they appeared here to be heard in June last. I will further state that I am myself personally privy and have knowledge of the reiteration of these assurances by some persons prominently connected with the Government, whose duty it was to deal with such things.

I need not prolong this feature of the case, but it should be understood that there is a large capital now engaged in this business; that there are many hands employed, and that capital has been invested since the passage of this bill, eight months ago, in the progressive manufacture of this article. I do not know, at least of my own knowledge, how justly to weight the scientific objections which are sometimes made to such matters as this, but there appear also in this testimony, Mr. President, considerations with respect to the reconversion of ether into alcohol, and thence into the various forms which spirits assume under chemical treatment and manufacture, that there is a considerable danger that if the denatured alcohol may be manufactured into ether, it may be readily reconverted into alcohol, and in that form go into the marts of trade.

In this view, Mr. Purcell, of Richmond, a gentleman whom I well know as one of great intelligence, and than whom no citizen possesses higher character, argued before the committee, and set before it substantial statements, to show how ether might be reconverted into alcohol, and great danger, not only to the revenues, but to the trade of the country, might therefrom arise.

On page 11 of these hearings those who may care to pursue the subject will see the processes set forth from the chemical formulas that control them, and will perceive that that is a suggestion of substance and one that ought to be fully and carefully weighed.

This subject, Mr. President, which thus involves one branch of our manufactures, is much further reaching. It involves the whole manufacture of whisky in the United States. It was stated by a very intelligent and well-informed witness before the Committee on Finance that the whisky trust was, in his opinion, the power behind the throne in the propaganda of this measure. I know nothing on that subject, nor do I presume that any other Senator knows anything; but we do know that other interests than the farmers, who were made so conspicuous in the agitation of a year ago, are probably the chief promoters of this bill. I do not charge, neither do I mean to intimate, that these interests, who are the manufacturers of the United States, are in any respect deviating from a just principle in being the promoters of this bill. If it is going to add to the benefit of the manufacturers in the United States they have a perfect right, unchallenged by anyone in its exercise, to promote the consideration and passage of this measure; but first of all they should move with regard to the rights and interests of others, and when they set to work to get the farmers of the United States to come forward as its most conspicuous advocates, that becomes a matter of diplomacy which should be noted. There is no doubt of the fact that the apparent appearance of the farmer upon the scene, so picturesquely, so multifariously, so constantly, is a matter superinduced and brought about largely by the instigation of the manufacturers who desire his influence in the Congress of the United States and who gild the pictures which they draw with very pleasing colors as to what the farmer will derive as a benefit of this measure.

We all remember how something like a year ago bucolic pictures were painted before our visions, which made it appear that Aladdin would soon wave his lamp over the old fields of the country and gratify the wishes of those who toil therein. So far as heard from, I have not been impressed with the fact that the farmers of this country have made any great progress in the last eight months in realizing the dreams which were dreamed for them in large measure by their friends, the manufacturers.

It is quite clear—and such is the evidence before the committee—that the manufacturers had an organized machine, by which they instigated the people of this country here and there to urge Congress to pass this measure. I do not deny

their right to do it; but, in weighing things here, we should understand what we are doing and duly weigh the various considerations and influences on one side or another.

In the course of the hearings before the Finance Committee there was introduced by one of the witnesses, who is a large manufacturer of whisky in Peoria, Ill., one of the circulars that have gone far and wide and been spread broadcast on this subject. I will read it, so that it may appear in the RECORD as it stands on page 38 of these hearings. I wish to note the fact that the letter head bears this legend:

[Committee of manufacturers formed to assist in securing cheaper alcohol for industrial purposes, 21 William street, New York City.]

It reads as follows:

NEW YORK, *February 4, 1907.*

GENTLEMEN: We inclose copy of bill and report by the Committee on Ways and Means which provides for amendments to the laws governing the production of alcohol, so as to give greater facilities for the production, denaturing, and transportation of untaxed denatured alcohol. This bill has been favorably reported by the Committee on Ways and Means, and it is expected that it will be passed by the House within a few days.

The purpose of this bill is to still further reduce the cost of denatured alcohol, by enabling farmers or other persons who wish to produce it on a small scale to distill it in suitable locked stills, and to have it denatured without the expense of a denaturing bonded warehouse. The provisions allowing the transportation of denatured alcohol in tank cars will also materially reduce its cost to the consumer.

It is highly important that this bill should become law at the present session of Congress, and we would ask you to sign the inclosed petitions and send one of them to each of the Senators from your State, with a letter urging them to use their influence to secure prompt action by the Finance Committee of the Senate as soon as the bill reaches that body.

Should you desire additional copies of the bill or petition, we shall be pleased to send them to you.

Yours, very truly, J. H. ALLEN,
*Secretary-Treasurer.*

Mr. President, the blank forms of the petition to be signed, which were inclosed with these letters or circulars, sent far and wide, will be found on page 39, and is as follows:

*To the honorable Senate of the United States, Washington, D. C.:*

The undersigned respectfully urge the enactment of legislation amending the laws governing the distillation of alcohol so as to permit farmers or other persons wishing to produce alcohol on a small scale to distill it in suitable locked stills and to have it denatured without the expense of a denaturing bonded warehouse, and authorizing the Commissioner of Internal Revenue to prescribe regulations permitting the transportation of denatured alcohol in tank cars.

The purpose of the desired legislation is to reduce the cost of denatured alcohol by giving greater facilities for its production and distillation. Under the present laws relating to this subject alcohol intended to be denatured and sold without payment of internal-revenue tax must be produced under the same conditions as distilled beverage spirits. Those conditions tend to limit the production of alcohol to large distilleries, while the expense of the required distillery warehouse and bonded denaturing warehouse adds materially to its cost. The statutory limitation on the size of the packages containing alcohol prevents its shipment in tank cars, a method of transportation which would reduce its cost to the consumer.

The proposed amendments would not result in the loss of any revenue to the Government and would greatly benefit the farmers of the country, both by furnishing them with a material for lighting, heating, and motor fuel purposes and by creating additional markets for the farm products from which alcohol is distilled.

Yours, respectfully, ——— ———.

Under the influence, Mr. President, of this propaganda, of editorials and of advertisements of one sort and another that went forth to the agricultural communities of the United Sates, the farmers began to see themselves growing rich quickly from the distillation of alcohol out of the waste products of their farms. A short and smooth road from agriculture to great riches had been discovered, and the farmers of the country were, naturally enough, eager to go at once traveling thereupon; but I have not heard, Mr. President, that in the eight months of the use of this royal road to wealth that the lean earth had been very deeply larded therein, or that real estate in farming communities had been thereby greatly improved in value, and I am very much afraid, Mr. President, that the percentage of realization in this case will not be larger than in the case of many other booms.

Let me not be misunderstood. The manufacturers of this country, and the agriculturists of this country as well, had a perfect right to set forth these things to the people, and if they believed what they set forth they are beyond criticism. It is now said, however, by a distinguished Senator here who represents one of the great agricultural regions of the United States, namely, North Dakota, that this scheme of sudden riches to farmers is a gold brick. It is thought by some that this gold brick can, by the chemistry of an additional law, be turned into pure gold, but when we take up the processes by which the conversion of last year's gold brick into the pure gold has to be consummated we encounter new difficulties. In the first place, there appears upon the scene a large body of distillers of spirits from corn and otherwise. The great distillers of Peoria come here and in a most intelligent manner, as men who have knowledge of their business, set forth menaces which are introduced to the business of the country by the bill which came to us from the House.

The scheme of the House bill is further to encourage and facilitate the denaturing of alcohol, and professedly to stimulate the production of alcohol all through the agricultural regions of the United States on small farms, and through the use of the waste products of the farm for those purposes; and as the bill stands, while its proposition and outlook is to enable the farmer to start an alcoholic distillery, no internal-revenue officer is required to appear to be a sentinel upon the scene. The whisky manufacturers argue, first that they are——

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from Oregon?

Mr. DANIEL. Certainly.

Mr. FULTON. Mr. President, the Senator does not understand that under the bill as it came from the House the Commissioner of Internal Revenue may not employ storekeepers if he thinks it necessary, does he?

Mr. DANIEL. I do not say so; no, sir. I do not understand that. I am coming to explain that pretty soon. He is not required to keep a storekeeper at each distillery.

Mr. FULTON. He may if he desires.

Mr. DANIEL. He may——

Mr. FULTON. If he thinks proper.

Mr. DANIEL. He may. But, Mr. President, if these distilleries are to spring up all over the country, if a storekeeper has to be kept at each one of them, if the farmer is going actively into the business, it is going to take an army of storekeepers to carry out the purposes which the Senator intimates will be carried out by the Commissioner of Internal Revenue. The question would arise, Will the storekeepers cost more to the Government than the alcohol pays?

At this stage of the second experimentation on the subject the farmer, instead of finding himself as a free citizen handling the products of his farm at such times as he pleases and in such ways as he pleases and in accordance with his own idiosyncrasies and purposes, is to have an internal-revenue officer there watching him, superintending him, and permitting him to do nothing unless he is there to watch him and superintend him. On yesterday, Mr. President, it was confessed and here stated that the first denatured-alcohol act, of June 7, 1906, was a mere experiment; when we began to realize some of the difficulties which we are up against in considering the pending bill, it was again said, "Oh, this is a mere experiment." And when objection was made that this scheme was imperfect, and that that plan needed further amendment and correction, it was, in the third degree, suggested that next year we could go along and make another experiment. Experimentation upon the body politic, made by those who do not know with any precision what they are doing, is one of the most fatal things on earth.

That leads me, sir, to the reflection and observation that no one mind that has full information on this subject, and that has thrashed it out in its ramifications, has ever yet set forth to Congress or to the Senate any harmonious and well-digested scheme. On the contrary, Mr. President, while this is true, it is also true that Congress has been prodded, urged, and stimulated to go on now, quickly, instantly, and give the farmers a chance to get rich. This subject, Mr. President, deserves and should receive the wisest and best consideration that a learned mind and careful judgment can give to it, and the very closing days of this session, when there are not enough hours in the day for any Senator to discharge in a fitting manner one-half of the duties which he is called upon to perform, is not the time which should be selected for the consideration of a subject which can only get a glance from a mind which should pore over it with reflection, and only catch the momentary attention of an ear which should be alert to draw from all sources the elements of information and wisdom which should be applied to it.

We are told that people are getting rich in Germany through the manufacture of denatured alcohol. We know very little of what is going on in Germany, but from what was related to the Committee on Finance by a gentleman who once lived in Germany and who has studied the German system I am impressed with the opinion that if Americans are expecting any rapid, immediate, or sure path to agricultural riches by modeling their legislation upon that of Germany, they have reckoned in a large measure without their host. In Germany the whole matter is under governmental control. A single house takes all the agricultural alcohol that is made. The princes and magnates of Germany are the people who control and own the whole industry. Compared with the magnificent, widespread area of the United States, Germany is only a corner

not larger than the State of New York, with a crowded population; and to suppose that the farmers of the United States, who are emphatically a scattered nation in the myriad places which they occupy, remote from railroads, and also remote in many instances from the great streams which furnish transportation, can successfully work a system which belongs to a small, compact country and which has grown up in the track of years by experimentation is, Mr. President, almost to look for the falling of the skies and for the catching of larks.

We are told by some Senators that it will not do to send an internal-revenue officer to stand sentinel over the farmers of this country. "Hands off!" say they to the Internal-Revenue Commissioner. Why? They certainly do not mean to intimate that the farmers of this country, as a rule at least, are at all likely to try to beat the revenue of this country by passing their alcohol into illegitimate channels or trading it away in an improper manner. So far as the mass of the farmers of this country are concerned, I, like they, believe they might be trusted, and this is true about the great majority of men of all classes. We do not have policemen and build jails and enact severe penalties that will ever be applicable to the great majority of our fellow-citizens. But we do have to create these establishments, and we do have to make these laws, and we do have to take these precautions and erect these guards for that small minority of our fellow-citizens who, without such precautions, would overcome the influences of good society, take what did not belong to them, and cheat whosoever they could.

And so in this case, while the majority of the farmers, and especially those who are dealing in the smaller distilleries, might be worthy of trust, and while no trouble might arise from them, a system which puts the distillation of spirits in legitimate ways under strict surveillance and withdraws all surveillance, or all but occasional surveillance, from the residue is open to objection of a duplex form. First, it is unjust to our own revenue.

We draw annually $137,000,000 from the legitimate production of spirits, and if we are going to have widespread, here, there, and everywhere all over this land, the free, the open, the uninspected or little inspected production of the alcohol base of spirits, is it not a self-evident proposition that with the gates wide open alcohol will flow and be constantly tempted to flow into illegitimate channels, to the detriment of the revenues of this country?

And more than that, Mr. President, when a business man respecting the laws of the land establishes his plant, spends his money, and pay his taxes like a good citizen, does not the Government owe it to him to see that he shall not be exposed to the hand of the spoilsman and that the illegitimate shall not reap where he has sown?

The Commissioner of Internal Revenue fully understands this and has set it forth in a letter which I have before me. Here is what he says in furtherance of the policy indicated by the amendment which the committee has proposed to this bill. This letter has already been printed in the CONGRESSIONAL RECORD, and I read from it as follows:

> The honest distiller would want him (the Government official) constantly present. The dishonest distiller would prefer to have him absent as many days as possible.

Now, why?

> Alcohol pays a tax of $2 a wine gallon, and it is absolutely necessary to put up every barrier possible against fraud, now that under the law it can be withdrawn free of this tax for certain purposes.
>
> If it were possible to find a denaturing agent that could not be removed from the alcohol by process of redistillation, by passing over charcoal bodies, and by other chemical processes, then it would not be so necessary to guard every step of the new process.

Then he concludes:

> There must be governmental supervision and surveillance to prevent the alcohol from being secretly and surreptitiously taken from the distillery where produced without the payment of tax and to prevent, after it has been denatured, its reclamation through chemical process and its restoration to its original alcoholic condition.

So, Mr. President, this recommendation of the committee is made with the firm and strong urgency of the Commissioner of Internal Revenue of the United States, or at least in furtherance of the principles and the analysis which he presents in this letter, a part of which will be found on page 36 of the hearings before the Senate committee.

I do not wish to prolong my remarks and will abstain from setting forth many considerations which could be easily gathered from papers and statements and testimonies which have been given in this regard. It should be noted, however, that the difference in tax in this country and in Germany is another differentiation between the situations in the two countries. The tax in Germany is 35 cents per gallon, whereas in this country it is $1.10 per proof gallon and $2.07 on alcohol. The conclusion from this differentiation is that as a matter of monetary consideration the temptation to fraud is over five times as great in this country as in Germany.

It is said that the farmer can get over the difficulty of the transportation of his alcohol to the bonded warehouse where it can be denatured by putting it in tank cars. Undoubtedly those who control tank cars, who can furnish them sometimes and who can not furnish them at other times, will have a good thing in the trade brought to them. Where a farm is located close to a railroad and where the farmer can easily get the alcohol made upon his farm carried to the tank car, his position may be improved by this bill. But that is not the case with the great majority of the farmers of this country. Very few of them are so happily situated as to be able to avail themselves of those conditions.

Mr. President, I hope it is true, as we have been led to believe, that the introduction of the denaturing of alcohol is going to open an avenue of industry and of profit to the farmers of the United States. Of all classes of the American people I believe the farmers do more for the general prosperity and for the wholesome patriotic spirit of this country in proportion to what benefits they receive from lawmakers than any other portion of our population. I should welcome, and, indeed, it would give joy to my heart to see any law adopted that would enhance their prosperity and enable them to keep abreast with the progress of our times which is so great in other branches of human occupation.

But I do not wish at any time to be a party to deluding them with the impression that they have found a gold mine, when we can hardly base a substantial prophecy to a larger result than that this may open to their industry a new branch of endeavor, and may, after being worthily and intelligently cultivated, prove to them a new source of profit. But I do not believe in blind speculation or in speculation based upon hasty and immature suggestion or built up upon foundations which have not been surely tested.

If I were to vote for this bill, either with or without the provision for the superintendence of the agricultural distilleries by the officers of the revenue, I should cast my vote with misgiving. We already know that it is looked to to make another experiment next year. The whole subject is so befogged with the testimonies of conflicting interests that it is hard for anyone who has not had greater opportunity of research and reflection than I have had to form a clear and positive opinion. I incline to the opinion that it might be better to let this bill go over until the Commissioner of Internal Revenue shall further study this case and until those who are to prepare the law upon the subject shall give it more profound meditation. If the bill should pass, I hope it will pass with the small amendment I have suggested as to ether, and I apprehend if we do pass it, it will lead, as did the bill of last year, to a speedy sequel in seeking here new emendations and probably a reversal again of the doctrines upon which it is founded.

Mr. FRYE. I ask unanimous consent that the unfinished business may be temporarily laid aside for five minutes that I may report from the Committee on Commerce four bills.

Mr. HANSBROUGH. I will yield if it does not lead to debate.

Mr. FRYE. It will lead to no debate. My bills are never debated.

Mr. HANSBROUGH. I yield.

### DAMS ACROSS THE SAVANNAH RIVER.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25848) permitting the building of a dam across the Savannah River at Andersonville Shoals, to report it favorably without amendment, and I ask unanimous consent for the present consideration of the bill.

The bill was read the first time by its title; and the Secretary proceeded to read it the second time at length.

Mr. FRYE. There is no need of reading these bills. They are identical, word for word, with four Senate bills which were passed yesterday.

Mr. ALDRICH. I think I shall have to object to that. A bill certainly ought to be read.

Mr. FRYE. Every one of these bills was read in the Senate yesterday, and passed.

Mr. ALDRICH. Not these House bills.

Mr. FRYE. These identical bills.

Mr. ALDRICH. Not the House bills. It will not take many minutes to read them. I do not think we had better adopt the precedent of not reading bills.

The bill was read the second time at length; and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25850) permitting the building of a dam across the Savannah River at Trotters Shoals, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The bill was read the first time by its title, and the second time at length, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25846) permitting the building of a dam across the Savannah River at Calhoun Falls, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The bill was read the first time by its title, and the second time at length, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25847) permitting the building of a dam across the Savannah River at Hattons Ford, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The bill was read the first time by its title, and the second time at length, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I move that the bill (S. 8581) permitting the building of a dam across the Savannah River at Trotters Shoals, the bill (S. 8583) permitting the building of a dam across the Savannah River at Calhoun Falls, the bill (S. 8572) permitting the building of a dam across the Savannah River at Andersonville Shoals, and the bill (S. 8584) permitting the building of a dam across the Savannah River at Hattons Ford, passed yesterday, identical with the four bills just passed, be recalled from the House of Representatives.

The motion was agreed to.

JAMES A. CARROLL.

Mr. HOPKINS. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 8699) for the relief of James A. Carroll, to report it favorably without amendment. On behalf of the senior Senator from Kansas [Mr. LONG], I ask for the immediate consideration of the bill.

Mr. HANSBROUGH. I do not think the Senator can do that under the rule.

The VICE-PRESIDENT. The Senator has the floor in his own right, and is now occupying it.

Mr. HANSBROUGH. Has the Senator from Maine finished?

Mr. HOPKINS. He has finished.

The VICE-PRESIDENT. He has finished.

Mr. HOPKINS. This will take but a moment.

Mr. HANSBROUGH. I have declined to yield to several other Senators who asked me for the same privilege; but as the Senator has made the report, I will yield.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Postmaster-General to cause the accounts of James A. Carroll, postmaster at Randall, Kans., to be credited with the sum of $99, being on account of the loss of $99 in postal funds lost in transit.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DENATURED ALCOHOL.

Mr. HANSBROUGH. I call for the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

The VICE-PRESIDENT. The pending amendment will be stated.

The SECRETARY. In section 4, page 4, line 4, after "distilleries," it is proposed to insert:

Except the provisions of section 3284 of the Revised Statutes.

The VICE-PRESIDENT. The question is on agreeing to the amendment which has been stated.

Mr. ALDRICH obtained the floor.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas rise to debate the pending question?

Mr. CULBERSON. Not if the Senator from Rhode Island desires to discuss it.

Mr. ALDRICH. Yes; I do desire to discuss it; but I will yield to the Senator if he desires to go on.

Mr. CULBERSON. My purpose was simply to make a suggestion as to the vote.

Mr. ALDRICH. Mr. President, I desire on behalf of the committee to make some response to the suggestions which have been made by the Senator from Oregon and the two Senators from North Dakota and the Senator from Montana as to the effect which the amendment suggested by the committee would have upon the practical operation of the law.

The Senators, especially the Senator from North Dakota, said that it would be impossible, or practically impossible, to have the storekeepers present, without long delay and serious inconvenience, at the time farm distilleries would be in operation, his idea being that on rainy afternoons and evenings and any time when the farmer had two or three hours at his disposal he would enter upon the work of distilling 8 or 10 gallons of alcohol, either for his own use or for sale, and that he could not do this under this bill if the amendment of the committee were adopted.

As the Senator from Iowa [Mr. ALLISON] pointed out yesterday, distillation is a continuous process and requires three days for completion. It can not be done on a rainy afternoon. It can not be done at odd hours, when there is nothing else to be done. When it is once commenced, it must continue for three days consecutively, and therefore the suggestion as to the nature of the work the farmer might do is not borne out by the facts.

Mr. HANSBROUGH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from North Dakota?

Mr. ALDRICH. For a question.

Mr. HANSBROUGH. I desire to ask the Senator from Rhode Island if he is familiar with the process of making alcohol?

Mr. ALDRICH. I am more or less familiar with it. I have had occasion to study it for a long time. But I have never been present in a distillery when alcohol was being made.

Mr. HANSBROUGH. Let me say this, for the information of the Senator:

The farmer who has a small still comes in from the fields when it rains and he starts his mill and grinds some corn. It may be for one hour or two hours or three hours. If the sun comes out again, he goes back to his field. If it rains again, he takes the corn meal which he has ground and he puts it into a vat and makes mash of it. When the sun comes out again, he goes back to his field. In due course of time that mash becomes sour, and when it rains again the farmer goes in and puts water in the vat, and so on until he prepares what is known as the "beer" or the "wort" for the still. That is the way the farmer puts in those two hours when it rains and he can not work in the field.

Under the amendment which is in this bill and which the Senator wants to keep in the bill the farmer could not do any of those things unless there was a storekeeper present when he ground his corn and made his mash and prepared the material to make the alcohol.

Mr. ALDRICH. I am sorry the Senator from North Dakota is not a more accurate instructor.

Mr. HANSBROUGH. I should like to have the Senator explain wherein I have made any misstatement.

Mr. ALDRICH. There are several processes which the Senator did not mention.

Mr. HANSBROUGH. This is one.

Mr. ALDRICH. There are several that the Senator did not mention, and his suggestion as to the method is not accurate. Of course the grain has to be ground. There is no doubt about that. It might be ground for distillery purposes without the presence of an officer. It is put into a vat and the process of fermentation is commenced; this goes on continuously after it has once commenced. A man can not go in and stop the process of fermentation, if he happens to have something else to do or if it does not happen to be a rainy day. After fermentation and distillation the spirits go under this to a locked tank, and then for the production of alcohol there has to be redistillation.

For this there has to be different machinery, altogether outside of ordinary distilling machinery for the production of distilled spirits. The process has to go on, whatever may be the occupation or the engagements of the distiller.

Mr. McCUMBER. Will the Senator yield for a question for information?

Mr. ALDRICH. Certainly.

Mr. McCUMBER. Under the bill as now reported by the committee would it or would it not be necessary for the store-

keeper to be present during the grinding of this material and the using of it in any way?

Mr. ALDRICH. Not unless the grinding was done on the distillery premises.

Mr. McCUMBER. Suppose the farmer has a distillery in his granary, or a part of it. He has his corn there where it is up for the winter, and he commences his work there and grinds it there and he puts it into a vat there. Under the bill is it not necessary for the storekeeper to be present?

Mr. ALDRICH. Under the law as it now stands every operation, if it is carried on within the distillery premises, is under the direction and control of a Government officer.

Mr. McCUMBER. Then, is not my colleague's statement absolutely true that if the farmer should come in from his farm during a rain and wanted to put in two hours toward grinding of this corn in the distillery, wherever he wants to use it in the same building, he would have to have a storekeeper or inspector present?

Mr. ALDRICH. If it was in the distillery; yes. I have already answered that question. If it was outside the distillery, no.

Mr. McCUMBER. If he had it in two separate buildings, the distillery would mean the building in which the distilling was done, would it not?

Mr. ALDRICH. Exactly. It is all set forth in great detail in the law as it stands as to what the distillery shall be.

Mr. McCUMBER. The provision of the law reads:

> That every distiller or person employed in any distillery who, in the absence of a storekeeper, or person designated to act as storekeeper, uses, or causes or permits to be used, any material for the purpose of making mash, wort, or beer, or for the production of spirits—

Mr. ALDRICH. The Senator from North Dakota does not need to read that.

Mr. McCUMBER. I simply want to call the Senator's attention to it.

Mr. ALDRICH. The language of the section is absolutely explicit.

Mr. McCUMBER. Therefore the Senator says it must be done in the presence of the storekeeper.

Mr. ALDRICH. Any step the distiller takes in the distillation of spirits must be done with the presence of a storekeeper.

Mr. McCUMBER. Not only the distilling, but all the things that must precede the distilling?

Mr. ALDRICH. Oh, no; not at all.

Mr. McCUMBER. The fermentation is not distilling.

Mr. ALDRICH. Fermentation is the process of distilling.

Mr. McCUMBER. It precedes it.

Mr. ALDRICH. It is an essential part of the process of distillation.

The next reason given by these Senators for objecting to this provision is that it would be very inconvenient, if not impossible, to send for a storekeeper or Government inspector when the farmer desired to commence the operation of distilling. I stated yesterday, and I repeat that statement to-day on the authority of the Commissioner of Internal Revenue, that under no circumstances whatever would he think of permitting operations in one of these stills to be commenced without the presence of a Government officer, that he would insist that the distillery should be inspected first, and that the commencement of operations should be in the presence of a storekeeper or some other officer who would discharge the duties of a storekeeper.

So all this talk about the inconvenience of sending for a Government officer to be present when this operation is commenced might as well be eliminated from this discussion. The Commissioner says that under no circumstances would he think of permitting distilling to be commenced without the presence of an officer. Therefore the only question here is as to whether, after the officer gets there, he shall remain to supervise and inspect the business of distilling while this is going on.

Both the Senators from North Dakota seem to think that you can commence this process and then arrest nature at some stage in it to meet the conditions of the weather or the convenience of the distiller. It can not be done.

I wish to say further to both those Senators that it requires great skill and knowledge to properly conduct the various operations connected with the production of alcohol. Distillers pay large salaries to men who watch and superintend the process at its various stages. I imagine there is not a farmer in North Dakota, unless he was instructed, who could undertake successfully to make alcohol out of any kind of material which he might have. This requires a technical knowledge. I assume in this connection that the Government storekeeper instead of being a hindrance to the farmer would be really of great help to him.

It seems to me that all this talk about the inconvenience or impossibility of getting storekeepers goes for nothing.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Oregon?

Mr. ALDRICH. Certainly.

Mr. FULTON. Under the bill as it comes from the House and as it is without the amendment proposed by the Finance Committee, if it shall develop that it is necessary in the interest of the Government to have these storekeepers there the Commissioner can assign one. It is not necessary in order to give the Commissioner authority to adopt this amendment. Without the amendment it is in the discretion of the Commissioner to assign a storekeeper if it shall develop that it is necessary. But the amendment requires him to do it whether it shall be necessary or not.

Mr. ALDRICH. Oh, no.

Mr. FULTON. I beg the Senator's pardon; I think it does.

Mr. ALDRICH. Does the Senator from Oregon think if the Commissioner should decide that the interest of the Government or the protection of the revenue required the storekeeper to be present that that would vitiate this bill and destroy its effect?

Mr. FULTON. I think it would destroy the effect that is desired; it would prevent the result that is sought. I do think that.

Mr. ALDRICH. In what way would it destroy the effect?

Mr. FULTON. I have been over that ground, and I do not want to take up the Senator's time to explain it. I think the Senator fully understands my position. I will simply say now that it is not necessary in order to have the storekeeper assigned to have the amendment. If it shall develop that it is necessary to protect the rights of the Government to have a storekeeper, the Commissioner can assign one.

Mr. ALDRICH. The Commissioner himself asserts that he will, under no circumstances, think of allowing a distillery to commence operations until it has been properly inspected and unless an officer is present to superintend the initial operations.

Mr. McCUMBER. Let me ask the Senator this question: We will suppose that there are 10,000 farmers owning 10,000 different stills, and they all wish to commence about the same time. Does the Senator believe that there will be 10,000 inspectors furnished to be present at each place?

Mr. ALDRICH. Why not? There must be, even if the amendment of the committee should not be adopted.

Mr. McCUMBER. Simply because we have not got funds enough to pay them.

Mr. ALDRICH. They would have to be present under the law as it now stands. Does the Senator say the Government has not funds enough to pay 10,000 inspectors?

Mr. McCUMBER. We have not appropriated enough to pay 10,000 inspectors.

Mr. ALDRICH. There will not be 10,000 distilleries in existence in this country immediately. I suppose the Senator does not think there will. I presume we will have an opportunity to appropriate money for that purpose before we shall have 10,000 distilleries.

Mr. McCUMBER. I will say to the Senator that I think to have one inspector for every little still in the country would be committing this country to the worst character of exravagance, where we would be paying thousands of dollars and getting nothing whatever in return.

Mr. ALDRICH. That is a new argument.

Mr. McCUMBER. It is not a new argument.

Mr. ALDRICH. That is a new argument. As I stated yesterday, if one of these distillers, in the process of running his product from the distillery to the tank, should subtract 1 gallon a day, the loss of revenue would equal the sum paid the storekeeper. These storekeepers are paid during their services, and at the small distilleries they are paid $2 a day. In the mountain districts of North Carolina and in other communities where small stills are located, the minimum pay is $2 a day. They are paid only while they are actually at work. There is no trouble whatever in securing any number of inspectors or storekeepers for this work. When not engaged in inspecting they are engaged in their regular occupation, whatever it may be. As a matter of practical operation, there is no difficulty whatever in securing this inspection whenever and as long as it is wanted in any part of the United States.

I should be glad to have any Senator give a reason why these precautions should not be adopted and why these inspectors should not be present when these distilleries are in operation. The Senators first insisted it would not be convenient. They then insisted that storekeepers could not be found, and then that

it would cost a very large sum of money, and altogether that the presence of storekeepers would in some mysterious way prevent the operation of these small distilleries. There is not one line in this amendment or in the bill which creates a single obstacle in the way of the production of alcohol in these small distilleries, either in the way of expense or otherwise.

The presence of these storekeepers would, in my judgment, be an assistance to small distillers.

Now, as to my own attitude and that of the Finance Committee to the bill under consideration, both the Senator from Iowa [Mr. ALLISON] and the Senator from Wisconsin [Mr. SPOONER] have said that there was no member of the committee who was not heartily in favor of the ideas which are involved in this legislation. We believe there should be, in the public interest, the greatest possible use, consistent with safety to the revenue, of alcohol for use in the arts and in the industries free of tax. There is no member of the committee who is not heartily in favor of the objects sought by the adoption of this fourth section, giving additional privileges to small distilleries.

I can not imagine a man who would be so shortsighted as to say, if it were possible in any community to establish these distilleries and carry them on with safety to the revenue, they should not be carried on. I can see that very great advantage to both producer and consumer would come from the successful production of alcohol in this manner. If it can be produced at the price the Senators say it can, and in the way they say it can, the benefit to the country at large and to every community in the country as well as to individual consumers will be very great. But that being true, can any Senator give me a good reason why the revenue should not be protected, when it can be done without delaying or imperiling the object sought and without any expense or hindrance to those who operate these small distilleries?

This amendment, then, has only this one purpose, to provide an effective safeguard for the Government during the trial of this experiment, because there is no Senator who will assert that this is not an experiment. It is not offered in any spirit of antagonism to the purpose of the bill, which has my hearty support and that of the other Members of the committee that reported it. We do not offer it with any intention to delay the possible consummation of the objects its friends have in view. If frauds upon the revenue follow this legislation the experiment will result disastrously to the hopes of all those who believe that very great good will surely come to the industries of the country if they are permitted the use of alcohol free of tax.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee. [Putting the question.] By the sound the "noes" seem to have it.

Mr. ALDRICH. I think we had better have a vote by yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CARTER (when his name was called). Mr. President, I rise to a parliamentary inquiry. The question as I understand it is on agreeing to the committee amendment.

The VICE-PRESIDENT. That is the pending question.

Mr. CARTER. Those opposed to the amendment will vote "nay," and those in favor of it will vote "yea."

The VICE-PRESIDENT. That is correct.

Mr. CARTER. I vote "nay."

Mr. CLAPP (when his name was called). Mr. President, I have just entered the Chamber, and I do not know what the question is.

The VICE-PRESIDENT. The question is on the amendment of the committee on page 4 of the bill.

Mr. CLAPP. I vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I do not know whether any transfer can be made so as to enable me to vote. For the present I withhold my vote.

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who is absent. I therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WARNER (when Mr. STONE'S name was called). My colleague [Mr. STONE] is detained from the Chamber by sickness.

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I therefore withhold my vote.

The roll call was concluded.

Mr. CULLOM. I am informed that I can transfer my pair with the junior Senator from Virginia [Mr. MARTIN] to the Senator from Iowa [Mr. DOLLIVER] and vote. I vote "yea."

Mr. McCUMBER. I was requested to state that the junior Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent, and that if he were present he would vote "nay" on this amendment.

Mr. KITTREDGE (after having voted in the negative). I inquire if the junior Senator from Colorado [Mr. PATTERSON] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. KITTREDGE. I have a general pair with the junior Senator from Colorado, and for that reason I withdraw my vote.

Mr. CLAPP. My colleague [Mr. NELSON] is detained at his home by illness. If he were present, he would vote "nay."

Mr. KITTREDGE. I am assured that my general pair, the junior Senator from Colorado [Mr. PATTERSON] would, if present, vote "nay," and therefore I will permit my vote to stand.

The result was announced—yeas 16, nays 47, as follows:

YEAS—16.

| | | | |
|---|---|---|---|
| Aldrich | Flint | Heyburn | Scott |
| Allee | Foraker | Hopkins | Smoot |
| Ankeny | Gallinger | Kean | Teller |
| Cullom | Hale | Lodge | Wetmore |

NAYS—47.

| | | | |
|---|---|---|---|
| Berry | Curtis | Latimer | Perkins |
| Beveridge | Depew | Long | Pettus |
| Blackburn | Dillingham | McCreary | Piles |
| Brandegee | Dubois | McCumber | Proctor |
| Bulkeley | Du Pont | McEnery | Rayner |
| Burkett | Frazier | McLaurin | Simmons |
| Burnham | Frye | Mallory | Smith |
| Carter | Fulton | Millard | Sutherland |
| Clapp | Gamble | Mulkey | Tillman |
| Clark, Mont. | Hansbrough | Newlands | Warner |
| Clay | Kittredge | Overman | Whyte |
| Culberson | Knox | Penrose | |

NOT VOTING—27.

| | | | |
|---|---|---|---|
| Allison | Crane | Hemenway | Patterson |
| Bacon | Daniel | La Follette | Platt |
| Bailey | Dick | Martin | Spooner |
| Burrows | Dolliver | Money | Stone |
| Carmack | Dryden | Morgan | Taliaferro |
| Clark, Wyo. | Elkins | Nelson | Warren |
| Clarke, Ark. | Foster | Nixon | |

So the amendment was rejected.

The VICE-PRESIDENT. The Secretary will read the amendment proposed by the Senator from Virginia [Mr. DANIEL].

The SECRETARY. On page 1, line 8, after the word "may," insert the words "after January 1, 1908."

Mr. HANSBROUGH. I hope that amendment will be disagreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE-PRESIDENT. Having been read three times, shall the bill pass?

Mr. LODGE. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN], but I transfer that pair to the junior Senator from Iowa [Mr. DOLLIVER], and vote. I vote "yea."

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who is temporarily absent. I do not know how he would vote, if present, and therefore I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WARREN (when his name was called). I again announce my pair with the senior Senator from Mississippi [Mr. MONEY].

The roll call was concluded.

Mr. SCOTT. I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO]. He is not present, and I therefore withhold my vote.

Mr. ALDRICH. The Senator from Iowa [Mr. ALLISON] is necessarily absent from the Chamber. He is paired with the Senator from Alabama [Mr. MORGAN]. If the Senator from Iowa were present, he would vote "yea."

The result was announced—yeas 65, nays 1, as follows:

YEAS—65.

| | | | |
|---|---|---|---|
| Aldrich | Blackburn | Carter | Cullom |
| Allee | Brandegee | Clapp | Curtis |
| Ankeny | Bulkeley | Clark, Mont. | Daniel |
| Bacon | Burkett | Clay | Depew |
| Berry | Burnham | Crane | Dillingham |
| Beveridge | Burrows | Culberson | Dubois |

| | | | |
|---|---|---|---|
| Du Pont | Hopkins | Mallory | Smith |
| Flint | Kean | Millard | Smoot |
| Foraker | Kittredge | Mulkey | Sutherland |
| Frazier | Knox | Newlands | Teller |
| Frye | Latimer | Overman | Tillman |
| Fulton | Lodge | Penrose | Warner |
| Gallinger | Long | Perkins | Wetmore |
| Gamble | McCreary | Piles | Whyte |
| Hale | McCumber | Proctor | |
| Hansbrough | McEnery | Rayner | |
| Heyburn | McLaurin | Simmons | |

NAYS—1.

Pettus

NOT VOTING—24.

| | | | |
|---|---|---|---|
| Allison | Dolliver | Martin | Platt |
| Bailey | Dryden | Money | Scott |
| Carmack | Elkins | Morgan | Spooner |
| Clark, Wyo. | Foster | Nelson | Stone |
| Clarke, Ark. | Hemenway | Nixon | Taliaferro |
| Dick | La Follette | Patterson | Warren |

So the bill was passed.

Mr. HEMENWAY subsequently said: Mr. President, I desire to say that I was unexpectedly called from the Chamber to attend a meeting of a conference committee when the vote on the denatured-alcohol bill was taken. I am in favor of the bill and would have voted for it had I been present.

POST-OFFICE APPROPRIATION BILL.

Mr. PENROSE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 14, 16, 21, 22, 23, 32, 35, 39, 40, and 41.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 24, 25, 26, 27, 28, 29, 30, 34, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out "one hundred and five" and insert "ninety-five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Strike out "one hundred" and insert "eighty;" and the Senate agree to the same.

BOIES PENROSE,
REDFIELD PROCTOR,
A. S. CLAY,
*Managers on the part of the Senate.*

JESSE OVERSTREET,
J. J. GARDNER,
JOHN A. MOON,
*Managers on the part of the House.*

The report was agreed to.

ST. JOSEPH RIVER DAM, MICHIGAN.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25832) to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River, near the village of Mottville, St. Joseph County, Mich., to report it without amendment, and I invite the attention of the Senator from Michigan [Mr. BURROWS] to that fact.

The VICE-PRESIDENT. In the absence of objection, the report will be received.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BIRCHIE O. MAHAFFEY, AND OTHERS.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 23630) authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army, to report it without amendment; and as it consists of only five lines I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army, notwithstanding the bar of age.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. WARREN. I ask that the marked portions of the report on this case made by Mr. SLAYDEN, from the Committee on Military Affairs in the House of Representatives, be printed in the RECORD.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The matter referred to is as follows:

REPORT OF THE MILITARY SECRETARY.

The records of this Office afford information in these cases as follows:

The following-named five cadets of the class of 1902, United States Military Academy, were discharged, by War Department orders, May 21, 1901, for insubordination or hazing: Henry L. Bowlby, of Nebraska; John A. Cleveland, of Alabama; Traugett F. Keller, of New York; Raymond A. Linton, of Michigan, and Birchie O. Mahaffey, of Texas. In February, 1905, Representative MORRIS SHEPPARD handed to the President a letter from General Mills, superintendent of the academy, of December 27, 1904, favoring the appointment of these dismissed cadets in the Army. February 25, 1905, the Secretary of War advised Mr. SHEPPARD that the President had handed him the letter from General Mills in regard to the appointment of these young men, and said:

"I suggest that the proper course for them" [the five ex-cadets] "to pursue is to file applications with the War Department setting forth all the facts, and also a statement of what they have done since they were dismissed, and I will bring the matter to the attention of the President, who, upon the facts as presented, is favorable to the granting of their applications should there be vacancies enough."

In March, 1905, Mr. Mahaffey's father and several citizens of Texas petitioned, through Representative SHEPPARD, for his appointment as second lieutenant, and on April 8 the Secretary of War advised Mr. SHEPPARD that he would unhesitatingly recommend Mr. Mahaffey's appointment only for the fact that he had become disqualified on account of age.

In the meantime Mr. Cleveland and Mr. Keller had also become ineligible for appointment on account of age, leaving only Mr. Bowlby and Mr. Linton on the eligible list. The appointment of the two latter was urged from time to time by Representatives SHEPPARD of Texas; HINSHAW, of Nebraska, and FORDNEY, of Michigan. Subsequently Messrs. Bowlby and Linton were designated for examination for appointment with the other civilian candidates at Fort Leavenworth, Kans., in December last, but it appears that both had obtained satisfactory employment and did not desire the appointment, and hence declined the designation.

In December last Representative SHEPPARD reminded the Secretary of War of his statement of April 8, 1905, that he would have recommended Mr. Mahaffey's appointment only for the fact that he had become disqualified on account of age, and requested the Secretary to make a statement to the same effect in the cases of Cleveland and Keller. In reply to this the Secretary of War advised Mr. SHEPPARD, December 27, 1906:

"That were it not for the disqualification on account of age I would have also recommended the appointment of Messrs. Cleveland and Keller, with the approval of the President."

The present ages of the three persons named in the bill are: Cleveland, 30 years and 10 months; Mahaffey, 29 years and 7 months, and Keller, 27 years and 10 months. The age limit fixed by regulations for candidates for appointment as second lieutenants is 27 years, but this is a matter of regulation, not of law.

Respectfully submitted.

F. C. AINSWORTH,
*The Military Secretary.*

PATRICK NADDY.

Mr. PERKINS. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 20128) to complete the naval record of Patrick Naddy, to report it favorably without amendment, and as it is a bill of only eight lines, I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Navy to so amend the naval record of Patrick Naddy, late first-class boy, United States Navy, on United States receiving ship *North Carolina* and U. S. S. *Galena* and *Princeton*, as to show him honorably discharged, to date from June 30, 1863.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REVISION AND CODIFICATION OF THE LAWS.

Mr. SPOONER. I am instructed by the Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 240) to create a joint committee to consider the revision and codification of the laws of the United States, to report it without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It provides that a joint special committee be appointed, consisting of five Senators, to be appointed by the Vice-President from Members of the Sixtieth Congress, and five Members of the House of Representatives, to be appointed by the Speaker from the Members of the Sixtieth Congress, to examine, consider, and submit to Congress recommendations upon the revision and codification of laws reported by the statutory revision commission heretofore authorized to revise and codify the laws of the United

States, including the laws of the last session of the Fifty-ninth Congress; and that the said joint committee be authorized to sit during the recess of Congress and to employ necessary assistants, to order such printing and binding done as may be required in the transaction of its business, and to incur such expense as may be deemed necessary, all such expense to be paid in equal proportions from the contingent funds of the Senate and House of Representatives.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COAL-LAND LOCATIONS IN ALASKA.

Mr. FULTON. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entries under the coal-land laws applicable to Alaska. I called the bill up this morning. I think there will be no objection to it now. The bill has been read.

Mr. ALDRICH. I suggest that the bill be again read, Mr. President.

The VICE-PRESIDENT. The Secretary will read the bill, at the request of the Senator from Rhode Island.

The Secretary proceeded to read the amendment in the nature of a substitute reported by the Committee on Public Lands.

Mr. HANSBROUGH. Mr. President, it is quite evident that some explanation will have to be made of that bill, and as the bill was first reported by the Senator from Minnesota [Mr. NELSON], who is absent on account of temporary illness, as I understand, I object to its present consideration.

Mr. FULTON. I hope the Senator will withhold his objection for a moment. This bill has been explained several times, and I think the Senate pretty thoroughly understands it. It is one in which the Senator from Minnesota [Mr. NELSON] has taken a very deep interest, because he has studied the subject very carefully and very profoundly.

Mr. HANSBROUGH. I will withdraw my objection, but I reserve the right to renew it. If the bill leads to debate, I shall have to object.

Mr. SCOTT. I will renew the objection, because it is a bill of too great importance to be taken up now.

The VICE-PRESIDENT. Objection is made.

HOURS OF LABOR OF RAILROAD EMPLOYEES.

Mr. PENROSE. I submit a report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, and ask that the same be printed for the information of the Senate. I give notice that I will call it up to-morrow morning.

The VICE-PRESIDENT. The report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendment, and agree to the same with amendments as follows:

In line 3, page 1, strike out the word "and" and insert "or" in said amendment.

In line 13, page 1, strike out the word "corporation" and insert in lieu thereof the words "common carrier" in said amendment.

In line 13, page 2 of said amendment, after the word "continue," insert "or can go;" and in the same line strike out the four concluding words of said line, reading "or go on duty."

In line 14, page 2, of said amendment, after the word "eight," insert the word "consecutive."

In lines 14 and 15, page 2, strike out the words "within such twenty-four-hour period."

In line 15, page 2, strike out the concluding word "operator."

In line 16, page 2, after the word "dispatcher," insert the words "or dispatcher's operator in the dispatcher's office."

In lines 17 and 18, page 2, strike out "dispatches reports, transmits, receives, or delivers" and insert in lieu thereof "issues."

In line 20, page 2, strike out the word "nine" and insert in lieu thereof the word "eight."

In lines 21, 22, 23, and 24, page 2, strike out the words "in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime" and insert in lieu thereof "and that no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders) or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period."

In line 9, page 3, after the word "suits," insert the words "to be."

In line 13, page 3, strike out the word "verified."

In line 15, page 3, strike out the words "three years" and insert "one year."

In line 21, page 3, after the word "of," insert the word "all;" and in the same line strike out the words "duly authorized" and insert in lieu thereof the words "officers and."

In line 24, page 3, after the word "its," insert the words "officer or."

In lines 1 and 2, page 4, strike out the words "with the exercise of reasonable prudence."

Strike out all of lines 7 and 8, page 4, and insert in lieu thereof "and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act."

And the Senate agree to the same.

BOIES PENROSE,
FRANK P. FLINT,
*Managers on the part of the Senate.*
W. P. HEPBURN,
J. S. SHERMAN,
*Managers on the part of the House.*

Mr. CULLOM. Mr. President, I hope that the bill will be printed as proposed to be amended by the conference committee.

Mr. PENROSE. In connection with the report I join with the Senator from Illinois in the request for unanimous consent to have inserted in the RECORD a copy of the bill as it will read with the amendments proposed by the conferees. I will have the bill prepared for the Public Printer in a short time.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none, and it is so ordered.

The bill as proposed to be amended by the conferees is as follows:

*Be it enacted, etc.*, That the provisions of this act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers or property by railroad in the District of Columbia or any Territory of the United States, or from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States. The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "employees" as used in this act shall be held to mean persons actually engaged in or connected with the movement of any train.

SEC. 2. That it shall be unlawful for any common carrier, its officers or agents, subject to this act to require or permit any employee subject to this act to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty, without having had at least eight consecutive hours off duty: *Provided*, That no train dispatcher or dispatcher's operator in the dispatcher's office or other employee who by the use of the telegraph or telephone issues orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than eight hours in any twenty-four-hour period, and that no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders), or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three consecutive days in any week.

SEC. 3. That any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of the second section hereof, shall be liable to a penalty of not to exceed $500 for each and every violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such district attorney to bring such suits upon satisfactory information being lodged with him; but no such suit shall be brought after the expiration of one year from the date of such violation; and it shall also be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge. In all prosecutions under this act the common carrier shall be deemed to have had knowledge of all acts of all its officers or agents: *Provided*, That the provisions of this act shall not apply in any case of casualty or unavoidable acci-

dent or the act of God; nor where the delay was the result of a cause not known to the carrier or its officers or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen: *Provided further*, That the provisions of this act shall not apply to the crews of wrecking or relief trains.

SEC. 4. It shall be the duty of the Interstate Commerce Commission to execute and enforce the provisions of this act, and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act.

SEC. 5. That this act shall take effect and be in force one year after its passage.

UNION STATION.

Mr. HANSBROUGH. Mr. President, I move that the Senate proceed to the consideration of House bill No. 9329.

Mr. DEPEW. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from New York?

Mr. HANSBROUGH. I prefer that the Senator should wait until the bill is taken up for consideration.

The VICE-PRESIDENT. The Senator from North Dakota moves that the Senate proceed to the consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 9329) to amend an act approved February 28, 1903, entitled "An act to provide for a union station in the District of Columbia, and for other purposes."

Mr. KEAN. I hope that that will not be done at the present time, as that bill will create a great deal of discussion.

Mr. HANSBROUGH. Mr. President, if I can have the attention of the Senate for a few minutes—one minute will be enough for me—I desire to state that on the 16th of February——

Mr. ALDRICH. I suggest that debate is not in order upon the pending motion.

Mr. PENROSE. Mr. President——

Mr. HANSBROUGH. I trust that the opponents of this bill will not undertake to take me off my feet and thus deny me the usual courtesies of the Senate.

Mr. ALDRICH. The rules of the Senate take the Senator off his feet, and not any Senator.

Mr. HANSBROUGH. I know; but those rules can sometimes be resorted to for purposes that are somewhat questionable.

Mr. PENROSE. Mr. President——

Mr. HANSBROUGH. I ask unanimous consent that I be permitted to speak for one minute.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The Senator from North Dakota has not yielded the floor. The Chair will recognize the Senator from Pennsylvania when the Senator from North Dakota yields the floor.

Mr. PENROSE. I understood that debate was out of order and that the Senator from North Dakota was not in order.

The VICE-PRESIDENT. The Senator from North Dakota was recognized to make a motion. He made a motion and requested permission of the Senate to make a statement for one minute. Is there objection to the request? The Chair hears none.

Mr. HANSBROUGH. Mr. President, I was about to say that on February 16, by direction of the Committee on the District of Columbia, I reported to the Senate a bill which had passed the House of Representatives unanimously, and I asked unanimous consent that it be considered. Unanimous consent was given and the bill was considered and it was passed here. I retired from the Chamber, and about ten minutes afterwards a Senator came in and moved to reconsider the vote by which the bill was passed, and that motion was agreed to.

Mr. President, I have not felt quite right about this matter since that time, for the reason that it seemed to me that common courtesy would have demanded that the Senator who moved to reconsider the vote by which that bill was passed should have allowed that motion to rest while the Senator who had secured the passage of the bill was away from the Chamber. So the bill went to the Calendar, and has been resting there ever since under Rule IX, requiring a motion to take it up before it can be laid before the Senate. I make that motion at this time.

Mr. President, let me state further that this bill extends the smoke law in the District of Columbia to all locomotive engines in the District. It does not require the electrification of any railroad in the District, but it requires the railroad corporations owning the locomotives to do precisely what the people in this District have been required to do for several years past. That is all there is to it.

I will leave the matter with the Senate, and if the Senate desires to take up the bill I shall be very glad to discuss it. If it desires to vote the motion down, of course, I shall have to abide the result.

Mr. GALLINGER. I ask unanimous consent to make a statement covering one or two minutes in connection with this matter.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from New Hampshire? The Chair hears none.

Mr. GALLINGER. I simply desire to say, Mr. President, that this bill was reported not with the concurrence of the chairman of the Committee on the District of Columbia, and if it is taken up it will lead to a very lengthy discussion. The Senate can do about it as it pleases.

PROPOSED EXECUTIVE SESSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

Mr. DANIEL. Mr. President——

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of executive business.

Mr. DANIEL. Just a moment.

Mr. SCOTT. I hope that motion will not prevail.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Maine?

Mr. HALE. Will the Senator yield to me for a statement about the order of business?

Mr. HANSBROUGH. Mr. President, am I not entitled to a vote on the motion I made that the Senate take up a bill?

The VICE-PRESIDENT. Not pending a motion to proceed to the consideration of executive business.

Mr. HALE. Mr. President——

Mr. PENROSE. I yield to the Senator from Maine.

Mr. HALE. The conference report on the sundry civil appropriation bill is being put into form by the clerk. It will be here in a few minutes, and if the Senate goes into a session for executive business, when that report is ready I shall hope that the Senate will return to the consideration of legislative business in order that we may take up that report, which of course is very important in connection with the absolutely necessary business of the Senate.

Mr. BLACKBURN. That is right.

Mr. PENROSE. I renew my motion, Mr. President.

Mr. SPOONER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Wisconsin?

Mr. PENROSE. I do.

Mr. CARTER. I call for the question.

Mr. SCOTT. It is not fair to those of us who have been waiting here with bills expecting to be recognized to be thus taken off our feet.

The VICE-PRESIDENT. Does the Senator from Pennsylvania insist upon his motion?

Mr. PENROSE. I insist upon my motion.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of executive business.

The motion was not agreed to.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE ADAMS.

Mr. SPOONER. I desire to give notice that to-morrow, after the Senate shall have considered the resolutions relative to the death of the Hon. JOHN F. RIXEY, of Virginia, I shall ask the Senate to take up and consider resolutions relative to the death of the late Hon. HENRY C. ADAMS, a Representative in Congress from Wisconsin.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE KETCHAM.

Mr. DEPEW. I wish to give notice that on Saturday, the 2d instant, following the eulogies on the late Representative ADAMS, I will ask the Senate to consider resolutions commemorative of the life, character, and public services of Hon. JOHN H. KETCHAM, late a Representative from the State of New York.

The VICE-PRESIDENT. The notice will be entered.

UNION STATION.

The VICE-PRESIDENT. The question recurs on agreeing to the motion of the Senator from North Dakota [Mr. HANSBROUGH] to proceed to the consideration of the bill the title of which will be stated.

The SECRETARY. A bill (H. R. 9329) to amend an act approved February 28, 1903, entitled "An act to provide for a union station in the District of Columbia, and for other purposes."

Mr. HANSBROUGH. I am willing to take the yeas and nays, if they are desired.

Mr. GALLINGER. Let the motion be put.

Mr. DANIEL. I ask unanimous consent——

The VICE-PRESIDENT. The Chair will put the motion of the Senator from North Dakota.

Mr. CLAY. I suggest to the Senator that it will be utterly impossible to get a vote on the bill to-day. I am sure it will be discussed for hours.

The VICE-PRESIDENT. The Senator from North Dakota moves that the Senate proceed to the consideration of a bill the title of which has been stated.

Mr. CLAY. Mr. President——

The VICE-PRESIDENT. This is not a debatable question.

Mr. LODGE. Regular order!

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from North Dakota.

The motion was not agreed to.

### SENECA NATION OF INDIANS.

Mr. DEPEW. I ask unanimous consent for the present consideration of the bill (S. 8540) to ratify a certain lease with the Seneca Nation of Indians. It is only six lines long.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It ratifies and confirms a lease bearing date September 21, 1906, between the Seneca Nation of Indians on the Cattaraugus and Allegany reservations, in the State of New York, and Charles M. L. Ashby, of Erie County, N. Y.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

### NAVAL APPROPRIATION BILL.

Mr. HALE. I ask that the message from the House on the naval appropriation bill may be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives insisting on its disagreement to the amendment No. 1 of the Senate to the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes.

Mr. HALE obtained the floor.

Mr. TILLMAN rose.

Mr. HALE. I was about to move that the Senate recede from its amendment, but I yield to the Senator from South Carolina.

Mr. TILLMAN. Mr. President, I desire to make a brief explanation to the Senate as to what is involved in this item, and I shall content myself with a mere statement of the facts and then rely on the good judgment of this body to do whatever it sees fit.

The item involves an appropriation of $50,000 to enable the Navy Department to utilize as a training station the land and buildings already at Port Royal. There are, I believe, five training stations already in existence; four I know; two on the Great Lakes under construction; one at Coasters Harbor, near Newport, and one on the Pacific coast. There is none at all in the South. Some twenty years ago or thereabouts the United States entered upon the construction of a naval station at Port Royal and expended, all told, in the neighborhood of a million and a half dollars there, some $475,000 of which was for the construction of a great dry dock made of wood. The balance of the appropriation, amounting to over $900,000, was spent in the building of a steel wharf, a coaling plant, of large brick buildings for the various departments of the Navy—engineering, construction, and repair, officers' quarters, and all that sort of thing. And those buildings are new. About $900,000 was spent in the purchase of land and in the erection of these buildings for the use of the proposed navy-yard.

Some seven years ago the Navy Department of its own motion suggested that Charleston was a better place than Port Royal, and the Senate and the House agreed to the appointment of a board of officers by the Secretary of the Navy to consider the relative advantages of the two places and determine which was the better at which to build a navy-yard. That board, with the exception of one, reported in favor of Charleston.

Thereupon Congress authorized the transfer of the Port Royal station to Charleston, and there has been no money spent at Port Royal since, except to take care of the Government property there. There is a small force of marines or care takers, possibly fifteen or twenty men; I do not know just how many, but a very insignificant number. There are there these large new buildings, with this magnificent wharf and all the appliances for a training station already in existence, already paid for, and in a climate which enables the use of water in the training of the seamen practically every day in the year, because there never is any ice there in the salt water and never or rarely any in the fresh water.

This item merely proposes—and it is at the suggestion of the Navy Department and at the request of the Bureau of Navigation—that the Government shall appropriate $50,000, which will enable them to adapt these buildings to the use of the Navy, in changing these large brick structures to barracks, so as to enable them to quarter the recruits when they shall have been enlisted and go into training.

The cause of this suggestion on the part of the Navy Department for the utilization of these buildings is this: Two years ago an epidemic of meningitis broke out at Newport, and Admiral Converse, in his hearing before the House committee, stated that the danger of the spread of that disease among recruits caused him to transfer 3,000 men to Norfolk and camp them in tents. Therefore he requested that the Senate should put an item in the last appropriation bill providing for the changing of Port Royal into a training station.

When the House disagreed to it last summer and resisted the amendment, the Secretary of the Navy, after adjournment of Congress, by executive order transferred these buildings to the Bureau of Navigation, taking all the other bureaus out of any association or connection with Port Royal; and this $50,000 is simply the money necessary to build the latrines and wash houses and prepare these buildings as barracks for the use of the recruits. This is one of the most economical and legitimate items of expenditure in the entire naval appropriation bill. It did not come at my instance. I was not here last year when the Naval Committee of the Senate put this item in the bill. I was not in Washington. I was sick.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Texas?

Mr. TILLMAN. Certainly.

Mr. CULBERSON. It seems to me that the Senator has made a very clear and convincing statement of the reasons why this amendment should remain in the bill; and I will ask him to state the objections to it, if any objection has been urged.

Mr. TILLMAN. As I judge by the debate in the House day before yesterday, when this report was carried there and this one item disagreed to, the fear is that South Carolina will have two great naval establishments, and there are so many places which have none that there is an idea that this place, which has cost a million dollars, and is worth a million dollars, should be abandoned because South Carolina might have a navy-yard at Charleston and a training station at Port Royal. That is all I can see. If we were going into the business of building a new training station and were not merely utilizing the Government property already paid for and already constructed, I would not say a word. It could go to Texas or Florida or Georgia or North Carolina or Alabama or some other State. But we have got it. It is there. It is paid for. It is healthful. Why should we not use it?

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Texas?

Mr. TILLMAN. Certainly.

Mr. CULBERSON. Has the Senator any idea or intimation that if the motion of the Senator from Maine should be disagreed to there is a probability of an agreement being reached by the conferees?

Mr. TILLMAN. Undoubtedly the conferees will agree. Of course if the House insists again the Senate will recede, as it did last year. I do not make any kick. I simply want the country and the Senate and the House to understand that this item, put on this bill by the Senate committee last year, not at my instance, but of its own wisdom, ought to remain in the bill this year, and the House ought to be made to understand, which I do not think they do, that there is no purpose or desire on the part of South Carolina to have two great naval stations, but merely to utilize this one for the purpose for which the Bureau of Navigation has asked and let Charleston take her chances along with the other navy-yards of the country in getting any appropriation of Congress that it may be willing to give it.

Mr. GALLINGER. Mr. President, I desire to emphasize the fact that while the amendment was put on in the absence of the Senator last year, this year it was put on by the unanimous vote of the Committee on Naval Affairs.

Mr. TILLMAN. Yes, sir; the Senator from Maine and the Senator from California, the other two conferees, have stood by this item as a perfectly legitimate and wise one, and all I ask is that the Senate itself shall indicate its attitude, and then if the House says it will not have it the Senate can give way, if it sees fit. There is no trouble about getting another conference between the two Houses, and let us go back to the House after the Senate has acted. I hope the Senator from Maine will not move that the Senate recede, but that he will move that the Senate insist on its amendment, and let us take a yea-and-nay

vote on it and let the House see how the Senate feels on the subject.

Mr. HALE. Mr. President, the Senate should understand precisely the situation. There has always been in the House a very strong feeling against in any way making further appropriations for Port Royal, which was abandoned as a navy-yard when the navy-yard was transferred to Charleston. That was done—and I thought very properly—solely at the instance of the Senator from South Carolina. The House has always taken the ground that that closed the incident.

In this case, both last year and this, the proposition came up without intrusion or importunity from the Senator from South Carolina, but from the Department, that the old plant could be utilized to some extent by using it as a training station for boys preparing for the Navy in winter. It went through all the phases of difference, and the House insisted on its proposition, and it went out.

This year the Department recommended it again.

Mr. TILLMAN. It is estimated for.

Mr. HALE. It is recommended and estimated for. The Department put itself behind it. It recommended this appropriation, and the Senate committee put it on and reported it. It came to the body, was adopted in the Senate, and then went into conference.

I am bound to state what took place in conference. In conference the Senate conferees insisted upon the amendment, so far as they could, believing that it was a proper amendment. We did it in the absence of the Senator from South Carolina, who again has not intruded in the matter. But the House conferees said that the House was firm and would never agree in any way to reopen the old abandoned navy-yard which has been left for Charleston.

Then the House conferees said: "As you can not agree to this, all we ask is to take it into the House and have it debated there, and if the House, on full debate, holds to its old position and insists that this shall go out, the Senate, we think, will take notice of that."

It went to the House, was debated at length by the Representatives from South Carolina, making the best of the case they could, and the House by a vote of about two to one again insisted on its disagreement.

Mr. TILLMAN. Altogether there were but 110 votes cast.

Mr. HALE. But the votes in the House in Committee of the Whole are frequently small. However, the majority was about two to one.

Everything else has been agreed to on the naval bill, with its hundred million dollars. I should be glad to get what the Senator wants, and I hope some day we will get it, but I do not think there is the slightest chance, after the House has debated it and voted upon it, that anything will happen if we insist on sending it over there again.

The great naval bill is agreed to on everything else. Nothing remains but this amendment, and I am sorry that the Senator under the conditions does not feel like yielding to what is the inevitable. It will only cause another conference, and if we send it back there will be more and more feeling of impatience on the part of the House of Representatives after the thing has been once debated and voted upon there. I wish the Senator would acquiesce in what is the actual condition and let the Senate recede from its amendment and end the controversy on this bill. I think the Senator will gain nothing by any other course.

Mr. TILLMAN. I have indicated my willingness to be reasonable, I think, and the Senator has done me the justice to say that I am not importuning him about this matter and have not from the start. It is not my baby or my pet. I am not particularly desirous of this on account of South Carolina, but I am desirous of it on account of the needs of the Navy. The admiral in charge of the Bureau of Navigation tells us that he needs it. It is there. It is in a mild climate, where we can train our boys and seamen during the entire winter, which can not be done at any of the other stations unless we go to the Pacific. I have been over to the House to-day and conferred with a good many leading men over there, and I have a very strong belief that if the matter goes back there and the question is understood—I am sure it was not understood day before yesterday; you know how much noise there is in that Chamber——

Mr. HALE. There was not more noise than there will be day after to-morrow.

Mr. TILLMAN. The House will not be in session day after to-morrow. That will be Sunday.

Mr. HALE. Both bodies will be in session. The Senator says it was not understood——

Mr. TILLMAN. I only judge it was not understood because of the impression made by the South Carolina men who discussed it and by those who opposed it, which was that we were anxious or were willing to get two or three naval establishments, which is not the case. We simply have two there, anyhow. One of them is being given over to the bats and owls when the Government needs it badly, and it only takes a pitiful $50,000 to put it in order for the use of seamen and the apprentices, and it seems to me a perfectly wise and legitimate expenditure of money. If the House says, "We do not want it, and will not have it," I will sit down and say nothing.

Mr. HALE. My point is that on debate, when the Members of the House from South Carolina, who are interested in this matter just as much as is the Senator from South Carolina, debated it fully, without any restriction, and presented the case as strongly as they could, the House voted it down by a majority of about 2 to 1. I do not think the Senator will gain anything by further insisting on the amendment. I think it is one of the cases of the inevitable.

Mr. TILLMAN. Will not the Senator let us try? It will not hurt the bill at all. It will go through to-morrow anyway. The Senator from Maine knows that the work which will be done by this money will give the country as much use and benefit as any other dollar that we appropriate in the pending appropriation bill.

Mr. HALE. It is utterly impossible to make the Senator see any side of the question except the one upon which he has set his mind. I think that the Senate has done all that it ought to do in this case. It has been debated in the House and rejected, and we ought to accept that result. But if the Senator, with his persistency, which never ceases, thinks that he ought to have another chance, let him take it. I can have no time to attend to any more conferences myself. It will have to be left to the other conferees.

Mr. TILLMAN. I think that the Senator from California and I will be able to come to some understanding or agreement, and this matter can be handled without the Senator from Maine, although, of course, we realize how valuable his aid is and how wise he has been in all these matters, and we depend on his own pertinacity sometimes. I have seen the Senator very determined, and on conference reports insist and insist and insist, and finally carry his point.

Mr. HALE. Not for anything in my State, that I ever knew. I do not have anything in my State.

Mr. TILLMAN. I wish it were out of my State.

Mr. HALE. I certainly wish it were.

Mr. TILLMAN. I would be working for it harder than I am. But as it is not, I can not help it.

Mr. PERKINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from California?

Mr. TILLMAN. Certainly.

Mr. PERKINS. As one of the conferees, I simply desire to state—like the chairman, who has presented the case fairly—all the members of the conference committee on the part of the Senate were in full sympathy with the Senator from South Carolina and with the recommendation of the Navy Department for this naval training station at Charleston or Port Royal, where, as the Senator has explained, the Government owns this property. The Senate acted upon the recommendation of the Committee on Naval Affairs, and it was embodied as amendment numbered 1 in the bill. The Senate unanimously adopted the amendment. When it went to the House the House disagreed to the Senate amendments, and we went into conference, and there were three or four different sessions of the conferees on the bill, the Senator from South Carolina being unavoidably absent. An agreement was reached upon all the amendments proposed by the Senate except this amendment numbered 1.

If there was any probability of the House receding from its position, I should be only too glad to join with other Senators in asking the Senate to insist upon this amendment, but I have done some missionary work while my friend has been in South Carolina. I have interviewed the members of the House Committee on Naval Affairs, and I have every assurance from them that they will not recede from the position they have already taken. Surely my friend from South Carolina has done everything is his power; he has done work himself with his colleagues in the House, and he has made statements here to-day which certainly make him solid with his constituents, although it is not possible for him to be more endeared to them than he already is by his long service here and his devotion to their interests.

If we were to have a longer session, if we had two weeks more or one week more, I would say we will make another effort. But the bill has to be engrossed and enrolled, and it

carries a hundred million dollars. It is for the support of the Navy of the United States and all of its auxiliaries. It seems to me that my friend from South Carolina should therefore act upon the recommendation of the chairman of the Committee on Naval Affairs and let it pass this year, and consent to the Senate receding.

Mr. TILLMAN. Mr. President, I do not like to appear mulish or obstinate, and I am not. But I recall that in this very controversy between the Senate and House conferees there was one amendment to which the House objected very strenuously and said they would not agree to it, but they did agree to it with a slight modification. The Senator from Maine said, "We will hold to that," and we got it.

Now, all I ask is that the Senate give its voice and let us go into conference again; and if the House insists, there is plenty of time. We have three more days—two and a half, anyhow—and if the House says we have got to let this amendment go out it will go out. There will be plenty of time to engross the bill and have it become a law, and the Navy will not be hurt.

Mr. ALDRICH. Mr. President, I suggest to the Senator from South Carolina that, in view of his own statement and the statement made by the chairman of the subcommittee and the Senator from California, I do not see how it would be possible to expect the House to recede. The Senator himself says he only wants to try it, and both the Senator from Maine and the Senator from California say there is no use in trying. If the Senate was real earnestly in favor of this proposition and we were going over there with a united front the House might possibly be ready to accept the Senator's views. But with the conditions which now confront us and as we have only one more legislative day as a matter of fact, it seems to me to be utterly useless to try to force the House into accepting this amendment.

Mr. TILLMAN. If that is the attitude of those who are in control here, the chairman of the committee and the chairman of the conferees on the part of the Senate and the men who direct and control affairs, I know what it means, I suppose I will have to surrender.

Mr. HALE. We will stand by the Senator another year.

Mr. TILLMAN. But the Senator has just been reelected. The people who are interested down there never did vote for the Senator. The Senator does not care three straws for their votes. He is caring for the money that is to be expended for the use of the Navy of the United States, and it is a legitimate and honest expenditure to give us a training station there, where boys and recruits can go in winter and be trained instead of being housed as they are where it is icebound. That is all there is in it.

Mr. HALE. Under the conditions, I move that the Senate recede from its amendment.

The motion was agreed to.

### SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 18, 19, 20, 28, 29, 33, 57, 58, 62, 63, 65, 88, 101, 102, and 109.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5 7, 8, 9, 13, 14, 15, 23, 24, 25, 26, 27, 30, 31, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 53, 54, 55, 59, 60, 61, 64, 66, 67, 70, 71, 72, 75, 76, 77, 84, 85, 86, 89, 90, 91, 92, 93, 94, 100, 104, 105, 106, 107, 108, 112, 113, 114, 115, 116, 118, 119, 120, 121, 123, and 124, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16 and agree to the same with an amendment as follows: Strike out all after the word "available," in line 5 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out all after the word "available," in line 4 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "for his information and action thereon; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Point Cabrillo light and fog signal station, California: For completing a light and fog signal station at or near Point Cabrillo, California, twenty-five thousand dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "February," insert the word "twenty-sixth;" strike out the fourth line of said amendment; and in lines 6 and 7 of said amendment strike out the words "At a cost not to exceed;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For light and fog signal station at or near the west end of the draw near the Lehigh Valley Railroad bridge at Passaic, New Jersey, fifteen thousand dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 2 of said amendment strike out the word "islands;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For light-keepers' dwellings and appurtenant structures, including sites therefor, within the limit of cost fixed by said act approved February twenty-sixth, nineteen hundred and seven, seventy-five thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For completion of building, including everything necessary for occupation, exclusive of nurses' home, and in addition to the two following sums, fifty-six thousand four hundred dollars, to be immediately available;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: On page 95 of the bill, in line 11, after the word "dollars," insert the words ", to be immediately available;" and on page 95 of the bill, in line 19, after the word "dollars," insert the words ", to be immediately available;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$100,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Road to national cemetery, Keokuk, Iowa: For repairs to approach roadway to the Keokuk, Iowa, National Cemetery, one thousand five hundred dollars: *Provided*, That the city of Keokuk improve and agree to maintain in proper repair the road leading south from the main driveway of the city cemetery to the point where the road herein authorized to be improved begins."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: Add, after the word "appropriated," at the end of said amendment, the following: "This appropriation is made upon the express understanding that it is in full of all just claims against the United States and the District of Columbia on account of the reconstruction of said hospital, and that neither the United States nor the District of Columbia shall hereafter be called upon to pay any further sum on account of such reconstruction or debts incurred in connection therewith;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four hundred and one thousand seven hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with

an amendment as follows: In lieu of the sum proposed insert "$4,528,044;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: On page 190 of the bill, in line 5, strike out the words "present session" and in lieu thereof insert the words "first session of the Fifty-ninth Congress;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 197 of the bill, in line 19, after the word "be," insert the words "approved by the Commission and then;" and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 4, 10, 11, 12, 22, 68, 69, 78, 79, 80, 82, 83, 87, 96, 97, 98, 99, 117, and 126.

W. B. ALLISON,
EUGENE HALE,
JAMES H. BERRY,
*Managers on the part of the Senate.*

J. A. TAWNEY,
WALTER I. SMITH,
GEO. W. TAYLOR,
*Managers on the part of the House.*

Mr. CULBERSON. Mr. President, I am not able to inform myself from the mere reading of the report about the matter concerning which I desire to know the situation. I therefore ask the Senator from Iowa what this report does with the amendment about which the Senator from Alabama [Mr. MORGAN] wrote the members of the Committee on Appropriations with reference to the Panama Canal and Panama Railroad?

Mr. ALLISON. That amendment is in disagreement. I shall be glad to answer any questions about the report which Senators may desire to ask.

The VICE-PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

Mr. ALLISON. I move that the Senate still further insist upon its amendments disagreed to by the House and ask a further conference with the House upon those amendments, and that the Chair appoint the conferees.

The motion was agreed to; and the Vice-President appointed Mr. ALLISON, Mr. HALE, and Mr. BERRY as the conferees on the part of the Senate.

### REGISTRATION OF TRADE-MARKS.

Mr. KITTREDGE. I am directed by the Committee on Patents, to whom was referred the bill (H. R. 25474) to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," to report it without amendment, and to ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### WILLIAM KLING.

Mr. SCOTT. From the Committee on Pensions I report back favorably without amendment the bill (H. R. 11401) granting an increase of pension to William Kling, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of William Kling, late of Company H, Two hundred and first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### IMPORTATION OF IMPURE AND UNWHOLESOME TEA.

Mr. WARNER. I ask leave to call up for present consideration the bill (S. 1548) to amend an act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897, which is on the Calendar under Rule IX.

Mr. ALDRICH. Let the bill be read for information.

Mr. HEYBURN. I object to the present consideration of the bill.

Mr. WARNER. I move that the Senate proceed to the consideration of the bill.

Mr. ALDRICH. Let the bill be read for information.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill.

Mr. CULBERSON. I ask the chairman of the Committee on Finance if the bill affects the revenue?

Mr. ALDRICH. Yes; it undoubtedly would affect the revenue.

The VICE-PRESIDENT. The question is on the motion of the Senator from Missouri to proceed to the consideration of the bill.

The motion was not agreed to.

Mr. WARNER. I wish to state that I called up the bill at the request of my colleague [Mr. STONE], who is detained from the Senate.

### ORDINARY STAMPS FOR SPECIAL-DELIVERY LETTERS.

Mr. CARTER. I am directed by the Committee on Post-Offices and Post-Roads to report back favorably without amendment the bill (H. R. 10095) making certain changes in the postal laws, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. KEAN. I think we ought to have an explanation of the bill.

Mr. PENROSE. The bill is recommended by the Post-Office Department, and there has been no opposition to it.

Mr. CARTER. The purpose of the bill is made obvious by reading it. It is a common experience that a person desiring to send a letter by special delivery has difficulty in procuring the special-delivery stamp. It is necessary frequently to make a special purchase in order to have that stamp available. Under the bill by using five 2-cent stamps of the ordinary kind and marking the letter "Special" the revenue is obtained and the letter goes forward without the necessity of purchasing a special-delivery stamp.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### OKLAHOMA SCHOOL LANDS.

Mr. LONG. I ask for the present consideration of the bill (H. R. 24655) to authorize the legislature of Oklahoma to dispose of a certain section of school land.

Mr. KEAN. Is that the bill we had up the other day?

Mr. LONG. It was placed on the Calendar the other day.

Mr. KEAN. Was it objected to?

Mr. LONG. It was laid over.

Mr. KEAN. I think that as Oklahoma is soon to be admitted as a State we had better not dispose of the school land there.

Mr. LONG. It is to authorize the legislature of Oklahoma to make the disposition. It can not be done without the action of the legislature.

The VICE-PRESIDENT. Objection is made.

Mr. ALDRICH. Let the bill be read for information.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

Mr. LONG. Do I understand that objection was made to the bill?

The VICE-PRESIDENT. The Chair understood the Senator from New Jersey to object.

Mr. KEAN. I object to the legislature of Oklahoma disposing of anything until the State of Oklahoma is formed.

### CHARLES W. SPALDING.

Mr. WARREN. Will the Senator from New Jersey withhold his motion for a moment?

Mr. KEAN. Certainly.

Mr. WARREN. I ask leave to call up a small military-record bill. I ask for the present consideration of the bill (S. 8585) for the relief of Charles W. Spalding.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs with amendments, in line 6, after the word "as," to strike out the article "a;" and in the same line, after the words "first lieutenant," to insert "of Company C;" so as to make the bill read:

*Be it enacted, etc.*, That Charles W. Spalding shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 25th day of April, 1864, as first lieutenant of Company C, Twentieth Illinois Volunteer Infantry: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

W. S. HAMMAKER.

Mr. DICK. I ask for the present consideration of the bill (H. R. 13418) for the relief of W. S. Hammaker. It is a bill which has passed the House and is favorably reported by the Committee on Post-Offices and Post-Roads.

The Secretary read the bill.

Mr. CULBERSON. I will ask the Senator from Ohio if the report made by the Department was favorable or unfavorable?

Mr. DICK. The report certifies the account as being absolutely correct, but makes no recommendation. The Committee on Post-Offices and Post-Roads have favorably reported the bill.

Mr. OVERMAN. I do not object to the bill myself, but the chairman of the Committee on Claims [Mr. FULTON], who is not in his seat, said that he would oppose every claims bill that did not go to his committee. I thought probably that the bill ought to go to the Committee on Claims.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to W. S. Hammaker, late postmaster of the city of Findlay, Ohio, $2,251.28, to reimburse him for moneys actually expended and paid for necessary clerical assistance in carrying on the operation of the post-office at that city during his official term as postmaster, from 1885 to 1889, in excess of the amount allowed by the Post-Office Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAYMENT OF CLAIMS.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill (S. 5951) to repeal section 3480 of the Revised Statutes of the United States.

Mr. KEAN. I will consent to that, if the bill does not provoke any discussion.

The VICE-PRESIDENT. The Senator from Alabama asks unanimous consent for the present consideration of the bill named by him.

Mr. KEAN. I am sorry to say to the Senator from Alabama that I am told that the bill for which he has asked consideration will provoke discussion.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ALDRICH. The bill had better be read, Mr. President.

The VICE-PRESIDENT. The Chair will state that the Senator from Maine [Mr. HALE] and the Senator from Massachusetts [Mr. LODGE] have left at the desk a request that they should be notified when this bill was called up for consideration.

Mr. ALDRICH. Then the bill had better go over.

Mr. DANIEL. I should like to hear the title of the bill again stated.

The VICE-PRESIDENT. The title of the bill will be again stated.

The SECRETARY. A bill (S. 5951) to repeal section 3480 of the Revised Statutes of the United States.

Mr. DANIEL. I should like to hear the bill itself read.

The VICE-PRESIDENT. The Senator from Virginia requests the reading of the bill. The bill will be read.

The Secretary read as follows:

*Be it enacted, etc.*, That section 3480 of the Revised Statutes of the United States be, and the same is hereby, repealed.

Mr. HEYBURN. I object to the present consideration of the bill.

The VICE-PRESIDENT. Objection is made.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

Mr. CULBERSON. I hope the Senator from New Jersey will not do that until the bill the consideration of which the Senator from Alabama [Mr. PETTUS] has requested can be disposed of.

Mr. KEAN. The Senator from New Jersey understood that there was objection to the present consideration of the Senator's bill.

Mr. CULBERSON. I have not heard any objection. I merely heard a suggestion that two Senators would like to be present when the bill was considered.

The VICE-PRESIDENT. The Chair will state that the Senator from Idaho [Mr. HEYBURN] distinctly objected to the consideration of the bill.

Mr. CULBERSON. Very well.

EXECUTIVE SESSION.

Mr. KEAN. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 2, 1907, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate March 1, 1907.*

COMMANDER IN NAVY.

Professor of Mathematics Harry McL. P. Huse to be a commander on the active list of the Navy from the 25th day of February, 1907, to take rank next after Commander William L. Rodgers, in accordance with the provisions of an act of Congress approved February 15, 1907.

REGISTER OF LAND OFFICE.

William Farre, of Oregon, to be register of the land office at Burns, Oreg., his term having expired. (Reappointment.)

POSTMASTERS.

ALABAMA.

Joe S. Franklin to be postmaster at Alabama City, in the county of Etowah and State of Alabama. Office became Presidential October 1, 1906.

CALIFORNIA.

Paul Schafer to be postmaster at Oakland, in the county of Alameda and State of California, in place of Thomas T. Dargie, deceased.

CONNECTICUT.

Walter B. Cheney to be postmaster at South Manchester, in the county of Hartford and State of Connecticut, in place of Walter B. Cheney. Incumbent's commission expired January 14, 1907.

Joseph T. Elliott to be postmaster at Middletown, in the county of Middlesex and State of Connecticut, in place of George I. Allen. Incumbent's commission expired June 24, 1906.

Frank A. Hagarty to be postmaster at Hartford, in the county of Hartford and State of Connecticut, in place of Edward B. Bennett, resigned.

INDIANA.

Romie P. Dryer to be postmaster at Lagrange, in the county of Lagrange and State of Indiana, in place of Romie P. Dryer. Incumbent's commission expired April 22, 1906.

Virgil A. Geiger to be postmaster at Cherubusco, in the county of Whitley and State of Indiana, in place of William A. De Vault. Incumbent's commission expired December 20, 1906.

W. O. Nash to be postmaster at Jasonville, in the county of Green and State of Indiana, in place of John M. Atkins, resigned.

IOWA.

Charles H. Hoyt to be postmaster at Fayette, in the county of Fayette and State of Iowa, in place of George E. Comstock. Incumbent's commission expired February 19, 1907.

KANSAS.

Lincoln Ballou to be postmaster at Tonganoxie, in the county of Leavenworth and State of Kansas, in place of George B. Hallenbeck, removed.

John K. Cochran to be postmaster at Pratt, in the county of Pratt and State of Kansas, in place of John K. Cochran. Incumbent's commission expired February 24, 1907.

John Gilman to be postmaster at Madison, in the county of Greenwood and State of Kansas, in place of John Gilman. Incumbent's commission expired January 22, 1907.

T. L. Hogue to be postmaster at Olathe, in the county of Johnson and State of Kansas, in place of Lewis W. Breyfogle, resigned.

Robert D. Rodgers to be postmaster at Syracuse, in the county of Hamilton and State of Kansas. Office became Presidential January 1, 1907.

Lisse H. Shoup to be postmaster at Cimarron, in the county of Gray and State of Kansas. Office became Presidential January 1, 1907.

KENTUCKY.

Musker L. Heavrin to be postmaster at Hartford, in the county of Ohio and State of Kentucky, in place of Woodbury Tinsley. Incumbent's commission expired January 19, 1907.

Wallace R. Wood to be postmaster at Elkton, in the county of Todd and State of Kentucky, in place of Frank H. Bristow. Incumbent's commission expired January 19, 1907.

MICHIGAN.

William H. Goodman to be postmaster at Allegan, in the county of Allegan and State of Michigan, in place of Edwy C. Reid. Incumbent's commission expired December 10, 1906.

John T. P. Smith to be postmaster at Clarkston, in the county of Oakland and State of Michigan. Office became Presidential January 1, 1907.

MINNESOTA.

Archibald J. De Wolf to be postmaster at Windom, in the county of Cottonwood and State of Minnesota, in place of Archibald J. De Wolf. Incumbent's commission expired February 9, 1907.

Thomas M. Paine to be postmaster at Glencoe, in the county of McLeod and State of Minnesota, in place of Thomas M. Paine. Incumbent's commission expires March 2, 1907.

Mark Swedberg to be postmaster at Luverne, in the county of Rock and State of Minnesota, in place of Mark Swedberg. Incumbent's commission expired June 10, 1906.

MISSOURI.

William W. Wagner to be postmaster at Jefferson City, in the county of Cole and State of Missouri, in place of William W. Wagner. Incumbent's commission expired February 24, 1907.

NEBRASKA.

William Cook to be postmaster at Hebron, in the county of Thayer and State of Nebraska, in place of Oscar A. Ashbrook. Incumbent's commission expired March 14, 1906.

John F. Griffith to be postmaster at Pawnee City, in the county of Pawnee and State of Nebraska, in place of John F. Griffith. Incumbent's commission expired February 11, 1907.

William T. Mauck to be postmaster at Wahoo, in the county of Saunders and State of Nebraska, in place of John A. Anderson. Incumbent's commission expired January 13, 1907.

John F. Nesbit to be postmaster at Tekamah, in the county of Burt and State of Nebraska, in place of John F. Nesbit. Incumbent's commission expired February 11, 1907.

NEVADA.

William B. Graham to be postmaster at Ely, in the county of White Pine and State of Nevada. Office became Presidential January 1, 1907.

NEW JERSEY.

James E. Sherman to be postmaster at Frenchtown, in the county of Hunterdon and State of New Jersey, in place of Aaron P. Kachline. Incumbent's commission expired February 12, 1907.

NORTH DAKOTA.

James D. McKenzie to be postmaster at Milnor, in the county of Sargent and State of North Dakota. Office became Presidential October 1, 1906.

OHIO.

Sherwood Blamer to be postmaster at Johnstown, in the county of Licking and State of Ohio, in place of Sherwood Blamer. Incumbent's commission expires March 3, 1907.

Jacob O. Harris to be postmaster at Utica, in the county of Licking and State of Ohio, in place of Jacob O. Harris. Incumbent's commission expires March 3, 1907.

George E. McDonald to be postmaster at Minerva, in the county of Stark and State of Ohio, in place of George E. McDonald. Incumbent's commission expired February 4, 1907.

David C. Mahon to be postmaster at Dennison, in the county of Tuscarawas and State of Ohio, in place of William Pittenger. Incumbent's commission expires March 3, 1907.

OKLAHOMA.

Frances K. Ahern to be postmaster at Frederick, in the county of Comanche and Territory of Oklahoma, in place of George A. Ahern, resigned.

OREGON.

William H. Lachner to be postmaster at Baker City, in the county of Baker and State of Oregon, in place of David L. Moomaw, removed.

PENNSYLVANIA.

Ada U. Ashcom to be postmaster at Ligonier, in the county of Westmoreland and State of Pennsylvania, in place of Ada U. Ashcom. Incumbent's commission expired February 13, 1907.

W. F. Balsbach to be postmaster at Bellwood, in the county of Blair and State of Pennsylvania, in place of William H. Jeffries, deceased.

I. N. Lightner to be postmaster at Ephrata, in the county of Lancaster and State of Pennsylvania, in place of William L. Bixler. Incumbent's commission expired January 26, 1907.

John A. McKee to be postmaster at New Castle, in the county of Lawrence and State of Pennsylvania, in place of John A. McKee. Incumbent's commission expired December 16, 1906.

SOUTH DAKOTA.

Harry L. Bras to be postmaster at Mitchell, in the county of Davison and State of South Dakota, in place of Harry L. Bras. Incumbent's commission expired June 2, 1906.

John Reich to be postmaster at Scotland, in the county of Bonhomme and State of South Dakota, in place of John Reich. Incumbent's commission expired January 21, 1906.

TEXAS.

James S. Evans, sr., to be postmaster at Livingston, in the county of Polk and State of Texas, in place of Talvus D. Wilson, resigned.

WISCONSIN.

David B. Worthington to be postmaster at Beloit, in the county of Rock and State of Wisconsin, in place of Chalmers Ingersoll. Incumbent's commission expired January 21, 1906.

## WITHDRAWALS.

*Executive nominations withdrawn from the Senate March 1, 1907.*

Fred V. Tinker to be receiver of public moneys at Boise, Idaho.

Samuel D. Dower to be postmaster at Wadena, in the State of Minnesota.

John K. Grant to be postmaster at Stamford, in the State of New York.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 28, 1907.*

ASSISTANT APPRAISER OF MERCHANDISE.

Charles K. Lexow, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

SURVEYOR OF CUSTOMS.

Amor Smith, jr., of Ohio, to be surveyor of customs for the port of Cincinnati, in the State of Ohio.

COLLECTOR OF INTERNAL REVENUE.

Frank R. Bentley, of Wisconsin, to be collector of internal revenue for the second district of Wisconsin.

ISTHMIAN CANAL COMMISSION.

Members of the Isthmian Canal Commission provided for by act of Congress approved June 28, 1902, entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," to which offices they were appointed during the last recess of the Senate—

Theodore P. Shonts, member and chairman.
John F. Stevens.
Civil Engineer Mordecai T. Endicott, United States Navy.
Brig. Gen. Peter C. Hains, United States Army, retired.
Benjamin M. Harrod, civil engineer.
Jackson Smith.
Col. William C. Gorgas, Assistant Surgeon-General, United States Army.

UNITED STATES ATTORNEY.

Benjamin M. Ausherman, of Wyoming, to be United States attorney for the district of Wyoming.

UNITED STATES MARSHAL.

Louis G. Davis, of Wyoming, to be United States marshal for the district of Wyoming.

POSTMASTERS.

CALIFORNIA.

George D. Cunningham to be postmaster at Riverside, in the county of Riverside and State of California.

William A. Price to be postmaster at Redwood City, in the county of San Mateo and State of California.

Linn L. Shaw to be postmaster at Santa Ana, in the county of Orange and State of California.

CONNECTICUT.

Alfred W. Converse to be postmaster at Windsor Locks, in the county of Hartford and State of Connecticut.

ILLINOIS.

Frank L. Carroll to be postmaster at Manito, in the county of Mason and State of Illinois.

George F. Jordan to be postmaster at Carlinville, in the county of Macoupin and State of Illinois.

J. C. Utterback to be postmaster at Salem, in the county of Marion and State of Illinois.

INDIANA.

George E. Murray to be postmaster at Rensselaer, in the county of Jasper and State of Indiana.

IOWA.

Albert J. Enbody to be postmaster at Dunlap, in the county of Harrison and State of Iowa.

George Hardenbrook to be postmaster at Maxwell, in the county of Story and State of Iowa.

Lyman H. Henry to be postmaster at Charles City, in the county of Floyd and State of Iowa.

Henry C. Hill to be postmaster at Milton, in the county of Van Buren and State of Iowa.

John H. Luse to be postmaster at Mystic, in the county of Appanoose and State of Iowa.

C. H. Mendenhall to be postmaster at Buxton, in the county of Monroe and State of Iowa.

George W. Metcalf to be postmaster at Lansing, in the county of Allamakee and State of Iowa.

Henry D. Muehe to be postmaster at Dyersville, in the county of Dubuque and State of Iowa.

Joseph I. Myerly to be postmaster at Des Moines, in the county of Polk and State of Iowa.

William N. Oursler to be postmaster at Odebolt, in the county of Sac and State of Iowa.

Louis H. Schulte to be postmaster at Remsen, in the county of Plymouth and State of Iowa.

Benjamin H. Tamplin to be postmaster at Hull, in the county of Sioux and State of Iowa.

Eunice A. Underhill to be postmaster at Ocheyedan, in the county of Osceola and State of Iowa.

Hervey J. Vail to be postmaster at New Sharon, in the county of Mahaska and State of Iowa.

KANSAS.

Israel I. Diesem to be postmaster at Garden City, in the county of Finney and State of Kansas.

Newman Waring to be postmaster at Ottawa, in the county of Franklin and State of Kansas.

MISSOURI.

Edward J. Schmidt to be postmaster at Centralia, in the county of Boone and State of Missouri.

NEW YORK.

Gilmore O. Bush to be postmaster at Tuxedo Park, in the county of Orange and State of New York.

James H. Hitt to be postmaster at Margaretville, in the county of Delaware and State of New York.

Simon D. Replogle to be postmaster at Roslyn, in the county of Nassau and State of New York.

Frank Stowell to be postmaster at Mayville, in the county of Chautauqua and State of New York.

Daniel F. Strobel to be postmaster at Herkimer, in the county of Herkimer and State of New York.

NORTH DAKOTA.

Michael B. De la Bere to be postmaster at Sheldon, in the county of Ransom and State of North Dakota.

Otto E. Holmes to be postmaster at Kensal, in the county of Stutsman and State of North Dakota.

Roy P. Hubbard to be postmaster at Glen Ullin, in the county of Morton and State of North Dakota.

Donald G. McIntosh to be postmaster at St. Thomas, in the county of Pembina and State of North Dakota.

Duncan C. McLeod to be postmaster at Crary, in the county of Ramsey and State of North Dakota.

Percy F. Meharry to be postmaster at Starkweather, in the county of Ramsey and State of North Dakota.

Gustave B. Metzger to be postmaster at Williston, in the county of Williams and State of North Dakota.

OKLAHOMA.

John H. Asbury to be postmaster at Lexington, in the county of Cleveland and Territory of Oklahoma.

OREGON.

Charles J. Howard to be postmaster at Cottage Grove, in the county of Lane and State of Oregon.

PENNSYLVANIA.

William R. Flad to be postmaster at Freeland, in the county of Luzerne and State of Pennsylvania.

Thomas H. Harter to be postmaster at Bellefonte, in the county of Center and State of Pennsylvania.

Freeman J. Hoffman to be postmaster at Somerset, in the county of Somerset and State of Pennsylvania.

R. M. Tubbs to be postmaster at Shickshinny, in the county of Luzerne and State of Pennsylvania.

VIRGINIA.

S. B. Carney to be postmaster at Norfolk, in the county of Norfolk and State of Virginia.

John W. Davis to be postmaster at Rural Retreat, in the county of Wythe and State of Virginia.

WASHINGTON.

Fremont A. Tarr to be postmaster at Montesano, in the county of Chehalis and State of Washington.

WEST VIRGINIA.

Edwin H. Flynn to be postmaster at Spencer, in the county of Roane and State of West Virginia.

WISCONSIN.

Arthur R. Boerner to be postmaster at Cedarburg, in the county of Ozaukee and State of Wisconsin.

William Campbell to be postmaster at Oconto Falls, in the county of Oconto and State of Wisconsin.

Arthur P. Cheek to be postmaster at Baraboo, in the county of Sauk and State of Wisconsin.

Alfred B. Kildow to be postmaster at Brodhead, in the county of Green and State of Wisconsin.

Leonard H. Kimball to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin.

*Executive nominations confirmed by the Senate March 1, 1907.*

MEMBER OF EXECUTIVE COUNCIL OF PORTO RICO.

Francisco de Paula Acuña, of Porto Rico, to be a member of the executive council of Porto Rico for a term of four years.

UNITED STATES ATTORNEY.

Milton C. Elstner, of Louisiana, to be United States attorney for the western district of Louisiana.

UNITED STATES DISTRICT JUDGES.

David Patterson Dyer, of Missouri, to be United States district judge for the eastern district of Missouri.

Thomas C. Munger, of Nebraska, to be additional United States district judge for the district of Nebraska.

UNITED STATES MARSHAL.

J. Duncan Adams, of South Carolina, to be United States marshal for the district of South Carolina.

PROMOTION IN THE ARMY.

*Cavalry Arm.*

Second Lieut. Charles R. Mayo, Twelfth Cavalry, to be first lieutenant from February 21, 1907.

POSTMASTERS.

CALIFORNIA.

George F. Hirsch to be postmaster at Longbeach, in the county of Los Angeles and State of California.

Paul Schafer to be postmaster at Oakland, in the State of California.

CONNECTICUT.

Frank A. Hagarty to be postmaster at Hartford, in the State of Connecticut.

ILLINOIS.

Charles W. Vedder to be postmaster at North Chicago, in the county of Lake and State of Illinois.

IOWA.

Joseph S. Morgan to be postmaster at Dubuque, in the county of Dubuque and State of Iowa.

MICHIGAN.

Joseph L. Baird to be postmaster at Marine City, in the county of St. Clair and State of Michigan.

MINNESOTA.

George W. Rowell to be postmaster at North Branch, in the county of Chisago and State of Minnesota.

O. J. Simmons to be postmaster at Austin, in the county of Mower and State of Minnesota.

NEBRASKA.

John H. Griffith to be postmaster at Pawnee City, in the county of Pawnee and State of Nebraska.

Edward G. Hall to be postmaster at David City, in the county of Butler and State of Nebraska.

Donald McLeod to be postmaster at Schuyler, in the county of Colfax and State of Nebraska.

Dana McNeil to be postmaster at Chadron, in the county of Dawes and State of Nebraska.

Carelius K. Olson to be postmaster at Newman Grove, in the county of Madison and State of Nebraska.

Lew E. Shelley to be postmaster at Fairbury, in the county of Jefferson and State of Nebraska.

George W. Shreck to be postmaster at York, in the county of York and State of Nebraska.

Chester H. Smith to be postmaster at Plattsmouth, in the county of Cass and State of Nebraska.

NEW YORK.

Lucien A. Blanding to be postmaster at Sherburne, in the county of Chenango and State of New York.

Gervas H. Kerr to be postmaster at Pelham Manor, in the county of Westchester and State of New York.

NORTH DAKOTA.

Agatha G. Patterson to be postmaster at Bismarck, in the county of Burleigh and State of North Dakota.

OHIO.

Elias R. Monfort to be postmaster at Cincinnati, in the county of Hamilton and State of Ohio.

PENNSYLVANIA.

Robert E. Hopkins to be postmaster at Milton, in the county of Northumberland and State of Pennsylvania.

I. N. Lightner to be postmaster at Ephrata, in the county of Lancaster and State of Pennsylvania.

SOUTH DAKOTA.

James B. Barber to be postmaster at Rapid City, in the county of Pennington and State of South Dakota.

George H. Few to be postmaster at Flandreau, in the county of Moody and State of South Dakota.

Porter E. Rugg to be postmaster at Artesian, in the county of Sanborn and State of South Dakota.

Frank E. Saltmarsh to be postmaster at Miller, in the county of Hand and State of South Dakota.

Ole A. Stumley to be postmaster at Volga, in the county of Brookings and State of South Dakota.

WEST VIRGINIA.

S. A. Posten to be postmaster at Morgantown, in the county of Monongalia and State of West Virginia.

WISCONSIN.

James D. Strickland to be postmaster at New Lisbon, in the county of Juneau and State of Wisconsin.

## REJECTION.

*Executive nomination rejected by the Senate March 1, 1907.*

POSTMASTER.

INDIANA.

Romie P. Dryer to be postmaster at Lagrange, in the State of Indiana.

## HOUSE OF REPRESENTATIVES.

FRIDAY, *March 1, 1907.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, the Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had further insisted upon its amendments to the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908, numbered 88 and 90, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PROCTOR, Mr. HANSBROUGH, and Mr. SIMMONS as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 22123. An act to amend an act to authorize the Baltimore and Washington Transit Company, of Maryland, to enter the District of Columbia, approved June 8, 1896.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 19275. An act for the relief of T. E. Boyt;

H. R. 6104. An act to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails;

H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River; and

H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to request the House to return to the Senate the bill (H. R. 3518) for the relief of Copiah County, Miss.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill of the following title:

S. 2787. An act to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation in the State of Wisconsin."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 7840) granting an increase of pension to Lewis A. Towne.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled bills, reported that they had examined and found truly enrolled bills of the following titles:

H. R. 22210. An act to correct the military record of Homer Quick;

H. R. 11044. An act authorizing and directing the Secretary of the Treasury in certain contingencies to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;

H. R. 19524. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906;

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals;

H. R. 21857. An act to correct the military record of Jacob Rockwell;

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;

H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals;

H. R. 24605. An act granting to the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va.;

H. R. 15320. An act to remove the charge of desertion standing against Peter Parsch;

H. R. 24390. An act to correct the military record of Charles H. Kellen; and

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906.

GENERAL DEFICIENCY BILL.

Mr. LITTAUER. Mr. Speaker, I call up the bill H. R. 25851, the general deficiency bill, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole House on the state of the Union, as a matter of expedition.

Mr. BARTLETT. May I make an inquiry of the Chair?

The SPEAKER. Certainly.

Mr. BARTLETT. If that consent be granted, will we have the same opportunity of amendment and discussion under the five-minute rule as we would in the Committee of the Whole, or will it be in the power of the gentleman in charge of the bill to call the previous question at any time he sees fit?

The SPEAKER. The same points of order, the same methods of consideration as to amendment, if the consent be given, would run. Of course, one of the objects is to hasten its consideration. I apprehend the gentleman would have the bill read through for amendment.

Mr. LITTAUER. Certainly.

Mr. BARTLETT. I do not want to retard the consideration of the bill. I am perfectly willing to hasten proper legislation to conclude the session of Congress, but there may be on the part of the House some desire to amend this bill, and the gentleman could cut off all that by calling the previous question in the House, which he could not do in the Committee of the Whole.

Mr. MANN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Would it be in order to move the previous ques-

tion before the closing of the reading of the bill for amendments?

The SPEAKER. Well, the Chair supposes it would be in order to do that.

Mr. LITTAUER. I have no desire to cut off any debate that is necessary. We have but two working days left for the consideration of public business. The consideration of the general deficiency bill was finished yesterday in the committee, is now before the House, and it ought to be taken up and passed and sent over to the Senate, so that that body could give it consideration.

The SPEAKER. Is there objection?

Mr. BARTLETT. I object.

Mr. LITTAUER. Then, Mr. Speaker, I move to suspend the rules——

Mr. FITZGERALD. I hope that you will not do that. I think if my colleague would give assurance that this bill being considered in the House would be read, and Members would be given an opportunity to offer amendments, the same as in committee, there would be no objection.

Mr. LITTAUER. I will give that assurance very plainly. The bill is to be read, and read just as if it were being read in Committee of the Whole.

Mr. FITZGERALD. Read under the five-minute rule in the House?

Mr. LITTAUER. Read under the five-minute rule in the House.

Mr. PRINCE. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PRINCE. In case we should consent to take up this bill at the present, would it not delay or interfere with the discussion under the five-minute rule of the pending ship-subsidy bill?

The SPEAKER. Appropriation bills and privileged matters and conference reports are exempted under the order. The House might be inclined to hasten the matter, so that it could go into Committee of the Whole. But the gentleman calls the bill up, and there is an express exception made in the order as to appropriation bills and motions to suspend the rules.

Mr. BARTLETT. I desire to ask the gentleman from New York to give me his attention. There is a provision in this bill which writes into the law a provision in reference to control by the House over its contingent fund. It was written in the law in the general deficiency bill last year, and it became necessary to pass a joint resolution repealing that law before the House could pass resolutions to pay money out of the contingent fund for its own convenience and for its own business. Now, that is again repeated in this bill, and I propose to make the point of order against it.

The SPEAKER. If it is legislation upon the bill, it would be subject to the point of order.

Mr. BARTLETT. But, Mr. Speaker, it will not be subject to the point of order if before that provision is reached the gentleman should move the previous question.

The SPEAKER. The gentleman has given his assurances.

Mr. LITTAUER. I simply want to expedite public business by taking up this bill at this time, so that it may have fair, but rapid consideration. Read the bill through, so that points of order may be made in perfecting the bill.

Mr. UNDERWOOD. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Alabama demands the regular order. The gentleman from New York moves to suspend the rules and consider the bill in the House as in Committee of the Whole House on the state of the Union under the five-minute rule. Is a second demanded?

Mr. UNDERWOOD. I demand a second.

Mr. LITTAUER. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York [Mr. LITTAUER] is entitled to twenty minutes, and the gentleman from Alabama is entitled to twenty minutes.

Mr. LITTAUER. I reserve my time.

Mr. UNDERWOOD. Mr. Speaker, unless some one on this side desires time, I do not care to occupy it.

The SPEAKER. The question is on suspending the rules, ordering that the bill be read in the House as in Committee of the Whole House on the state of the Union, and consider it as in Committee of the Whole House on the state of the Union.

The question was taken; and the Speaker announced that, in the opinion of the Chair, two-thirds had voted in favor of the motion.

Mr. SULZER. Division!

The House divided; and there were—ayes 143, noes 48.

So, two-thirds having voted in favor thereof, the rules were suspended.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes.

The SPEAKER. The Clerk will read the bill by paragraphs.

The Clerk read as follows:

Office of the Supervising Architect: And the services of skilled draftsmen, civil engineers, computers, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed only in the office of the Supervising Architect exclusively to carry into effect the various appropriations for the construction of public buildings, to be paid for from and equitably charged against such appropriations: *Provided*, That the expenditures on this account for the fiscal year ending June 30, 1908, shall not exceed $300,000; and that the Secretary of the Treasury shall each year in the annual estimates report to Congress the number of persons so employed, their duties, and the amount paid to each.

Mr. MANN. Mr. Speaker, I reserve the point of order as to that paragraph. So far as it is apparent from the paragraph, no skilled draftsman could be appointed in any office of the Treasury Department except in the office of the Supervising Architect.

Mr. LITTAUER. This is the same provision for the office of the Supervising Architect that has been carried for years, and all that it does is to extend the appropriation from $250,000 to $300,000.

Mr. MANN. I think the gentleman is in error in saying that it is the usual provision.

Mr. LITTAUER. That is exactly right. If the gentleman will look at the legislative bill of the current year he will find it in the exact words in which it stands here, and exactly as in the bill for next year. The whole purpose is to increase the appropriation of $250,000 to $300,000, necessary for the buildings that are to be erected.

Mr. MANN. It seems to me that the purpose is apparently to shut out the employment of draftsman in any other office except that of the Supervising Architect.

Mr. LITTAUER. They are the draftsmen that are now employed.

Mr. MANN. The evident purpose is that they shall be employed only in the office of the Supervising Architect.

Mr. LITTAUER. That is the intention—to keep these men in this office.

Mr. MANN. The reason I ask was this: We have just provided for the construction of some revenue cutters, which will require the services of skilled draftsmen in that branch of the service. If it won't cut these men out, I have no objection.

Mr. LITTAUER. Oh, I will say to my friend from Illinois that public-building draftsmen are hardly qualified for the building of revenue cutters. The condition that used to exist in the office was that where there was not enough work these clerks and draftsmen would be detailed to the Auditor's office or to other bureaus, a practice we wanted to stop. This provision has been in the law now for at least two years.

Mr. MANN. Mr. Speaker, I withdraw the point of order.

The Clerk read as follows:

Hereafter the salary of the appraiser of merchandise at the port of New York shall be at the rate of $8,000 per annum.

Mr. MACON. Mr. Speaker, I make the point of order against the paragraph on page 25, beginning with line 24 and ending with line 26.

Mr. LITTAUER. Mr. Speaker, will the gentleman reserve his point of order?

Mr. MACON. Yes.

Mr. LITTAUER. Mr. Speaker, I yield my time to my colleague, the gentleman from New York [Mr. SHERMAN.]

Mr. SHERMAN. Mr. Speaker, the appraiser at the port of New York under existing statutes receives $6,000 per annum. The naval officer, the assistant treasurer, and the surveyor all receive $8,000 per annum. The collector receives $12,000 per annum. There is no single official under the Government whose office is more responsible, who deals with larger affairs, the efficiency of whose administration of the office is of such great consequence to the revenues of the Government as this appraiser at the port of New York; and it seemed as though in justice to the officer, in fairness to the position, for the good of the service, this official, rendering service of vastly greater consequence than his fellows—than the surveyor or the naval officer—ought at least to receive the compensation that these officers do. It requires a man of great ability, great executive ability; it requires a man of wide knowledge, it requires a man of executive experience—a very unusual man—to fill well the position of appraiser at the port of New York. The surprise is that it has been possible to obtain the type of men that the position requires

at the salary heretofore fixed, and it does seem to me that it practically cripples the service not to give this man a fair compensation commensurate with the immense duties devolving upon him. I trust, Mr. Speaker, that in view of these facts, the gentleman from Arkansas will not insist upon his point of order.

The SPEAKER. Does the gentleman from Arkansas insist upon the point of order?

Mr. MACON. Mr. Speaker, I am opposed to this kind of legislation as a general thing, but the gentleman from New York [Mr. SHERMAN] is usually so very fair and considerate that I am not disposed to make a point of order against the matter in which he is so specially interested. I withdraw the point of order.

The Clerk read as follows:

Revenue-Cutter Service: To reimburse officers and enlisted men of the United States Revenue-Cutter Service who were on duty under orders at San Francisco during the earthquake and fire in that city on or about April 18, 1906, for losses of uniforms, equipment, and other personal effects sustained by them through said fire: *Provided*, That such reimbursement shall be made under regulations to be prescribed by the Secretary of the Treasury and upon vouchers approved by him, $5,000.

Mr. MANN. Mr. Speaker, I reserve the point of order against that paragraph.

Mr. LITTAUER. Mr. Speaker, the $5,000 which we submit for appropriation here is to reimburse officers of the Revenue-Cutter Service in the same way that the officers of the Navy and Treasury forces were repaid for the loss of personal property, uniforms and so on, which occurred at the earthquake and conflagration at San Francisco, where these officers were performing duty under orders. The exact statement of the losses of each individual has been made and approved. It exceeds, a little, $5,000.

Mr. MANN. Does not the gentleman think they ought to go before the proper Committee on Claims of the House, as the other claims did?

Mr. LITTAUER. No; these are public officials, public servants, ordered to the locality where a great earthquake and conflagration took place, and as this reimbursement has been made to others, why should it not be to the Revenue-Cutter Service?

Mr. MANN. I have great regard for the Revenue-Cutter Service, I may say to the gentleman, but this is not proper legislation.

Mr. LITTAUER. Well, of course the gentleman can take exception to it, but we have provided for all other services, public servants performing public duty under orders, and why not treat the Revenue-Cutter Service with fair consideration?

Mr. MANN. Well, it is not claimed that these losses were incurred on board vessels or anything of that kind. Of course, I shall have to take the assurance of the gentleman that we have paid the others. I never heard of it.

Mr. ROBERTS. Oh, we have, repeatedly.

Mr. LITTAUER. We paid the officers of the Marine Corps, the officers of the Navy, for losses at San Francisco.

Mr. CRUMPACKER. If these claims go to the Committee on Claims, the claimants will be fortunate if they get their money in twenty-five years.

Mr. LITTAUER. The provision for the payment of the Army, I believe, went out on a point of order.

Mr. PAYNE. I think that the officers of the Army ought to be paid inasmuch as the officers of the Marine Corps have been paid.

Mr. MANN. It is probably true that they ought to be paid something for the loss, but when you pay a man for the loss of rugs that he may have had in his house at the time because he was living in that place and the place was destroyed by fire, it seems to me that that is going a long way.

Mr. TAWNEY. The property which these men lost they lost in consequence of the fact that they were protecting the property of the Government and the property of other people. They were obliged to neglect their own property in order to save the property of others. This has been done with respect to naval officers and the Army officers, and the Revenue-Cutter Service is the only branch of the service not provided for. The amount involved here is $5,000, or so much thereof as the Secretary of the Treasury finds necessary.

Mr. MANN. Does the gentleman propose to do the same thing with reference to the officers of the Treasury and the officers of the subtreasury and the post-office and other branches of the public service in San Francisco?

Mr. TAWNEY. There has been no suggestion made to our committee that the officers of any other branch of the service sustained any loss.

Mr. MANN. But the gentleman knows that they did.

Mr. PERKINS. Will the gentleman yield for a question?

Mr. LITTAUER. I will.

Mr. PERKINS. Were any of these men insured? Is not the result of the Government paying such losses practically to make the Government an insurance company, and will it not lead officers to neglect the protection they otherwise would take?

Mr. LITTAUER. This is for loss of personal effects, small amounts—like a uniform or two.

Mr. MANN. I may say to the gentleman, in reference to the Army matters, that upon some investigation I found this to be the fact: That officers who had insurance on their goods, who had collected that insurance, presented claims against the Government for loss of the same goods upon which they had collected insurance, and proposed to be paid twice for the same goods.

Mr. LITTAUER. That may be true, and yet this whole sum is only $5,000.

The SPEAKER. Does the gentleman from Illinois withdraw his point of order?

Mr. MANN. I do not.

The SPEAKER. The Chair sustains the point of order.

Mr. TAWNEY. I would like to ask the gentleman from Illinois if he did not make the point of order on the Army and Navy provision?

Mr. MANN. I made it on the Army.

The Clerk read as follows:

For completion of ocean-going tug for the North Pacific coast, in addition to the authorized limit of cost, $30,000.

Mr. MANN. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

On page 6, after line 12, insert a new item, as follows:

"Light-House Establishment: For a light and fog-signal station at the entrance of Huntington Harbor and Lloyd Harbor, New York, $40,000."

Mr. LITTAUER. Mr. Speaker, I reserve a point of order on that and ask the gentleman to explain whether or not that is authorized by law.

Mr. MANN. That is authorized, and is the only item authorized that is not carried by the sundry civil bill.

Mr. LITTAUER. Is there any reason why it was not so carried?

Mr. MANN. I am informed by the gentleman in charge of the bill in the Senate that it was omitted by accident.

Mr. LITTAUER. I withdraw the point of order.

The amendment was agreed to.

The Clerk read as follows:

PUBLIC BUILDINGS.

Cedar Rapids, Iowa, post-office and court-house: The provision of the act approved June 30, 1906, making appropriations for the sundry civil expenses of the Government, which provides that all expenses incident to the occupancy of the building in question shall be paid from the sum of $10,000 then appropriated for rent of temporary quarters at Cedar Rapids, Iowa, is hereby repealed.

Mr. LITTAUER. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

On page 11 strike out all of lines 8 to 25, inclusive.

Mr. LITTAUER. Mr. Speaker, in explanation of this amendment, I would state that this item has already been taken care of in the sundry civil bill.

The amendment was agreed to.

The Clerk read as follows:

Richmond, Va., post-office, court-house, and custom-house: In lieu of the authority to enter into contracts for reconstructing and enlarging this building, contained in the sundry civil appropriation act for the fiscal year 1908, the Secretary of the Treasury is hereby authorized to enter into contracts for reconstructing and enlarging the said building at a total cost not to exceed $500,000, in addition to the sums heretofore appropriated and appropriated in said sundry civil act, but exclusive of the cost of site.

Mr. LITTAUER. Mr. Speaker, I offer the following amendment.

Mr. MANN. Mr. Speaker, I reserve the point of order upon that paragraph.

The SPEAKER. Does the gentleman make or reserve the point of order?

Mr. LITTAUER. Mr. Speaker, I am going to move to strike it out.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 12 strike out all from lines 1 to 10, inclusive.

Mr. LITTAUER. These two items have been taken care of in the sundry civil bill by Senate amendments.

Mr. MANN. The reason I reserved the point of order was you refer in this to the sundry civil act of 1908.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

GOVERNMENT IN THE TERRITORIES.

The Auditor for the State and other Departments is authorized to examine all claims which have been or may be presented in proper form by the different counties in Arizona Territory, and to ascertain

the amount due each of said counties on account of legal costs and expenses incurred from March 3, 1889, in the prosecution of Indians under the act of March 2, 1885 (23 Stat., p. 385), for which the United States is liable under act of March 3, 1889 (Stat. L., vol. 25, p. 1004), and which have been paid by said counties; and the amounts so found shall be certified by the Secretary of the Treasury to Congress for consideration.

Mr. MANN. Mr. Speaker, I reserve the point of order on the last paragraph. I think we ought to know what this is.

Mr. LITTAUER. This is to enable under a statute passed in 1885 to determine in proper form claims of different counties in Arizona.

Mr. MANN. Is the locality fixed under the statute?

Mr. LITTAUER. Oh, yes; all provisions of that kind are made under the statute, and it is simply carrying out the existing law.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

DISTRICT OF COLUMBIA.

Assessor's office: To enable the assessor to prepare a complete set of water-main assessment cards, general arrears cards, and book of arrears, in conformity with the system of assessment and taxation completed November 1, 1906, under the act of February 23, 1905, the sum of $2,000, or so much thereof as may be necessary, is hereby appropriated from the revenues of the water department exclusively: *Provided*, That employees of the assessor's office may be allowed to do this work outside of office hours and to receive therefor reasonable additional compensation.

Mr. FITZGERALD. Mr. Speaker, I reserve the point of order against that provision.

Mr. LITTAUER. What is the objection of the gentleman?

Mr. FITZGERALD. It is legislation; that is the technical objection.

Mr. LITTAUER. Well, we have had this same provision in other offices—the collector's office. It is necessary, under the act of February 23, to reorganize the assessor's office in order to make a general card index in connection with the matters in that office. It was thought that the clerks in that office by working at night, over hours, could, during the rest of the year, and at an expense not to exceed a total amount of $2,000, do this work much more expeditiously, and surely with much greater economy, than by the employment of outside or extra clerical force. We have had this same provision for this compensation for work done outside of office hours in the collector's office. It is a small item of $2,000, and this work must go on after office hours, because the books are in requisition during office hours.

Mr. FITZGERALD. Why was no estimate made for this at the time we considered the proper bill?

Mr. LITTAUER. That is something I could not answer, but I know it came as an item of deficiency and seemed a reasonable matter to carry out the law and to include in the deficiency bill.

Mr. FITZGERALD. If the gentleman will permit me, that is not to carry out the law. That is something in addition to what the law requires. My opinion is that where the employees of an office are permitted to do additional work after hours and are paid for it that the greater part of the work is done during the ordinary office hours. I am opposed to the provision under the circumstances, and insist upon the point of order.

The SPEAKER. The point of order is sustained.

The Clerk read as follows:

Seventh. That the accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of the disbursing officer of the District of Columbia the amount of $22 paid M. C. Brown, teacher in the public schools of said District, for salary for the month of September, 1906.

Mr. GREENE. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 19, after line 10, insert:

"Eighth. That all teachers in the service or employ of the public school system of the District of Columbia on or before date of the passage or approval of public act No. 254, entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia,' are continued in office, and the Secretary of the Treasury is hereby directed to pay them such salaries as they would have been entitled to had they not been removed, demoted, dismissed, and in other ways discontinued from their positions in the service of the public schools."

Mr. LITTAUER. Mr. Speaker, I make the point of order against the amendment, unless the gentleman wishes me to reserve it. I make the point that it is new legislation.

Mr. GREENE. If it goes out on the point of order, it goes out, and I am not protesting.

The SPEAKER. The Chair sustains the point of order.

The Clerk read as follows:

Militia: For equipment, machinery, and repairs for practice ships, $1,500.

For apparatus for instruction in seamanship and signaling, $250.

Mr. LITTAUER. Mr. Speaker, I wish to offer an amendment.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 20 strike out all of lines 15 to 18, inclusive.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. LITTAUER].

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

MILITARY ESTABLISHMENT.

Pending the present intervention by the United States Government under the Platt amendment to the treaty between the United States and Cuba to maintain a government of law and order in that island the President is hereby authorized to receive from the treasury of the Cuban Republic and pay into the Treasury of the United States from time to time such amounts to reimburse the United States for the expenditures from the United States Treasury made necessary on account of such intervention as he may consider the Cuban treasury then able to pay without serious embarrassment.

Mr. LITTAUER. Mr. Speaker, I offer the following amendment.

The SPEAKER. The gentleman from New York [Mr. LITTAUER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 26 strike out all of lines 2 to 11, inclusive, and insert in lieu thereof the following:

"The President is hereby authorized to receive from the treasury of the Cuban Republic and pay into the Treasury of the United States from time to time such amounts to reimburse the United States for the expenditures from the United States Treasury made necessary on account of the present intervention as he may consider the Cuban treasury then able to pay without serious embarrassment."

Mr. LITTAUER. Mr. Speaker, in the consideration of this amendment I desire to call the attention of the House to a general matter in connection with this bill. The bill carries $9,847,000 of appropriations under the submission of estimates of about two million additional. Of the $9,847,000, $4,550,000 are carried for the military establishment—almost one-half of the amount appropriated. And the necessity for the large amount submitted here is because of the participation of our Army in the pacification of Cuba and necessary for the maintenance of law and order, under treaty, in that island.

Mr. LIVINGSTON. Mr. Speaker——

The SPEAKER. Does the gentleman from New York [Mr. LITTAUER] yield to the gentleman from Georgia [Mr. LIVINGSTON]?

Mr. LITTAUER. I yield.

Mr. LIVINGSTON. Does that amendment make a liability on Cuba of the entire amount, or a part of it?

Mr. LITTAUER. This amendment does not make a liability on Cuba. It seeks to enforce as large a payment as the President may believe the Cuban Government is able to pay, and authorizes the acceptance of the money into the Treasury of the United States.

Mr. LIVINGSTON. It is entirely in his hands?

Mr. LITTAUER. Largely so, and in his hands under the qualification not to incur serious embarrassment there. The treasury of Cuba to-day has an ample balance, and a balance to permit a considerable payment under this law as soon as it may be enacted, so that the money may be accepted therefrom. But there are certain items which the present provisional government desires to carry out in strengthening the rural guard in the island, so as to make another pacification unnecessary, or at least do as much as they can in that direction.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

Mr. KEIFER. Mr. Speaker, I have an amendment to offer at this place.

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add after line 11, page 26, the following:

"For expenses incident to stay of United States troops at the Jamestown Tercentennial Exposition and of visiting foreign military organizations in attendance upon such exposition at the invitation of the United States Government, including preparation and sanitation of a camp site for such troops, $75,000: *Provided*, That the police, discipline, sanitation, and exercises connected with visiting military organizations of foreign governments and of the National Guard shall be under supervision and control of the Regular Army, and for this purpose the President is authorized to accept from the State of Virginia the necessary temporary cession of Federal jurisdiction over the camp sites of all such troops and organizations."

Mr. LITTAUER. Mr. Speaker, I reserve a point of order against that.

The SPEAKER. Does the gentleman make a point of order?

Mr. LITTAUER. I make the point of order and reserve it until the gentleman makes an explanation.

Mr. KEIFER. Mr. Speaker, I do not think the point of order is well taken unless, possibly, it is good against the latter clause. I wish to have the Speaker understand that in the legislation relating to the Jamestown Exposition we have hitherto authorized the President and the War Department to make an exhibit of the military, United States and foreign, at the exposition.

We have gone so far as to have invited England, France, Germany, and perhaps some other countries to send troops to this country to attend the Jamestown Exposition, to be on exhibition with the United States troops. Every step has been taken. These countries have been invited to send their selected troops for this purpose. They have accepted, and unless this provision is put in the bill, or something equivalent to it—and it is in pursuance of previous authority given to the War Department—there will be no provision for camping and taking care of them. This provision is drawn by the Secretary of War, he stating that there is no other money appropriated to be used to prepare the camp at all, either for the purpose of taking care of the United States troops already agreed to be sent there or of the troops from other countries that are now being prepared to be sent to the exposition in pursuance of the law that we have heretofore passed authorizing this very thing to be done. It is for that reason that I insist that the point of order is not well taken.

Mr. LITTAUER. Mr. Speaker——

The SPEAKER. The Chair does not desire to hear anything on the point of order. This amendment provides:

That the police, discipline, sanitation, and exercises connected with visiting military organizations of foreign governments and of the National Guard shall be under the supervision and control of the Regular Army; and for this purpose the President is authorized to accept from the State of Virginia the necessary temporary cession of Federal jurisdiction over the camp sites of all such troops and organizations.

Clearly that is legislation, and the Chair sustains the point of order.

Mr. KEIFER. Mr. Speaker, I now offer the amendment that I ask the Clerk to read, omitting from the amendment just offered all after and including the word "provided."

Mr. LITTAUER. A point of order, Mr. Speaker.

Mr. KEIFER. I insist that this is in precise accordance with the law. We have authorized an exhibit of the military by law, and we have gone so far, Mr. Speaker, as to incur a high moral obligation with other countries that we would take care of their military sent to the Jamestown Exposition. We have brought about all these things and have done them in exact pursuance of law; and it is a part of our duty to appropriate the money to provide a site for their proper encampment, as the amendment provides.

The SPEAKER. The Chair is causing the act to be examined. Does it contain a limitation of cost for expenses of participation by the Army?

Mr. LITTAUER. I do not know if the limitation is to the extent of participation, but the appropriation for carrying out the purposes of the exhibition was limited to $200,000.

Mr. TAWNEY. That is the amount of the appropriation.

The SPEAKER. This particular work of sanitation is not authorized by law.

Mr. KEIFER. Mr. Speaker, although this particular thing was not herein provided for in the appropriation, it has been authorized by law.

Mr. LITTAUER. I believe that the law will show that there is a limitation.

Mr. KEIFER. I wish to say that the Secretary of War has said that he has all authority to do this except that he has not money to enable him to carry out the provisions of the law. He was here yesterday, and he takes a great interest in this matter.

The SPEAKER. The Chair suggests to the gentleman from New York and to the House that this item may be passed without prejudice until the matter can be examined.

Mr. LITTAUER. I ask unanimous consent to pass this item without prejudice, so that the point of order can be looked into by the Chair.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

National Home for Disabled Volunteer Soldiers.

Mr. LITTAUER. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 29, after line 13, insert:
"For current expenses at the several Branches, to be disbursed in the discretion of the Board of Managers, during the remainder of the fiscal year 1907, for such objects of amusement as have heretofore been supported, in whole or in part, out of the post funds of the several Branches, $25,000."

Mr. STAFFORD. Will the gentleman state whether the amendment extends to the fiscal year 1907 or 1908?

Mr. LITTAUER. It extends to the 30th of June next, when the provisions of the present sundry civil bill will take up the purpose for which the amendment is offered.

Mr. SLAYDEN. Mr. Speaker, I desire to get some information.

Mr. LITTAUER. On the 3d of March the canteens will cease. Out of the profits coming from the sales made in the canteens there was a fund out of which the amusements at the Homes are paid for. That included the bands engaged at the Homes. In the consideration of the sundry civil bill of this year provision was made by adding to the current expenses of each Home a stated amount of money, which in all amounted to $79,800. We have the four months provided for here, and thereby provide for the time that is to be covered between the operation of the two bills.

Mr. SLAYDEN. The effect of the legislation which we had the other day, when we transferred the liquor traffic from the inside to the outside of the Soldiers' Homes, has necessitated an appropriation from the Treasury.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

To reimburse R. Lowen, C. Morgan, and E. Bailey for loss of time and doctor's fees on account of injuries received while employed in the construction of the office building for the House of Representatives, $250 each; in all, $750.

Mr. MANN. Mr. Speaker, I make the point of order on lines 15 to 19.

Mr. LITTAUER. That is the item for the payment of the three men injured in the construction of the House office building.

Mr. MANN. I make the point of order.

Mr. LITTAUER. Will not the gentleman reserve the point of order?

Mr. MANN. Of course, if the gentleman desires it.

Mr. LITTAUER. It has been the custom to pay in just such cases. We made an allowance for those who were injured in the construction of the same building last year.

Mr. MANN. We ought not to do it.

Mr. GOLDFOGLE. I should like to have the gentleman explain this item to me, so as to avoid any point of order I might raise. I have not read the item.

Mr. LITTAUER. Three men were injured in the construction of the new office building for the House of Representatives, and this is to pay their doctors' fees and for their lost time, and probably some little gratuity as well.

Mr. GOLDFOGLE. What is the amount carried in the bill?

Mr. LITTAUER. Two hundred and fifty dollars for each man injured.

Mr. GAINES of Tennessee. What is to prevent the injured parties suing the contractors?

Mr. LITTAUER. They are not under the contractors. They are employed by the Government.

Mr. GAINES of Tennessee. Direct?

Mr. LITTAUER. Direct.

Mr. GAINES of Tennessee. No intervening contractor whatever?

Mr. LITTAUER. If it were a question between a contractor and his employees, the contractor would have insurance covering his liability. If it were against a private individual, they could sue him.

Mr. BARTLETT. I should like the gentleman's permission to ask him a question?

Mr. LITTAUER. Certainly.

Mr. BARTLETT. I am not making any point upon this, but merely ask the gentleman a question. I want to know about it, because I think there ought to be some law by which the Government could be held liable for injuries inflicted by its negligence, as other employees and masters are liable. As it is now, only those who can get their claims upon appropriation bills can receive any compensation for injuries sustained while in the employ of the Government. Under the law you can not bring a suit in the Court of Claims, and can not compensate people for injuries except by act of Congress. I merely want to call attention to the peculiar fact that the Government is the only employer or master that can injure its servants by the negligence of its servants or superintendents against whom no suit can be brought. There ought to be some remedy for the thousands of employees in the service of the Government by which they could receive compensation for injuries inflicted through the negligence of the Government itself.

Mr. MANN. I insist on the point of order.

The SPEAKER. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

That the unexpended balance appropriated in the act approved June 30, 1906, for reroofing that portion of the terrace of the Capitol which is occupied by committee rooms, be reappropriated and made available for the fiscal year 1908 for the purpose of painting the Dome and central portion of the Capitol, for the restoration of Statuary Hall and adjacent corridors, and for the installation of revolving doors for entrances in the Capitol building not now provided for.

Mr. LITTAUER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

On page 42, line 24, strike out the word "year" and insert in lieu thereof the words "years 1907 and."

The amendment was agreed to.

The Clerk read as follows:

INDIAN AFFAIRS.

The Secretary of the Interior is hereby directed to pay out of the sum allowed to the Eastern Cherokees under the judgment of the Supreme Court, October term, 1905, to those individuals and councilors entitled to the same under resolutions of April 29, 1904, and May 11, 1906, of the permanent council of the Eastern Cherokees and the order of said council of August 17, 1906, the sum of $4,405.

Mr. STEPHENS of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

At the end of line 2, page 44, insert the following:
"The Secretary of the Interior is hereby directed to pay out of the sum allowed the city of Lawton, Okla., for public improvements by act of Congress dated March 3, 1901, the sum of $60,000 for the purpose of completion and putting in operation the waterworks for said city."

Mr. LITTAUER. Mr. Speaker, I reserve the point of order against that; that it is new legislation and changes existing law.

Mr. STEPHENS of Texas. Mr. Speaker, I offer this amendment as the only available means of immediately securing for the city of Lawton the completion and operation of their waterworks system. The following telegrams explain the necessity for this amendment, viz:

LAWTON, OKLA., *February 23, 1907.*

Hon. JOHN H. STEPHENS, M. C., *Washington, D. C.:*

City absolutely without water for domestic or fire protection. Health of inhabitants in danger, and also property interest. Department should act at once and supply $60,000 appropriated by Congress for our relief. A city of more than 10,000 inhabitants will be grateful to you for any action. Wire quick what you can do.

R. A. JONES, *Mayor.*

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LAWTON, OKLA., *February 23, 1907.*

Hon. JOHN H. STEPHENS, M. C., *Washington, D. C.:*

City of Lawton without water for domestic use. Interior Department neglects to use money appropriated by last Congress for our relief. Health of entire city in danger. Help us get relief.

J. L. HAMON.

Mr. Speaker, the act of Congress of March 3, 1901, provided for the sale of the town sites of Lawton, Anadarko, and Hobart. The lots in these towns netted more than $700,000, which sum was prorated among the three towns. Six years have elapsed, and the Secretary has not yet paid these towns the money due them, but is still withholding a considerable amount of it from the city of Lawton.

The United States statutes required the Secretary of the Interior to place this money—as all other moneys are placed—in the United States Treasury to the credit of the towns to which it belonged. Section 234 of the Revised Statutes required this money to be paid into the Treasury of the United States and settled and adjusted therein. The present Secretary ignored this law, and on March 2, 1904, R. B. Armstrong, Acting Treasurer of the United States, wrote me that "No proceeds of the sales (of these town lots) have ever been covered into the Treasury of the United States."

Mr. Speaker, the above telegrams show that the law-defying and justice-denying Secretary of the Interior is still withholding these funds from the city of Lawton, and it seems that nothing but a direct demand of Congress, such as I have proposed by this amendment, can compel the present Secretary of the Interior to pay over to this city the money the law gives her, and that is now unlawfully, unjustly, and, I believe, maliciously withheld from her. But, Mr. Speaker, if the point of order made against my amendment is sustained, still the President of the United States and the citizens of Lawton, and, indeed, the entire West, are to be congratulated in having selected a capable, honest, and efficient man to fill the high office of Secretary of the Interior, instead of the suspicious, superannuated misfit that has so long disgraced this Cabinet position. And, Mr. Speaker, I am confident that the new Secretary will do speedy justice to the town of Lawton by using their money in building their waterworks.

Mr. LITTAUER. Mr. Speaker, I insist on the point of order.

The SPEAKER. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Incidental expenses, Territory of Alaska: For furniture, fuel, books, stationery, and other incidental expenses for the offices of the marshals and attorneys in the district of Alaska, $1,000.

Mr. GAINES of Tennessee. Mr. Speaker, I move to strike out the last word. I may want to offer an amendment. In lines 14 and 15, page 46, it seems to me that the word "district" should appear between the words "and attorneys;" so as to make it read "marshals and district attorneys." I want to call the matter to the attention of the gentleman in charge of the bill. The bill reads, "and other incidental expenses for the officers of the marshals and attorneys in the district of Alaska." The gentleman doesn't want to fix up the offices for all the lawyers in Alaska, but for the "district" attorneys.

Mr. LITTAUER. The appropriation for many years has read in the same language as is contained here, and I think that it must have served its purpose. This is the submission as made by the Department.

Mr. GAINES of Tennessee. The gentleman catches my point, does he not? The language is "marshals and attorneys in the district of Alaska." Should it not read "marshals and district attorneys?"

Mr. LITTAUER. We followed the law as it has been enacted and reenacted and as recommended by the Department. I do not believe that I am in a position to correct it.

The Clerk read as follows:

The Court of Claims is hereby authorized to appoint Lucien B. Howry as an auditor to said court or any judge thereof.

Mr. MANN. Mr. Speaker, I reserve a point of order in order to inquire what is the object of this provision authorizing the appointment of an auditor for a judge of the Court of Claims?

Mr. LITTAUER. It is a personal matter. I will try to explain. Judge Howry, a member of the Court of Claims, is entitled to an auditor according to law, as are all the judges of the Court of Claims. That auditor practically acts as a private secretary. The general law applying to all United States judges prohibits the employment of a near relative. The general law was enacted for the purpose of preventing the United States judges from appointing their relatives as receivers and marshals or in a capacity where they would be enabled to draw large fees. It was found here that, in view of the illness of Judge Howry, the employment of his son, the employment having been made by the judges in the absence of Judge Howry, was desirable; that none of the objections to the employment of a relative would apply in connection with the Court of Claims, and that it was well to exempt this man. It is subject to a point of order, if the gentleman wishes to make it.

Mr. MANN. I think the general law is a good one.

Mr. LITTAUER. The law is a good one, and prevents a judge of the United States courts from choosing one of his relatives and appointing him in a capacity where the emolument would be considerable. But in a place like this, where the salary is only $1,200, the objections do not apply, and we felt that we could make the exception.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

For pay of bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York: *Provided*, That all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the courts: *Provided further*, That no such person shall be employed during vacation; of reasonable expenses actually incurred for travel and attendance of district judges directed to hold court outside of their districts, not to exceed $10 per day each, to be paid on written certificates of the judges, and such payments shall be allowed the marshal in the settlement of his accounts with the United States; of reasonable expenses actually incurred for travel and attendance of justices or judges who shall attend the circuit court of appeals held at any other place than where they reside, not to exceed $10 per day, the same to be paid upon written certificates of said judge, and such payments shall be allowed the marshal in the settlement of his account with the United States; of meals and lodgings for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court; and of compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court, $10,000.

Mr. OLMSTED. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Line 20, page 47, amend by striking out the words "directed to hold court outside of their district" and insert in lieu thereof the words "hold court at places other than those in which they reside."

Mr. LITTAUER. I make a point of order against that. We are taking care of deficiencies, and the language as reported here is the same as in the current law and the same as in the law enacted last year, so that the purpose of the gentleman is to enact new legislation.

Mr. OLMSTED. I do not think there is any law——

Mr. LITTAUER. It would only apply for a fraction of the year.

Mr. OLMSTED. That is true, but it is just as important, as far as it goes.

Mr. LITTAUER. It would only be in force for four months, and then we should return to the old status.

Mr. OLMSTED. Yes; it would go for four months. As this law now stands, it permits the judge to be paid his expenses only when directed to hold court outside of his district. Now, there are several districts—a good many districts—each of which comprises only a single city or county. The judge does not have to go away from home. That is true of two of the districts in my own State; but in the middle district there are thirty-two counties, and the judge holds court in three different cities, and that is the case in a great many districts.

Mr. LITTAUER. Mr. Speaker, I would appeal to the gentleman—he does not want to do this for four months and then lapse back again to the law as it now stands.

Mr. OLMSTED. I do not want to lapse back, though I may have to. I want to do justice for four months anyway.

Mr. LITTAUER. Why just inject in the ordinary practice a change for four months? Congress will not meet again, and no legislation would be possible, at least until next December.

Mr. OLMSTED. I am going to try next December to get it made permanent, if possible. I wish to begin right now and accomplish all that is possible in this bill.

Mr. LITTAUER. But from July to December the old method would prevail.

Mr. MANN. Will the gentleman yield for a question?

Mr. OLMSTED. Yes.

Mr. MANN. We have recently provided a large number of additional places in different districts where judges may hold court. Does the gentleman propose that all these places where we provide judges shall hold court in each case they shall be paid $10 a day additional to their salary when they go away?

Mr. OLMSTED. No; it provides that they shall have their actual expenses, not to exceed $10 a day.

Mr. MANN. That means $10 a day.

Mr. OLMSTED. It means that otherwise a judge residing and holding court in Chicago, which is itself a judicial district, would have no expenses; but a judge in another district and having to hold at several has expenses, and it is just as much a matter of justice to pay him those expenses incurred within his own district as it is in cases where he goes over the line and holds court outside of his district. The present provision works also injustice between those judges who do not have to incur any traveling expenses and those whose duties require them to do so.

Mr. MANN. It means that a judge holding court in Chicago who goes to Peoria to hold court, as he does, will be paid extra for the time he is holding court there. I suggest to the gentleman that we provided at this session of Congress, in this Congress, more additional places where United States courts shall be held. The statement has been made in each one of those cases that it would cost nothing extra for the Government. Now, the gentleman proposes to pay each one $10 a day extra, in addition to their compensation.

Mr. OLMSTED. Well, I propose that each one holding court away from his home shall have his actual expenses paid.

The SPEAKER. The Chair desires to ask if this provision is existing law?

Mr. LITTAUER. It is existing law.

Mr. MANN. For this year.

Mr. LITTAUER. The law is made in the current appropriation act each year.

Mr. OLMSTED. I was going to suggest that the whole paragraph is out of order, for that matter. The first proviso is legislation.

Mr. MANN. It is a copy of the existing provision in the sundry civil act.

Mr. LITTAUER. For the current year, and legislation for the next year.

The SPEAKER. The Chair desires to be informed, as a matter of fact, is the proviso beginning on line 17 outside of the act appropriating for the expenses of the fiscal year?

Mr. MANN. It is not.

Mr. LITTAUER. It is verbatim the language of the current law.

The SPEAKER. But it does not "dwell in permanent law," as we call it?

Mr. LITTAUER. It does not dwell in permanent law. It is an appropriation act.

Mr. OLMSTED. Further than that, the first proviso is legislation also, which would have made the whole paragraph out of order if the point had been made. No point having been made against this paragraph, it is in order to perfect it by any germane amendment.

The SPEAKER. The Chair desires to ask, Is the first proviso as it appeared heretofore in the law?

Mr. LITTAUER. Exactly as it stands here.

The SPEAKER. It reads that all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the court, etc.

Mr. OLMSTED. That is new legislation.

The SPEAKER. Has that been enacted heretofore?

Mr. LITTAUER. Yes; in the present law, in the law for this year.

The SPEAKER. Then it is not legislation.

Mr. LITTAUER. It is not legislation. Moreover, we provide here for a deficiency.

The SPEAKER. Now, then, the next proviso—does the next proviso repeat that which has been in the bill heretofore?

Mr. LITTAUER. Word for word just as it is in the law to-day.

The SPEAKER. These two provisos, the Chair is informed, having dwelt in the law in a prior enactment, amount to legislation, and therefore the provision of the gentleman proposes to change existing law, and therefore the Chair sustains the point of order.

The Clerk read as follows:

For compensation to the W. C. Walsh Company in connection with the performance of screen-wagon service in the city of Chicago, Ill., being service to and from Kinzie Station from October 2, 1905, to January 7, 1906, and for extraordinary service in the receipt and delivery of mails at the general post-office from October 30, 1905, to September 16, 1906, $11,364.92.

Mr. PERKINS. Mr. Speaker, I reserve the point of order to the last section.

The SPEAKER. Upon what section?

Mr. PERKINS. The section on page 52, beginning on line 11 and extending to line 20, on the ground that it is an appropriation for an object not authorized by law.

Mr. LITTAUER. What is the point of order?

Mr. PERKINS. That this is an appropriation, as I understand, for an object not authorized by law.

Mr. LITTAUER. But the Department tells us in their statement it is a deficiency.

The SPEAKER. The Chair desires to say the pressure upon the desk of the Chair is such, with the order pressing for a vote at 3 o'clock on the merchant-marine bill, that the Chair under the order and under the discretion vested in the Chair feels he is impelled to declare the House is in Committee of the Whole House on the state of the Union under the general order, and there is only one embarrassment about it. A few minutes ago the gentleman from Mississippi [Mr. WILLIAMS] came to the Chair and wanted to know if the pending bill would be completed, say, in half an hour, and the Chair, guessing about it, said the Chair supposed it would. I say this hoping that somebody will find the gentleman from Mississippi.

Mr. WADSWORTH. Mr. Speaker, a conference report, I think, is in order.

The SPEAKER. Well, this is in order and that is in order.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry. Is it the intention of the Chair to turn the House into Committee of the Whole now for the purpose of discussing the ship-subsidy bill?

The SPEAKER. Yes; and the gentleman from New Hampshire will take the chair.

SUBSIDY BILL.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 529, Mr. CURRIER in the chair.

The CHAIRMAN. When the committee rose last night there was an amendment pending, offered by the gentleman from Michigan, striking out paragraphs 5 and 6 of section 1, and upon the demand of the gentleman from Iowa the proposition was divided, and the pending question is, Shall paragraph 5 be stricken from the bill?

Mr. McCALL. Mr. Chairman, I am impressed with the utter absence of valid argument against that portion of the bill which establishes the lines to run to South America. After the adoption of the amendment offered by the gentleman from Iowa, which admits of bidding by everybody for the mail-carrying contracts, no question can be raised that there is any intention or any opportunity to favor anybody. I understand the effect of the amendment of the gentleman from Iowa to be, for instance, in advertising for bids to carry the mails to Brazil, that men should bid on speed, and the syndicate of men or the corporation which would give the highest speed for the sum of $600,000 a year would be awarded the contract. Now, that being the case,

Mr. Chairman, if there is any excess of compensation over what would be needed to carry our mail at the speed of 16 knots an hour we would likely get a speed of 17 or even 18 knots. It seems to me this reduces the question purely to a mail proposition and that it is a mere epithet to speak of the compensation as a subsidy. The academic speeches which have been made about subsidy are very interesting, and I agree with them on general principles, but they do not deal at all with the question involved in establishing these South American lines. It is a power prescribed by the Constitution to establish mail routes. That is a governmental power, and if it is "subsidy" to carry our mails to South America in the first instance at more than the Government receives for postage, then why was it not "subsidy" when the Government established and maintained hundreds of routes in advance of civilization, for the development of the country, until the time came when the postage received from the routes would pay for their maintenance? If this is "subsidy" then it is gross "subsidy" to maintain the rural free delivery, which absorbs all the postage received from the routes and at least $10,000,000 more each year. So I assert that the objection of subsidy can not be raised to this proposition. The question simply is: Is it in accord with a sound public policy to establish these South American routes—and that is the particular part of the bill to which I am now speaking—and is the compensation reasonable?

We are not so insular and contracted, Mr. Chairman, that we will establish liberal mail facilities where the letter starts in the United States and its destination is in the United States, and yet will deny our people the same liberal treatment when they desire to trade or to communicate with the people of other lands. The international mail system rests upon the same high public ground as the domestic mail system, with this in addition, that the former is in the interest of peace, that it will tend to bind the people of the different nations together and create a community of interest which is a powerful influence against war; and in that view it subserves a high purpose which is not especially subserved by the service in the United States.

There may be some incidental benefit connected with establishing these mail routes, but I do not think gentlemen should shudder and be greatly alarmed lest as a result of this policy a few ships should be built in American shipyards. The total cost of all the fleets established by this bill will probably not exceed two battle ships. This is not a very munificent provision for the shipbuilding industry. From the standpoint of peace, these couriers of peace traversing the ocean will be a more powerful agency against war than the two battle ships would be.

Now, Mr. Chairman, we come to the question of the necessity of the lines to South America. I have here a letter from the Second Assistant Postmaster-General in a reply to a request of mine as to our present postal facilities to the eastern coast of that continent, and I would call the attention of the committee to what I shall read in connection with the statement made by the gentleman from Minnesota [Mr. STEVENS] yesterday, when he read an imposing array of sailings of mails—nine during the month of March—by tramp steamship lines. Mr. Shallenberger says in his letter that during last month (January) mails for Brazil and the Argentine Republic were dispatched from New York fifteen times and during the current month fourteen times, the sailings of the conveying steamers being at irregular intervals, the dates being frequently changed, as the demands of the commercial traffic required—and without control by that Department—the average approximate time occupied in the voyage from New York to Rio de Janeiro being about twenty-five days and to Buenos Ayres about twenty-eight days.

In addition to these dispatches direct from New York, articles marked on the cover "via Europe" are sent to Great Britain to be forwarded thence, the approximate time by that route, if close connection is made with the British steamer, being to Rio de Janeiro about twenty-five days and to Buenos Ayres thirty days. If close connection is not made, the transit time would be from five to eight days longer.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTAUER. Mr. Chairman, I ask that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McCALL. Mr. Chairman, it may be that gentlemen are satisfied that our country, ostentatiously proclaiming itself the guardian of the other nations of this hemisphere, should be content that its mails to those southern nations should be transported by random tramp steamers, occupying on the average twenty-five days to reach Rio Janeiro, when a modern steamship such as is provided by this bill will carry them in nine days. For my part I do not think we have a sufficient service. It is utterly unfitting and inadequate. The predominant position of this nation in the Western Hemisphere and the interest of our people demand that we should have a far better service. The tramps are not passenger ships. In order to reach New York a Brazilian merchant must go to Europe and come back across the Atlantic. How can we expect thus to build up a trade? I shall therefore support most heartily the provisions of this bill which establish the South American lines.

The gentleman from New York [Mr. LITTAUER] has been taunted upon the floor with having been a member of this committee but a single day and having secured the reporting of this bill. The great Committee on the Merchant Marine had been incubating upon this subject for several Congresses without visible results, and if the gentleman from New York in one day's service on that committee has caused it to bring forward a bill like this, he is to be commended. [Applause.] And if this bill shall become a law and shall encircle those South American countries with the swift mail lines running from the Atlantic ports, from the Gulf, and from the Pacific, then I think I am not extravagant when I say that if the gentleman from New York had accomplished nothing else than this during his membership here he would have rendered a splendid service to his country. [Applause.]

Mr. SHERLEY. Will the gentleman yield?

Mr. McCALL. I have but a moment, but I will yield.

Mr. SHERLEY. I wanted to know whether the gentleman knew of any data by which it could be determined whether the amount provided for these South American lines was the proper amount for the service to be rendered?

Mr. McCALL. I think the gentleman did not hear what I said upon that point. Under the amendment offered by the gentleman from Iowa [Mr. SMITH] the Postmaster-General will call for bids from anybody in the United States, not alone from the wicked men in Wall street, but from men in the gentleman's district and elsewhere, so that everybody can bid for carrying the mails upon a given route for the sum prescribed in this bill, the competition being upon speed, and the syndicate or corporation that will give the greatest speed for the sum allowed will get the contract. I can not see anything more fair than that. There is likely to be no waste of money, unless the gentleman is afraid that the mails will be carried too fast. That is the only thing to fear, it seems to me, from that system.

Mr. Chairman, the notable visit of Secretary Root has had an educating effect upon the people of this country. It has shown that we may successfully cultivate the people of South America and make them our real friends. We do not want to rule them by the "big stick," but their interests and our own will be subserved by the influence of the peaceable ties of trade. I believe that the provisions of this bill will be a long step in the direction of cementing their friendship for us.

Now, in respect to the Pacific lines established by the bill, it seems to me that that portion of the measure has not been so carefully considered as the portion relating to South America. I do not believe in discriminating between ships. I do not believe in discriminating between citizens of this country; and when men have invested their money in building steamship lines without any promise of assistance from the Government and have taken the risk of loss, I do not think it is right—I believe it is class legislation of the worst kind—that they should be discriminated against by a law. If Mr. Hill should happen to have an American-built ship fast enough to carry the mails across the Pacific, he should have the right to bid to use it the same as any other citizen. I do not believe that he is such a criminal, that he has done such harm to the people of this country in building up that great empire in the Northwest, that we should level against him here a law that would bar him from offering to render a service which he might render perhaps cheaper than any other person.

I think there are serious objections against at least one of the trans-Pacific lines which time will not permit me to discuss.

Mr. WALDO. Mr. Chairman, I desire to speak in opposition to this amendment. [Applause on the Republican side.]

Mr. PRINCE. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PRINCE. My understanding is there has been one gentleman heard against the amendment. I desire to make a few remarks in favor of the amendment. It seems to me that it would be proper to alternate.

The CHAIRMAN. The Chair does not know which side any gentleman may take.

Mr. WILLIAMS. But the gentleman from New York au-

nounced that he desired to address the Chair in opposition to the amendment.

Mr. PRINCE. I desire to speak in favor of it.

Mr. SHERLEY. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHERLEY. How much time is there for debate on this amendment?

The CHAIRMAN. Debate on the amendment has long been exhausted and is now proceeding by unanimous consent.

Mr. SHERLEY. I shall not object in this instance, but I shall hereafter demand the regular order as to all amendments.

The CHAIRMAN. The Chair would state to the gentleman from Kentucky that under the regular order there is ten minutes for debate on an amendment.

Mr. PRINCE. Mr. Chairman, this bill has seven special provisions in it. The first and second have reference to the Atlantic coast and Brazil and the Atlantic coast and Argentina. Who will receive the benefit of this provision if it passes? I am credibly informed that it goes to one concern alone, known as the "Morse Ship Trust," capitalized at $100,000,000 and incorporated under the laws of Maine. This shipping trust has practically already purchased all the steamboat lines that start out from the Atlantic coast; and if this particular provision becomes law, we are passing over to the hands of this gigantic and stupendous monopoly millions of the people's money. Take No. 3. The hand out all goes into the hands of another shipping trust known as the "United Fruit Line." Reaching No. 4, we give the hand out to the Harriman line and his interests; reaching No. 5, we hand more to Mr. Harriman's interest; reaching No. 6, we give a hand out to Mr. Hill and his interest; reaching No. 7, we give a hand out to Claus Spreckels's interest. How much? Three million seven hundred and fifty thousand dollars annually.

It is an irrevocable contract for ten years, which will mean $37,500,000 of the people's money handed over to these trusts and combinations as "a hand out." Here we are in this Republic seeking to regulate under sane regulations the transportation upon land of freight and passengers. But the moment these gentlemen who are interested in transportation companies reach the seaboard, the moment the transportation facilities which they own upon the sea are reached, we say to them we will let you alone. On the continent we are telling the people that we are in favor of regulating traffic and protecting them on the land. We play the cuttlefish when these transportation companies reach the seaboard. We say we will regulate these big transportation companies on the land, but when they start on the high seas we say to them: "Here is $37,500,000 for you; keep still and pay no attention to what we are doing to you on land, where the people are; we will make up what we take from you on land by giving you a hand out of $37,500,000." Now, that is exactly what Congress is asked to do. I am frank to say to the House that I do not believe it is an opportune time now to pass this legislation. Now, let us analyze the Merchant Marine and Fisheries Committee; and I desire to do so respectfully. Here are twelve Republican Members. Four go out of Congress in the closing days, and there are eight remaining. Four of the eight remaining are against this measure; four of the remaining Members are for this provision. Four go out now. Four remaining for the bill, four remaining against the amendment. And as my colleague from Illinois on the committee said, not a syllable of evidence, not a scintilla of evidence before the committee which sustains this bill that we are now discussing. Long since I learned from a distinguished jurist of my State, "If you are in doubt about a proposition how to vote, vote no, because you do not put anything into operation." I think we ought to go back to our people and find out what they want on this proposition. I think in these closing days of Congress (for this Congress will soon end) we ought to go back to them and find out what they want with reference to this hand out, as I call it; not a ship subsidy. If it was a ship subsidy, I should be talking along a different line; but this is not a ship subsidy. No man dare stand before the American people in Congress or out and call this a ship subsidy.

It is called a mail subsidy, a hand out, if you please, to great corporations and trusts of the sum of $37,500,000 for carrying mail, a part of which they have already agreed to carry under existing contracts, and to give them additional money for the doing of that which they have promised to do. I think the wise and proper thing for us, in these closing days, my countrymen, is to vote against this proposition. We on this side are responsible for legislation. We will be held responsible by the people for the passage or the nonpassage of this act. Our friends on the other side are not in a majority, they are not responsible for this legislation, but we upon this side of the House are; and I say to you, as the debate has thus far disclosed it, there is no evidence before the committee that this bill can be based upon, and a bill should be the result of evidence heard in a committee. Why take up a measure in the closing days of this Congress, a measure that was put through this committee, brought into this House, and as every man knows from reading in the public press, as the committee here knows from the discussions that have been had on the floor, its slimy, tortuous course has been one of darkness—why take up such a measure in the closing hours of the session and put it through this House? [Applause.]

Mr. KAHN and others rose.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. KAHN], because last night when the committee rose the gentleman was on his feet and had secured recognition.

Mr. KAHN. Mr. Chairman——

Mr. GROSVENOR. Will the gentleman from California yield to me for a question?

Mr. KAHN. Yes.

Mr. GROSVENOR. Is it not a fact, known to the public of this country, that in the ship combine which the gentleman from Illinois had been talking about there is not one ship that can carry the mail under this contract?

Mr. KAHN. That is a fact.

Mr. GROSVENOR. Is not that true?

Mr. KAHN. That is true.

Mr. WILSON. Under the amendment.

Mr. GROSVENOR. Under the bill as it stands.

Mr. WILSON. Under the amendment as it stands.

Mr. GROSVENOR. Under the bill as it stands.

Mr. WILSON. Since the amendment was put on; yes.

Mr. KAHN. As the bill stands now.

Mr. Chairman, I am opposed to the pending amendment. Any line that will undertake to carry the mails from San Francisco via Hawaii to Japan, China, and the Philippines will be brought in direct competition with the Japanese line, which obtains a subsidy of $600,000 a year from the Japanese Government for running between San Francisco and the points I have named. That line operates three 6,000-ton steamers on that run, namely, the *America Maru*, *Nippon Maru*, and *Hongkong Maru*. The history of that line is exceedingly interesting. When it was first inaugurated, it ran at an absolute loss. It would probably not have been continued if it had not been for the subsidy granted by the Japanese Government. Private capital would, in all likelihood, have refused to keep it up, for capital in Japan, as elsewhere, wants a return on its investment. After it had been in operation some four or five years it began to reach a paying basis. Its business increased, and finally the company announced that it would withdraw those ships and put on the line two 13,000-ton turbine ships to do the business. Just then the Russian war broke out. The ships, under an agreement with the Japanese Government, were taken off the line and were made auxiliary cruisers of the Japanese navy. And I am informed that the Government continued the payment of the subsidy even during the period they were in the service of the Japanese Government. They were among the fast scout ships of the Japanese naval reserve that watched the course of Rodjestvensky's fleet as it moved up along the Asiatic coast and that kept Admiral Togo informed of the Russian's progress. After that fleet had been destroyed, the Japanese Government, in order to show that they had no more fear of Russian battle ships, allowed one of those ships to be put back again on the line from China and Japan to San Francisco via Hawaii. As soon as peace was declared the other two ships went back on that run.

They took of the threads of traffic where they had dropped them prior to the war, and now again the Toyo Kisen Kaisha, which owns those ships, has announced that it intends to put on two 13,000-ton turbines as soon as possible, and that it will withdraw the present ships and put them into the South American trade. If it had not been for the subsidy paid by the Japanese Government these ships would probably never have continued on that line at all. They will have to be met in competition by any American line that undertakes to carry the mails from San Francisco via Hawaii to Yokohama, Kobe, Nagasaki, Shanghai, Hongkong, and Manila. Therefore under the prevailing conditions it is absolutely necessary that any American line—I do not care who may build it—shall have a subsidy from this Government in order to be able to operate successfully under the provisions of the pending bill. [Applause.]

Mr. SHERLEY. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that debate has been exhausted.

Mr. WALDO. I understood the gentleman was not to enforce that point of order against me.

Mr. SHERLEY. The gentleman is mistaken. I said I would

not oppose two speeches being made. I am not making it personal, but I must, in pursuance of my duty, insist on the regular order.

Mr. WALDO. I want to say, through the Chair, that nearly everyone else has had all the time that he desired in general debate.

The CHAIRMAN. The regular order is demanded, and the Chair sustains the point of order. The question is on agreeing to the first part of the amendment offered by the gentleman from Michigan, and, without objection, the Clerk will read that amendment.

The Clerk read as follows:

On pages 17 and 18 strike out paragraph 5, which reads as follows: "Fifth. From a port or ports on the Pacific coast of the United States via Hawaii to Japan, China, and the Philippines on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $350,000 a year or for a fortnightly service at a maximum compensation not exceeding $700,000 a year."

The question was taken; and the Chairman being in doubt, the committee divided, and there were—98 ayes and 74 noes.

Mr. LITTAUER. Tellers, Mr. Chairman.

Tellers were ordered.

The Chair appointed as tellers Mr. LITTAUER and Mr. TOWNSEND.

The committee again divided; and the tellers reported—134 ayes and 100 noes.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read the other part of the amendment.

The Clerk read as follows:

On pages 17 and 18 strike out paragraph 6, as follows: "Sixth. From a port or ports on the Pacific coast of the United States north of Cape Mendocino to Japan, China, and the Philippines on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $350,000 a year, or for a fortnightly service at a maximum compensation not exceeding $700,000 a year."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. McCALL. Mr. Chairman, is this debatable?

The CHAIRMAN. Debate has been exhausted, and this is merely a division of the amendment.

Mr. WALDO. Mr. Chairman, I ask unanimous consent for ten minutes to speak on this amendment.

Mr. WILSON. Regular order, Mr. Chairman.

Mr. LITTAUER. Mr. Chairman, as I understand it, this is a proposition with reference to the Puget Sound-Orient Line.

The CHAIRMAN. The gentleman is correct.

The question was taken; and on a division (demanded by Mr. HUMPHREY of Washington) there were—ayes 110, noes 97.

Mr. LITTAUER demanded tellers.

Tellers were ordered.

The CHAIRMAN appointed as tellers the gentleman from New York [Mr. LITTAUER] and the gentleman from Michigan [Mr. TOWNSEND].

The committee again divided; and the tellers reported that there were—ayes 130, noes 105.

So the amendment was agreed to.

Mr. TOWNSEND. Mr. Chairman, I now move to amend by striking out of page 18 of the bill the lines beginning with line 4 and ending with line 11.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 18 strike out lines 4 to 11, both inclusive, reading as follows: "Seventh. From a port or ports of the Pacific coast of the United States, via Hawaii and the Samoan Islands, to Australasia, on steamships of the United States of not less than 16 knots speed for a service once in three weeks at a maximum compensation not exceeding $200,000 a year, in addition to the compensation now provided pursuant to contract under this said act of March 3, 1891."

Mr. WALDO. Mr. Chairman, I ask unanimous consent that I may be allowed ten minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may be allowed ten minutes to address the committee.

Mr. SHERLEY. Reserving the right to object. Mr. Chairman, I would like to ask the Chairman if the ten minutes will be the total amount of time allowed in favor of the amendment?

The CHAIRMAN. It will not count at all.

Mr. SHERLEY. If it may be modified to that extent, I will not object.

Mr. WALDO. I do not think the gentleman ought to insist on that.

Mr. FORDNEY. If the gentleman's remarks are against the amendment, I will object unless a like amount of time is given me to answer it.

The CHAIRMAN. Objection is made.

Mr. WALDO. I hope the gentleman will not insist upon that.

Mr. BURLESON. Regular order!

The CHAIRMAN. Regular order is demanded.

Mr. WALDO. Mr. Chairman, I would ask the gentleman to withdraw his objection.

Mr. FORDNEY. I will withdraw the objection, Mr. Chairman.

Several Members called for the regular order.

The CHAIRMAN. Yes; but the objection has been renewed by a dozen gentlemen demanding the regular order. The gentleman from Michigan [Mr. TOWNSEND] is recognized.

Mr. TOWNSEND. Mr. Chairman, I desire to state to the committee that this amendment which I have proposed at this time simply proposes to take out of the bill the last of the oriental lines provided for in this bill. It has no other object than to treat all of these Pacific lines running to the Orient in the same manner.

Mr. HUMPHREY of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUMPHREY of Washington. Has not the gentleman already spoken on this amendment?

Mr. TOWNSEND. Mr. Chairman, I have not. I made the amendment and have been recognized by the Chair.

The CHAIRMAN. This amendment has not been under consideration by this committee until this time.

Mr. KAHN. Mr. Chairman, will the gentleman yield for a question?

Mr. TOWNSEND. Certainly.

Mr. KAHN. At the present time the Oceanic Line gets $2 a mile for its service. The ships projected on the Atlantic Ocean side under this bill will get $5.61 per mile. Does the gentleman think it fair to strike out the Oceanic Line when it simply asks to be put approximately where the ships on the Atlantic side will be put under this bill?

Mr. TOWNSEND. I certainly thought it was the proper thing to do or I should not have made the motion to amend. Mr. Chairman, from my standpoint this bounty, or subvention, or whatever you are a mind to call it is not in accordance with the best interests of the United States at this time. That is my reason for offering this amendment. The line that is already running there has complied with the necessities of the country in carrying the mail, together with the other lines that have assisted between those points. I do not believe we should annul the existing contract. I have simply desired to make the statement for the information of the committee that the whole object of this amendment was to strike out the last of the oriental lines carried in this bill.

Mr. LITTAUER. Mr. Chairman, I want to call particular attention to this Oceanic Line. We are attempting in this bill to inaugurate——

Mr. WILLIAMS. Mr. Chairman, I would like to ask the gentleman one question. Is not this Oceanic Line the line that now has a mail contract with the United States Government?

Mr. LITTAUER. It is.

Mr. WILLIAMS. Why not let it carry the contract out?

Mr. LITTAUER. If the gentleman will wait, I will answer in the course of my remarks. The matter of the amount of subsidy that ought to be allowed to any one of these routes is one that has been subject to a great deal of criticism here in the debate on this bill, because, as it was, full enough information was not had on that very point. The act of 1891 gave subsidy to ships sailing 16 knots of $2 per mile. The Oceanic Line was the only line running over a long distance, 7,300 miles, that took advantage of that provision. The mail act of 1891 has seemed to be sufficient to take care of short routes, but when the routes approach to 4,000 miles and beyond, the subsidy has been demonstrated to be clearly insufficient, and no lines have been established thereunder except the Oceanic Line.

Mr. WILSON. Will the gentleman permit a question?

Mr. LITTAUER. Certainly.

Mr. WILSON. From San Francisco there is a line running to Tahiti, down along the blue line indicated on the map, between the Oceanic Line and the United States, a line of 4,200 miles. Is it not true that there was a contract entered into to that point, a distance of 4,200 miles, in 1905, for $1 per mile?

Mr. LITTAUER. Yes; but how fast does it run?

Mr. WILSON. I do not know; but it is a contract under the law of 1891.

Mr. LITTAUER. It is a contract under the law, and it is running less than 12-knot steamers.

Mr. WILSON. Where does the gentleman get that information?

Mr. LITTAUER. Because if it is under the conditions re-

ferred to by the gentleman, $1 a mile, that is what is given to 12-knot steamers.

Mr. WILSON. It has got the contract.

Mr. LITTAUER. Yes; and that contract is based on a law, and that law states that for ships traveling 20 knots, $4 a mile shall be given; for 16 knots, $2 a mile, and for 12 knots, $1 per mile. What I want to call attention to particularly is to the proper amount of the subsidy that ought to be allotted to each one of these lines in order to bring about the establishment of the lines.

I had stated in my opening remarks that less than 10 per cent of the first cost of the ships would not permit any of these new lines we desire, whether they are to be established to South America or to the other countries; that they must, at least, have a subsidy of 10 per cent on the first cost. Now, the act of 1891 gave $2 a mile to these "Spreckels lines," as they are called, to Samoa, Australia, and New Zealand, and it has been clearly and honestly demonstrated, to my mind, that the subsidy under that act of 1891 is not sufficient to maintain those lines. That the rate of subsidy——

Mr. WILLIAMS rose.

Mr. LITTAUER. If the gentleman will permit me a moment. That the rate of subsidy granted under the act of 1891 is materially lower than the subsidies granted to competing lines of other countries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Chairman, I ask that the gentleman be allowed five minutes more.

The CHAIRMAN. Is there objection?

Mr. SHERLEY and others. Regular order!

The CHAIRMAN. The regular order is demanded by several. Debate is exhausted, and the question is on agreeing to the amendment.

The question was taken; and the Chair announced it was in doubt.

The CHAIRMAN (after a count). On this question the ayes are 117 and the noes 105.

Mr. LITTAUER. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from New York [Mr. LITTAUER] and the gentleman from Michigan [Mr. TOWNSEND] will take their places as tellers.

The committee again divided, and the tellers reported there were—ayes 129, noes 111.

So the amendment was agreed to. [Applause.]

Mr. FORDNEY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. FORDNEY. To offer an amendment. Mr. Chairman, have I a right to go back to the second paragraph?

The CHAIRMAN. Anywhere in the section.

Mr. FORDNEY. Mr. Chairman, I move that in line 15, page 16, the sum of $400,000 be stricken out and $266,000 be substituted therefor.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BURTON of Ohio. Mr. Chairman, I would like to have the amendment reported again. There is so much confusion we can not hear it. In this case, Mr. Chairman, the Clerk has not even reported the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, lines 15 and 16, strike out the words "four hundred" and insert the words "two hundred and sixty-six;" so it will read, "at a monthly compensation not exceeding $266,000."

Mr. PARKER rose.

The CHAIRMAN. Does the gentleman desire to be heard in opposition to this amendment?

Mr. PARKER. Mr. Chairman, I desire to be heard in opposition to this amendment. Mr. Chairman, I do not desire to take up anybody's time on this and I have only a single sentence to utter to the committee. If we expect to maintain the Monroe doctrine over the American continent, we must adopt such measures as will bring us by mail and speedy traffic in continual intercourse with our friends and brother republics of the south, and we must spare no money that is necessary to have a speedy service. If you do not give enough, you will not get the service at all.

I have no more to say to a patriotic House.

[Cries of "Regular order!"]

Mr. FORDNEY. Mr. Chairman, I want to say in support of this amendment that the motion to strike out $400,000 and insert $266,000 is for the purpose of reducing the amount provided for in this bill one-third. On condition this amendment carries I will support a South American subsidy, and otherwise I will not do so.

Mr. LITTAUER. Will the gentleman permit a question?

Mr. FORDNEY. In a minute. When I get through I will permit an interruption. The gentleman from Illinois [Mr. WILSON] the other day showed by figures that have been undisputed that the amount set forth in this bill would not only pay the labor on these ships, but pay for the supplies furnished to that labor and pay for the coal consumed on those ships and leave to the company $400,000 profit per year for a fortnightly service.

Mr. BURTON of Ohio. Will the gentleman from Michigan [Mr. FORDNEY] yield for a question?

Mr. FORDNEY. Yes, sir.

Mr. BURTON of Ohio. It will be noted his amendment reduces the $400,000 for a monthly service one-third—to $266,000.

Mr. FORDNEY. Yes, sir.

Mr. BURTON of Ohio. Why should not the provision of $800,000 for a fortnightly service be reduced in an equal proportion?

Mr. FORDNEY. I propose to make that motion when we reach the other item, I will say to the gentleman.

Mr. WATSON rose.

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. WATSON. For the purpose of discussing the proposition.

Mr. SHERLEY. Regular order, Mr. Chairman.

Mr. BURTON of Ohio. I trust the gentleman may have an opportunity to be heard. This is a proposition upon which we ought to have at least a brief discussion.

Mr. WILSON. Mr. Chairman, I object.

Mr. MANN. Mr. Chairman, it is not the intention to let anybody discuss the bill on this side of the House. It is gag rule.

Mr. WATSON. Mr. Chairman, has anybody yet arisen for the purpose of opposing the amendment?

Mr. WALDO. I have.

Mr. WILSON. Regular order!

Mr. SULZER. Regular order, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chair announced that the noes seem to have it.

Mr. FORDNEY. Division, Mr. Chairman.

The committee divided; and there were—ayes 99, noes 106.

Mr. GOULDEN. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Michigan [Mr. FORDNEY] and the gentleman from New York [Mr. LITTAUER] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 114, noes 140.

So the amendment was rejected.

Mr. WALDO. Mr. Chairman, I move to amend paragraph 3 of section 1 by striking out, in line 2, page 17, the word "seventy-five" and inserting "one hundred" in place thereof; and in line 3, page 17, by striking out the word "one" and inserting in place thereof the word "two;" and in line 4 of page 17 by striking out the words "and fifty."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 17, line 2, strike out the word "seventy-five" and insert in lieu thereof "one hundred;" in line 3, page 17, strike out "one" and insert "two;" in line 4 strike out "and fifty."

Mr. MANN. Can we have the paragraph reported as it would read, Mr. Chairman, when amended?

Mr. WATSON. Mr. Chairman, I would like to have the paragraph read as it would read when amended.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

Third. From a port or ports of the United States on the Gulf of Mexico to the Isthmus of Panama, on steamships of the United States of not less than 14 knots speed, for a fortnightly service at a maximum compensation not exceeding $100,000 a year, or for a weekly service at a maximum compensation not exceeding $200,000 a year.

Mr. SHACKLEFORD. Mr. Chairman, is this the subsidy in favor of the United Fruit Line?

The CHAIRMAN. The Chair can not give any information as to that. That is not a parliamentary inquiry.

Mr. FORDNEY. Mr. Chairman, can I be heard for a minute in opposition to the amendment?

The CHAIRMAN. After the gentleman from New York [Mr. WALDO] has been heard in favor of it.

Mr. WALDO. I trust this will not be taken out of my time.

Mr. Chairman, I am in favor of any provision that this measure contains for the protection of American shipping and American labor. I believe that every step that has been taken to strike out of this bill such support as it gave to American shipping has been a direct blow to this industry, one of the greatest sources of national prosperity, wealth, and strength. I can un-

derstand how any gentleman here who is in favor of free trade can oppose this bill or oppose the bill in its original form as passed by the Senate. But I can not understand how any man who believes in and supports the principles of protection can oppose any provision that is now or has been contained within this bill. The gentleman from Ohio [Mr. BURTON] has stated that he considers that it is not a measure for protection. The substitute that was proposed by the minority of this committee, and which they said they would be in favor of, was for a discriminating duty. Where is there anything different in principle between a discriminating duty and the payment of tonnage bounties and mail subsidies and contracts I am unable to see.

Mr. WILLIAMS. Mr. Chairman——

Mr. WALDO. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. WALDO. The money for these payments must come largely, if not entirely, from customs dues, and it makes little difference in principle or in practice whether that be by discriminating duties or whether it be by mail contracts or tonnage bounty. The money comes from the same source, it goes to the same place and for the same purpose, and for none other, and it is entirely immaterial in principle which way it be done.

Now, I am personally in favor of and believe it would be the best method to have a discriminating duty; but unfortunately since the war, and for some time before the war, we had been entering into reciprocity treaties, until to-day we have forty-seven, I think, reciprocity treaties which prevent us from adopting a system of discriminating duties. So that practically the only measure that is left is the one proposed by the Senate and by this committee. As I understand, those in this committee who were in favor of the furthering and relieving the American commerce were in favor practically of the Senate bill. They have only reported this bill in the present form because that was the strongest form that it could be reported by the committee. The primary object of a protective tariff is to protect and foster American industries and labor.

The construction of American ships by American mechanics and labor and their sailing by American sailors are certainly industries. They are industries also which every American desires to see fostered and encouraged and, if possible, protected. Within the boundaries of the United States we protect our industries by various methods which limit, within reasonable bounds, all competition to Americans. In the case of farm products and nearly all manufactures, by a protective tariff, which is fixed at the difference between high American wages and the low wages paid in the like industries in foreign countries; in the case of transporting our mails by rail or water within our country, by allowing only citizens of this country to compete; in the case of our coastwise trade, by prohibiting any foreign vessel from engaging in that trade under penalty of forfeiture.

The question now before this House and the country is, How can our foreign or deep-sea going ships be protected?

We can not prohibit foreign ships from engaging in our foreign trade as we do in our domestic or coastwise trade; nor, owing to some forty-seven reciprocity treaties, can we allow discriminating duties on goods brought in by our own ships.

We can, however, protect and foster our merchant marine by limiting the carrying of our mails as far as possible to American ships and by paying tonnage bounties to all cargo-carrying ships engaged in foreign commerce and to our ships engaged in the deep-sea fisheries, the Government to be recompensed for such outlays by the carrying and training of a naval reserve upon all these ships; to have all mail-carrying ships built under the regulations and supervision of the Navy Department, and to have the right to use all such mail ships as transports or auxiliary cruisers in time of war.

Such a system of mail subventions and tonnage bounties would be more than repaid to the Government by the additional mail facilities with regular swift service, the large naval reserve secured at slight cost, and the cruisers and transports maintained at no expense and yet ready at a moment's notice for war use.

The gentleman from Ohio [Mr. BURTON] is mistaken in saying that this will not tend to protect and increase American industries.

The enacting of this measure will increase at once shipbuilding and put into the hands of the skilled mechanics millions of dollars yearly, to be expended for the varied farm and manufactured products of our country; and it will bring to this country, mostly to be expended in wages of labor, a large proportion of the $200,000,000 we are now paying every year to foreign ships for carrying our commerce.

Our ships can not be operated as cheaply as foreign ships because of the higher wages that must be paid to American sailors and officers. It is as necessary and as much our duty to protect American sailors and officers from underpaid foreign labor as it is labor engaged in any other kind of American industry.

This bill proposes to give such protection, and mere vituperation and polite profanity can not make it anything but protection, most necessary protection, which deserves the support of all believing in protection of American labor and American industries.

As the bill has been amended by the House Committee on Merchant Marine and Fisheries, there remains nothing of tonnage bounties, nothing of any aid, except such incidental aid as arises from payment by the Government for carrying the mails. This is one of the forms of fostering and encouraging the development of a merchant marine followed by every maritime nation upon the globe.

England pays, principally to the Cunard Line, annually over $6,000,000, and has just advanced to that line to build new ships $13,000,000. France pays yearly in mail subsidies and tonnage bounties over $8,000,000; Germany, over $4,000,000; Italy, over $3,000,000; Japan, over $4,000,000.

Germany, in addition, gives differential freight rates over all Government railroads on goods to be exported in German ships.

Practically all maritime nations give aid by mail subventions or by tonnage and construction bounties, or in all these ways to their merchant marine, excepting only China and the United States.

Japan is giving $300,000 per year to her line to the Puget Sound, $600,000 per year to her line to San Francisco, and is just starting a new line with a new subsidy from San Francisco to South America. Ten new Japanese construction and steamship companies have just been started with $20,000,000 to build new ships under the tonnage and construction bounties offered by the Japanese Government.

In the last forty-five years Great Britain has paid out more than $300,000,000 in mail subsidies and tonnage bounties in aid of her merchant marine. In the same period we have paid, nearly all to her, more than $3,000,000,000 in freights for carrying our commerce.

Meanwhile we have refused to give any aid to our own shipping worth calling such.

We have given billions of dollars in aid of the transcontinental railroads, millions for irrigation and internal waterways.

We have at this session authorized the expenditure of $83,000,000 for the improvement of our rivers and harbors. Of this amount at least $20,000,000 is for the benefit of foreign shipping—that is, to deepen and improve harbors already ample for our own shipping.

Not a vote was cast against this measure to give $20,000,000 of American money to foreign shipping, and yet nearly half of this House seems to be opposed to giving one dollar in aid and protection of our own ships.

From the foundation of our Government until just before the outbreak of the civil war we practically continued aid to our shipping in one form or another.

The mail subvention aid granted in 1845 would undoubtedly have been continued as the policy of the Government to the present time had not the disturbances and sectional strife just prior to the civil war made the South solid in opposition, and able with the assistance of the Middle West to defeat it.

Now, the source of objection, the locality of objection from which all the votes against this bill, or nearly all, come, is the same source from which came the votes that in 1858 repealed the mail subsidies, that at that time made us superior to any nation on the earth in our steamship service and lines. If it had not been for these unfortunate troubles that came just before the civil war there is not the slightest doubt but that both patriotic Democrats of the South and patriotic Republicans of the North would have continued to stand together for this measure of aid and protection for our merchant marine.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALDO. I ask that I may have five minutes more.

Mr. FORDNEY. Regular order!

The CHAIRMAN. The regular order is demanded.

Mr. FORDNEY. I wish to speak on this amendment.

Mr. WALDO. I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment may be considered as withdrawn.

There was no objection.

Mr. HUMPHREY of Washington and Mr. FORDNEY addressed the Chair.

The CHAIRMAN. The gentleman from Washington, a member of the committee, is recognized.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the paragraph commencing on line 23, page 16.

The Clerk read as follows:

On pages 16 and 17, strike out the following paragraph:

"Third. From a port or ports of the United States on the Gulf of Mexico to the Isthmus of Panama, on steamships of the United States of not less than 14 knots speed, for a fortnightly service at a maximum compensation not exceeding $75,000 a year, or for a weekly service at a maximum compensation not exceeding $150,000 a year."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. HUMPHREY of Washington. Mr. Chairman, I do not care to take up very much of the time of the House in discussing this proposition. In the first place, it is the only proposition in the bill that provides for ships of less than 16 knots speed. We have been voting here now for some time, and a great many have been voting against the different lines. They have denounced the bill as obnoxious. I am anxious to see whether it is a matter of principle or of geography. I want to know whether this subsidy is obnoxious on the Pacific coast and whether it is virtuous on the Gulf of Mexico.

Mr. WALDO. Mr. Chairman, I desire to oppose that amendment. [Applause.]

As I stated when last on my feet, I am opposed to any proposition, from whatever source it comes, that in any way lessens the aid to be given to the American merchant marine, whether it be on the Gulf, on the Pacific, or on the Atlantic coast. I do not take a selfish view of this matter. It may be that people upon the Gulf coast, some of them, and those who come from the central portion of our country may oppose provisions of this bill for sectional reasons.

Mr. GRAHAM. I ask for order. We can not hear the gentleman right alongside of him.

The CHAIRMAN. The committee will be in order.

Mr. WALDO. I believe that this should not be a sectional or partisan matter. It is a matter that should be taken up as it was before the war, by all patriotic people from the North and from the South; and, as I was proceeding to say when last on my feet, if it had not been for the civil war and for the trouble that occurred prior to the civil war, when the leaders from the South secured a unanimous opposition to any aid to our merchant marine, and also secured, as they do to-day, additional aid from the central portion of this country, the mail contract system and aid to the merchant marine would have been continued to the present time. It would not have been a question of partisanship upon any part or any section of this country, and to-day on the oceans, both Atlantic and Pacific, we should have held the mastery of the seas.

Mr. Chairman, the fact that this is not altogether a partisan measure has been evidenced to me by various conversations I have had with gentlemen on the other side of the House who are in favor of this measure, but who dare not vote against their party organization and discipline. Numerous indorsements of this bill have come to the Merchant Marine Commission from every State that borders on the Gulf and on the Atlantic, and more than one gentleman on the other side has assured me that if he was at liberty to vote as he believed was right, and as he thought was for the benefit of the country, he would vote for the Senate bill as it passed that body. The Democratic leaders in the South are opposed to this measure because they believe that its passage would so greatly increase the commerce and the prosperity of this country as to insure the continuance of the Republican party in power for forty years yet to come.

Mr. SHERLEY. Mr. Chairman——

Mr. WALDO. I decline to yield.

The CHAIRMAN. The gentleman's time has expired.

The question being taken on the amendment of Mr. HUMPHREY of Washington to strike out paragraph 3 of section 1, on a division (demanded by Mr. GROSVENOR) there were—ayes 115, noes 85.

Mr. LITTAUER. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. HUMPHREY of Washington and Mr. LITTAUER.

The committee again divided; and the tellers reported—ayes 118, noes 103.

Accordingly the amendment was agreed to.

Mr. SULZER. Mr. Chairman, I wish to offer an amendment. On page 16, line 24, after the words "Gulf of Mexico," add the words "to Mexico and."

The CHAIRMAN. That entire paragraph has just been stricken from the bill.

Mr. SULZER. Then I move to amend on page 17, in line 6, after the word "to," to insert "Mexico and."

The CHAIRMAN. The gentleman offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Page 17, line 6, after the words "United States to," insert "Mexico and:" so that it will read:

"Fourth. From a port or ports of the Pacific coast of the United States to Mexico and the Isthmus of Panama, Peru, and Chile, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year."

Mr. WILLIAMS. What is this, a new route that you want to put in?

Mr. SULZER. No; I want to include Mexico in the route.

Mr. LITTAUER. I ask that that amendment be reported again.

The amendment was again read.

Mr. GROSVENOR. Mr. Chairman, I should like to know what the purpose of this amendment is.

Mr. SULZER. I do not understand the gentleman from Ohio.

Mr. GROSVENOR. I say I should like to know what the purpose of the amendment is, so that I can oppose it intelligently.

Mr. SULZER. The purpose of this amendment is to have competition on the Pacific coast. There are three lines, I understand, now running from ports in the United States to Mexico and the Isthmus of Panama. Under the provisions of this bill as it stands at present there is only one line of steamships that will run from a port in the United States to the Isthmus of Panama. I want to give them all the chance to compete and to get this subsidy, if this bill passes; to give three lines an opportunity to bid instead of confining it to one line.

Mr. GROSVENOR. In which paragraph of the bill does the gentleman propose his amendment?

Mr. SULZER. Paragraph 4.

Mr. LITTAUER. What ports would the gentleman have these ships stop at? Are there any ports there where there would be any commerce worthy of the stoppage of a 16-knot ship?

Mr. SULZER. Yes; several of them.

Mr. LITTAUER. Will the gentleman kindly name them?

Mr. SULZER. I will say to the gentleman from New York that every one of those steamers of these lines stops at one port in Mexico for coal and that these steamers can not at present take on passengers or freight at that or any other port in Mexico. I want to give them a chance to take on passengers and freight.

Mr. LITTAUER. From what points.

Mr. SULZER. Points in Mexico.

Mr. LITTAUER. What ports are there on the west coast of Mexico?

Mr. SULZER. Why, look at the map and find out. [Laughter.]

Mr. LITTAUER. I happen to know the map, and I do not think my friend does.

Mr. SULZER. Yes; there are the ports of Acapulco, Manzanilla, and Mazatlan.

Mr. VOLSTEAD. Mr. Chairman, in the discussion of this so-called "ship-subsidy bill" a great many things have been urged in its favor. Principles, facts, and fancies have been made to do service. I have listened with a good deal of interest, but regret that I am not able to support it. I am very reluctant to oppose it, as I realize that the measure has the support of a great many good men both inside and outside of Congress. I do not care to discuss the various contentions, but, in passing, I wish to observe that it is even claimed that this is a Republican measure, and that party allegiance would require me to support it on that ground. No one has been able to show that any national convention or Congressional caucus has declared in favor of it, and it looks a little cheeky for any Member on this floor to arrogate to himself the right to determine what is the party creed. It has been somewhat amusing to listen to the various arguments that have been advanced. Some of the friends of this bill frankly admit that it is a subsidy bill; others with a great deal of earnestness have denied the imputation and have strained every argument to show that this is a very innocent and old-fashioned bill to provide for the payment of transportation for foreign mail. They urge that this does not provide for any subsidy any more than does the law that now provides for railway mail or rural route pay or for expenditures in the improvement of rivers and harbors or for the irrigation of arid lands; still no one is deceived by these contentions. The difference is perfectly plain. The bill on its face is to assist the over-sea merchant marine. The committee that framed it and presented it to this House concede that the payments to be made under this bill are not based upon the value of service in carrying the mail, but are estimated upon what they consider to be the difference in cost of

carrying merchandise in foreign and American bottoms. They demand the passage of this bill to aid such commerce by establishing certain steamship lines.

It is plainly a donation to private enterprise, an aid to a business not self-supporting, and, incidentally, only for the services to be rendered. It is urged by those who admit that this is a subsidy that it is simply an extension of the protective principle of our present tariff law. There is absolutely no justification for this claim, and the friends of protection can not afford to defend such a proposition. You might as well say that the Government should pay all sums due from bankrupt estates, so as to protect creditors who might otherwise lose, as to contend that subsidies can be defended under this protective principle. None of these matters so strongly urged upon us in consideration of this question appeal to me as very pertinent. This is plainly a business proposition. Will the result sought to be accomplished by this bill justify the expenditure of the money asked? What will the American people get for the thirty or forty million dollars that is to be spent under this bill during the next ten years, or for the hundreds of millions that may be paid in the decades following? To take advantage of this proposed act certain ships will have to be built in this country to establish the routes provided for. This will employ American labor, but this work will have to be done in the next year or two. When this work has been finished some repairs may have to be made in the future, but the bill does not require or contemplate any permanent shipbuilding industry. In the construction of these ships some American material may be used, but under the law all of the material to be used in the construction of these vessels may be imported free of duty. If it is true, as contended, that foreign material is so much cheaper than American material, then foreign material will no doubt be used in the construction of these vessels. The total amount of money to be paid American labor and material men would be much less than the amount to be paid as subsidy under this bill within the first ten-year contracts.

The bill requires that some of the seamen, not to exceed in the aggregate 10,000, shall be American citizens. It is not expected that this number will be reached for many years. These seamen will not necessarily be fed or supplied by the American people, as they will frequently be in foreign ports, where they are likely to purchase a good share of what they need. What, then, is the plain, unvarnished proposition? Is it not this? To induce the building of a few American boats upon American soil, largely from foreign material, the Government is to obligate itself to pay every ten years close to $40,000,000 under a statute that authorizes an indefinite renewal of these contracts, so that the policy may eventually cost hundreds of millions? It seems to me that it would require the most pressing necessity as a justification for such a course. No such necessity is apparent. It is conceded that the American shipyards have all and more than all the work they can do, and they do not need this assistance any more than any other industry. It is not contended that the American people are suffering because ocean freight rates to foreign countries are too high. There is no necessity of this measure for relief from such rates, but, on the other hand, it is argued that ocean freight rates are so low that it is impossible for Americans to engage in competition without some subsidy. No one contends that there is any difficulty in finding ships in which to carry our commerce. Our commerece during the last decade has expanded with wonderful rapidity in every direction. Who is it that will profit by this proposed policy? It may be admitted that some slight enlargement of the domestic market might result temporarily during the building of these vessels, but this could only be temporary and very slight, if any. The shipbuilders would profit, but they can not reasonably ask for this bounty, as they are very properous under present conditions. The shipowners are the ones that will profit the most, but can we afford to make this donation. Shipowners need no charity. We can now secure the work that these ships will perform without the payment of a subsidy and at prices below the cost at which the Americans can perform the same services.

Both on the Atlantic and Pacific coasts there are a number of lines engaged in carrying the mail and merchandise for which these lines are projected. Most of these lines are not subsidized. only a very small part of the foreign shipping receives subsidies. The establishment of these lines would naturally tend to create a monopoly upon the routes they traverse, as this subsidy would give an undue advantage to the lines receiving them over lines not subsidized. This would tend to discourage competition. It is argued that these subsidized boats would do much to secure trade in foreign countries, but no reason is assigned why these boats should do any more for the purpose of securing trade than the boats now engaged in the business. Several of the present lines are owned either in whole or in part by Americans and run on regular schedules. There is the same motive now as there will be if these lines are established to work for business. We are expending for the purpose of securing such foreign trade vast sums of money in the payment of the salaries and expenses of the consular agents charged with this very duty. Business is secured through these consular agents and through traveling salesmen sent out by our business people. A steamship has nothing to sell, nor is it engaged in the buying of goods for sale. To my mind there is no justification for this proposed legislation nor for entering upon a policy that will be an ever-increasing burden upon our Treasury. It is wrong in principle and will work disaster in practice.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MCCALL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested.

An act (S. 8328) to permit the laying of two water pipes from Bayonne, N. J., to Staten Island, New York.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 6498) to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Arkansas," approved April 20, 1904.

The message also announced that the Senate had passed without amendment bills and joint resolution of the following titles:

H. R. 8699. An act for the relief of James A. Carroll;

H. R. 20128. An act to complete the naval record of Patrick Naddy;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals;

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoals; and

H. J. Res. 240. Joint resolution to create a joint committee to consider the revision and codification of the laws of the United States.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 569. An act granting a pension to Edith A. Hawley.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 7676) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a commodore on the retired list of the Navy, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DICK, Mr. GALLINGER, and Mr. MALLORY as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 8580) granting land to Anna Johnson.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Senate recedes from its amendment No. 9 to the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska.

SHIP-SUBSIDY BILL.

The committee resumed its session.

Mr. GROSVENOR. Mr. Chairman, I believe I am recognized for five minutes, dating from now.

The CHAIRMAN. Yes.

Mr. GROSVENOR. Mr. Chairman, I should have liked an opportunity to cross-examine the distinguished gentleman from New York [Mr. SULZER] in regard to the propriety of his amendment, and possibly with a view to ascertaining the good

faith of his proposition to amend. If I understand him now, his proposition is that there shall be added to the fourth paragraph of the amendment the words "City of Mexico," with a view that there shall be a line of steamers carrying the United States mail from a port or ports on the Pacific coast of the United States to the City of Mexico.

Mr. SULZER. Mr. Chairman, the gentleman is in error; there is nothing in the amendment about the City of Mexico—it relates only to the ports on the Pacific coast of Mexico.

Mr. GROSVENOR. Would the gentleman have the ships land in a harbor or against the rocks? [Laughter.]

Mr. SULZER. I thought the gentleman from Ohio was too good a seaman to ask such a silly question. I am satisfied now that the gentleman is not a seaman, but a "cornfield statesman."

Mr. GROSVENOR. I am very proud of it, and if I ever see a "cornfield statesman" who undertakes to land a ship and don't know the name of the port he wants to land at I will refuse to recognize him as belonging to the brotherhood of "cornfield statesmen." [Laughter.] Now will the gentleman from New York state to the committee for its enlightenment how long a time it will take to carry the mail from Puget Sound to the particular port that he has in mind where the mails shall be landed?

Mr. SULZER. That is an arithmetical proposition and the gentleman from Ohio can figure it out as well as I can; he has the reputation of being the great mathematician of the Republican party. [Laughter.]

Mr. GROSVENOR. The trouble I am laboring under is that I have no data. I have the initial point, but when I come to figure the mileage I shall have to know where the terminal is.

Mr. SULZER. I would like to ask the gentleman from Ohio if he ever heard of the ports on the Pacific Ocean in Mexico known as the ports of Guaymas, of Acapulco, of Mazatlan, and others?

Mr. LITTAUER. How do you spell it?

Mr. SULZER. It seems that the gentleman from New York, who has asked me how to spell it, has been on the Committee on Merchant Marine and Fisheries for so brief a time that he doesn't himself know how to spell it, and probably never heard of such a port. Acapulco is one of the great ports on the Pacific coast, and nearly all the steamers from ports in the United States to ports in South America and Central America and Panama stop there to coal.

Mr. SHERLEY. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and there were on a division (demanded by Mr. PAYNE)—ayes 8.

The CHAIRMAN (when the affirmative side had been taken). Does the gentleman from New York [Mr. SULZER] desire the other side taken?

Mr. SULZER. I do not.

Mr. PAYNE. Mr. Chairman, I demand the negative side.

The division of the committee was completed; and there were—ayes 8, noes 118.

Mr. GROSVENOR. I demand tellers.

Mr. SHERLEY. Mr. Chairman, I make the point that that is dilatory.

Mr. FORDNEY. The gentleman who makes the motion for tellers voted with the majority.

The CHAIRMAN. The Chair, for the first time, at any rate, will entertain the motion for tellers.

The question was taken; and tellers were ordered.

The CHAIRMAN appointed as tellers Mr. SULZER, of New York, and Mr. LITTAUER, of New York.

Mr. SULZER. Mr. Chairman, I make the point of order that this is dilatory.

The CHAIRMAN. The Chair has passed upon that.

Mr. SULZER. Then I withdraw my amendment.

The CHAIRMAN. The gentleman can not do that when the committee is dividing.

Mr. WATSON. I object.

Mr. SULZER. I decline to serve as a teller.

The CHAIRMAN. The Chair will appoint the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. The gentleman from Kentucky will not serve, Mr. Chairman.

The CHAIRMAN. Is there any gentleman who voted for the amendment of the gentleman from New York [Mr. SULZER] who will act as teller? [After a pause.] Then the Chair will appoint the gentleman from New York [Mr. PAYNE]. [Laughter.]

The committee again divided; and the tellers reported 1 aye and 93 noes.

So the amendment was disagreed to.

The CHAIRMAN. The hour of 3 o'clock having arrived, in pursuance of the order of the House, the committee will rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 529, and had directed him to report the substitute back to the House with a pending amendment.

Mr. WATSON. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WATSON. Is it in order to have a separate vote on any proposition that was either in the substitute and rejected in Committee of the Whole or a new proposition inserted in the substitute by the Committee of the Whole?

Mr. SHERLEY. Mr. Speaker, I desire to be heard upon that before the Speaker rules.

Mr. WATSON. Mr. Speaker——

The SPEAKER. The question under the order is first upon the pending amendment to the substitute reported by the Chairman of the Committee of the Whole House, and under the rule the vote is to be taken first upon that. That is known, as the Chair is informed, as the Fordney amendment in Committee of the Whole. Then the vote will come, as the Chair understands, on the substitute.

Mr. SHERLEY. Without regard to the amendments placed upon that substitute in the Committee of the Whole?

The SPEAKER. As the Chair understands it.

Mr. WATSON. But, Mr. Speaker, if the Chair will pardon me a moment, I do not think the Chair has answered the specific proposition that I put.

The SPEAKER. Probably not, and the gentleman will state it again.

Mr. WATSON. In this pending substitute is a proposition for a line from a port or ports of the United States on the Gulf of Mexico to the Isthmus of Panama. That was stricken out in the committee. What I am trying to find out now is, will it be in order at any time to have a separate vote on this proposition?

The SPEAKER. The previous question by the special order is operating. The Chair reads from the Manual:

> An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report.

Not being noted, the Chair has no knowledge of them.

Mr. FORDNEY. Mr. Speaker, if it is in order I wish to withdraw my amendment.

The SPEAKER. The Committee of the Whole House has reported it to the House, and the gentleman has no more control over it than any other Member.

Mr. LITTAUER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LITTAUER. Is the first vote on the substitute to the substitute offered by the gentleman from Michigan?

The SPEAKER. The first vote will be upon the only amendment that is reported to the substitute, the Fordney amendment.

Mr. WATSON. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WATSON. The Speaker has stated that we are now to vote on the only amendment of which the Speaker has knowledge. I desire to ask whether or not the Speaker is aware of the fact that no vote on the so-called "Fordney amendment" was taken in the Committee of the Whole at all, but that it was only read for the purpose of information and was considered as pending until the committee bill had been perfected, and it was not until that time that it was in order, and therefore no vote was taken on it whatever.

Mr. SHERLEY. Mr. Speaker, under the terms of the resolution it provides that the vote shall be taken on the substitute or any pending amendment thereto. This amendment, offered by the gentleman from Michigan, was pending to the substitute of the House at the time the committee rose.

The SPEAKER. The special order settles it. Reading from the special order it says "that the committee shall rise and report the bill, whereupon the previous question shall be considered as ordered on the amendment in the nature of a substitute, and on any pending amendment thereto, and on the bill to a final passage."

Mr. LIVINGSTON. Mr. Speaker, I demand the regular order.

Mr. SHACKLEFORD. I demand the regular order.

Mr. WATSON. The point I make is that the amendment or so-called proposition of the gentleman from Michigan [Mr. FORDNEY] was never offered as an amendment, but was only

read for the information of the House and notice served that it would be offered after the perfecting of the House proposition.

The SPEAKER. But the Chair can not——

Mr. FORDNEY. Mr. Speaker, the gentleman is in error.

The SPEAKER. One moment. The Chair must depend upon the report made by the Chairman of the Committee of the Whole House, and this amendment is reported as a pending amendment.

Mr. FORDNEY. It was offered as a pending amendment.

Several Members demanded the regular order.

The SPEAKER. The regular order is demanded, and the Clerk will report the substitute to the amendment.

The Clerk read as follows:

Strike out all after the word "that," in line 13, page 15, and insert the following:

"There shall be enrolled, in such manner and under such requirements as the Secretary of the Navy may prescribe, from the officers and men now and hereafter employed in the merchant marine and fisheries of the United States, including the coastwise trade of the Atlantic and Pacific and the Great Lakes, such officers, petty officers, and men as may be capable of rendering services as members of a naval reserve, for duty in time of war, and who are willing to undertake such service, to be classified in grades and ratings according to their capacity as shown at time of enrollment. No man shall be thus enrolled who is not a citizen of the United States, either by birth or naturalization. These members of the Naval Reserve shall be enrolled for a period of four years, during which period they shall be subject to render service on call of the President in time of war. They shall also possess such qualifications, receive such instructions, and be subject to such regulations as the Secretary of the Navy may prescribe. The Secretary of the Treasury is hereby authorized and directed, upon proper audit by the Auditor for the Navy Department, to pay, out of any money to be annually appropriated therefor upon estimates to be annually submitted to Congress in the Book of Estimates, to each officer, petty officer, or man thus enrolled and employed in the merchant marine or fisheries, including the coastwise trade of the Atlantic and Pacific and the Great Lakes as hereinafter provided, an annual retainer as follows: For each officer of the line or Engineer Corps, having the rank of lieutenant of the Naval Reserve, $110; for each officer of the line or Engineer Corps, having the rank of lieutenant (junior grade) in the Naval Reserve, $90; for each officer of the line or Engineer Corps, having the rank of ensign in the Naval Reserve, $80; for each man with a rating of chief petty officer, $70; for each man with a rating of petty officer, first class, $60; for each man with a rating of petty officer, second class, $48; for each man with a rating of petty officer, third class, $40; for each seaman, first class, $36; for each seaman, second class, $30; for each seaman, third class, $24. Such retainer shall be paid at the end of each year of service on certificate, by the Secretary of the Navy, that the member of the Naval Reserve has satisfactorily complied with the regulations, and on certificate by the Secretary of Commerce and Labor that such member has served satisfactorily for at least six months of the preceding twelve months on vessels of the United States in the merchant marine or in the deep-sea fisheries. The total number of officers, petty officers, and men enrolled in the Naval Reserve shall not at any time exceed 10,000.

"SEC. 2. That in the interest of the national defense and for the performance of the public services hereinafter specified, after July 1, 1907, the Secretary of the Treasury is hereby authorized and directed to pay, subject to the provisions of this act, out of any money in the Treasury, to be annually appropriated therefor, upon estimates to be annually submitted to Congress in the Book of Estimates, to the owner or owners of any steam vessel of over 1,000 gross tons, and of any sail vessel of over 200 gross tons, hereafter built and registered in the United States or now duly registered by a citizen or citizens of the United States (including as such citizens any corporation created under the laws of the United States or any of the States thereof, engaged exclusively as a common carrier for the service of the public), subventions as hereinafter provided—that is to say, (a) the sum of $5 per gross registered ton for each vessel which has been engaged in the foreign trade by sea or the deep-sea fisheries for a period of twelve months, including time necessarily consumed in receiving or discharging cargo, or not to exceed two months in making annual or extraordinary repairs; (b) the sum of $4 per gross registered ton for each vessel which, during any twelve consecutive months, has been engaged in the foreign trade by sea or the deep-sea fisheries for a period of nine months or over, but less than twelve months, including time necessarily consumed in receiving or discharging cargo, or not to exceed one month in making extraordinary repairs; (c) the sum of $2.50 per gross registered ton for each vessel which, during any twelve consecutive months, has been engaged in the foreign trade by sea or the deep-sea fisheries for a period of six months or over, but less than nine months, including time necessarily consumed in receiving or discharging cargo, or not to exceed one month in making extraordinary repairs.

"A vessel receiving a subvention under this section shall not receive any other subvention, subsidy, or bounty from the Treasury of the United States.

"SEC. 3. That before receiving any subvention under the provisions of section 2 of this act the owner or owners of any vessel shall contract, in writing, with sufficient sureties, with the Secretary of Commerce and Labor to fulfill each and all of the following obligations:

"First. That said vessel may be taken and used by the United States for the national defense or for any public purpose at any time upon payment to the owner or owners of the fair actual value of the same at the time of the taking or a fair rate of hire to be agreed upon. And if there shall be a disagreement as to such fair actual value or fair rate of hire between the United States and the owner or owners of such vessel, the United States is hereby authorized and empowered to take the vessel at once, leaving the fair actual value or fair rate of hire to be determined thereafter by two impartial appraisers, one to be appointed by each of said parties, they to select a third, who shall act in such appraisement in case the two shall fail to agree, and the provisions of this subdivision shall be embodied in every contract between the vessel owner or owners and the United States.

"Second. That said vessel shall carry free of charge the mails of the United States, when the Postmaster-General shall so require, for the whole or any part of a voyage for which subvention shall be claimed.

"Third. That a vessel employed in the foreign trade shall maintain during the period so employed at least class A1 if a steam vessel, and class A1½ if a sail vessel, as such classes are now established by either the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit.

"Fourth. That all ordinary repair or overhauling of said vessel shall be made in the United States, except in cases where dry docking is necessary and no American dry dock of sufficient capacity shall be within a distance of 500 miles of the location of the ship when the repairs shall be needed.

"SEC. 4. That the contracts provided for in section 3 shall be for a period of one year and shall be renewed from time to time. At the expiration of each annual contract the owner of the vessel shall be required to prove to the satisfaction of the Secretary of Commerce and Labor, in such manner as the said Secretary shall prescribe, that its obligations, each and all, have been satisfactorily complied with. The Secretary of Commerce and Labor shall thereupon certify to the Secretary of the Treasury the amount of subvention to which said owner shall be entitled in fulfillment of said contract and of the provisions of this act, and the Secretary of the Treasury upon proper audit shall thereupon pay the subvention due.

"SEC. 5. The subventions provided for in this act shall apply exclusively and be paid to the owner or owners of vessels engaged in foreign trade between ports in the United States and ports in South America.

"SEC. 6. That this act shall take effect on July 1, 1907.

"SEC. 7. That Congress reserves the right to alter, amend, or repeal this act, in whole or in part, whenever in its judgment the public interests shall so require, without, however, impairing in any wise the obligation of any specific contract then in force which shall have been entered into under the provisions of sections 2 and 3 of this act."

During the reading of the above amendment,

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that the reading of the amendment be dispensed with.

Mr. WATSON. Mr. Speaker, I object.

The Clerk resumed and concluded the reading of the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is now on agreeing to the substitute amendment reported by the Committee of the Whole House.

Mr. GROSVENOR. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The SPEAKER. As many as are in favor of agreeing to the substitute amendment reported from the Committee on Merchant Marine and Fisheries, perfected in Committee of the Whole House and reported with a favorable recommendation from that committee, will, when their names are called, answer "Aye," and as many as are opposed will answer "No."

Mr. FORDNEY. A parliamentary inquiry, Mr. Speaker. Is this vote to be taken directly on the bill as amended, with all amendments put on in the Committee of the Whole, or some——

The SPEAKER. On the substitute amendment, with all amendments put on in Committee of the Whole. It stands as a single proposition, a perfected proposition, and the vote is upon agreeing to that substitute amendment.

The question was taken; and there were—yeas 154, nays 162, answered "present" 6, not voting 55, as follows:

YEAS—154.

| | | | |
|---|---|---|---|
| Acheson | Currier | Kahn | Pollard |
| Alexander | Cushman | Keifer | Powers |
| Allen, N. J. | Dale | Kennedy, Nebr. | Reyburn |
| Andrus | Dalzell | Kennedy, Ohio | Reynolds |
| Babcock | Dawes | Knapp | Roberts |
| Bannon | Dawson | Knowland | Rodenberg |
| Barchfeld | Deemer | Lacey | Samuel |
| Bartholdt | Denby | Lafean | Schneebeli |
| Bates | Dixon, Mont. | Law | Scott |
| Bede | Draper | Le Fevre | Sherman |
| Bennet, N. Y. | Driscoll | Lilley, Conn. | Sibley |
| Bingham | Dwight | Littlefield | Slemp |
| Birdsall | Ellis | Longworth | Smith, Cal. |
| Bishop | Englebright | Lorimer | Smith, Ill. |
| Bonynge | Fassett | Loud | Smith, Iowa |
| Bradley | Fletcher | Loudenslager | Smith, Mich. |
| Brick | Foster, Ind. | Lovering | Smith, Pa. |
| Brooks, Colo. | Gaines, W. Va. | McCall | Southard |
| Brown | Gardner, Mass. | McCleary, Minn. | Sperry |
| Brownlow | Gardner, Mich. | McCreary, Pa. | Sterling |
| Brumm | Gardner, N. J. | McKinley, Ill. | Sulloway |
| Burke, Pa. | Gillett | McLachlan | Tawney |
| Burleigh | Goebel | McMorran | Taylor, Ohio |
| Burton, Del. | Graham | Mahon | Thomas, Ohio |
| Butler, Pa. | Greene | Martin | Tirrell |
| Calder | Grosvenor | Minor | Townsend |
| Calderhead | Hale | Moon, Pa. | Vreeland |
| Campbell, Ohio | Haugen | Moore, Pa. | Wachter |
| Capron | Hayes | Mudd | Wadsworth |
| Cassel | Henry, Conn. | Murphy | Waldo |
| Chaney | Hepburn | Needham | Wanger |
| Cocks | Higgins | Norris | Washburn |
| Cole | Hill, Conn. | Olcott | Watson |
| Conner | Howell, N. J. | Olmsted | Weeks |
| Cooper, Pa. | Howell, Utah | Overstreet, Ind. | Wharton |
| Coudrey | Hubbard | Parker | Wiley, N. J. |
| Cousins | Hull | Parsons | Wood |
| Cromer | Humphrey, Wash. | Payne | |
| Crumpacker | Jones, Wash. | Pearre | |

NAYS—162.

| | | | |
|---|---|---|---|
| Adamson | Gaines, Tenn. | Lee | Russell |
| Aiken | Garber | Legare | Ryan |
| Ames | Garner | Lever | Saunders |
| Bankhead | Garrett | Lewis | Shackleford |
| Bartlett | Gilhams | Littauer | Shartel |
| Beall, Tex. | Gill | Livingston | Sheppard |
| Beidler | Gillespie | Lloyd | Sherley |
| Bell, Ga. | Glass | Lowden | Sims |
| Bowers | Goldfogle | McCarthy | Slayden |
| Brantley | Goulden | McGavin | Small |
| Broussard | Graff | McKinney | Smith, Ky. |
| Brundidge | Granger | McLain | Smith, Md. |
| Burgess | Gregg | Macon | Smith, Tex. |
| Burleson | Griggs | Mann | Smyser |
| Burnett | Gronna | Marshall | Southall |
| Burton, Ohio | Gudger | Maynard | Sparkman |
| Butler, Tenn. | Hamilton | Miller | Spight |
| Byrd | Haskins | Moon, Tenn. | Stafford |
| Campbell, Kans. | Hay | Moore, Tex. | Steenerson |
| Candler | Hedge | Mouser | Stephens, Tex. |
| Chapman | Heflin | Murdock | Stevens, Minn. |
| Clark, Mo. | Hill, Miss. | Nelson | Sullivan |
| Clayton | Hinshaw | Overstreet, Ga. | Sulzer |
| Cooper, Wis. | Holliday | Padgett | Talbott |
| Darragh | Houston | Page | Taylor, Ala. |
| Davey, La. | Howard | Patterson, N. C. | Thomas, N. C. |
| Davidson | Humphreys, Miss. | Patterson, S. C. | Towne |
| Davis, Minn. | Hunt | Perkins | Trimble |
| Davis, W. Va. | James | Pou | Underwood |
| De Armond | Jenkins | Prince | Volstead |
| Dickson, Ill. | Keliher | Pujo | Wallace |
| Dixon, Ind. | Kinkaid | Rainey | Watkins |
| Edwards | Kitchin, Claude | Randell, Tex. | Webb |
| Esch | Kitchin, Wm. W. | Ransdell, La. | Webber |
| Finley | Kline | Reeder | Weems |
| Fitzgerald | Knopf | Rhinock | Williams |
| Flood | Lamar | Richardson, Ala. | Wilson |
| Fordney | Lamb | Riordan | Woodyard |
| Foster, Vt. | Landis, Chas. B. | Robinson, Ark. | Zenor |
| French | Landis, Frederick | Rucker | |
| Fulkerson | Lawrence | Ruppert | |

ANSWERED "PRESENT"—6.

| | | | |
|---|---|---|---|
| Allen, Me. | Lilley, Pa. | Otjen | Wiley, Ala. |
| Hardwick | Meyer | | |

NOT VOTED—55.

| | | | |
|---|---|---|---|
| Bennett, Ky. | Field | Jones, Va. | Richardson, Ky. |
| Blackburn | Floyd | Klepper | Rives |
| Boutell | Foss | Lindsay | Robertson, La. |
| Bowersock | Fowler | McDermott | Scroggy |
| Bowie | Fuller | McKinlay, Cal. | Snapp |
| Broocks, Tex. | Gilbert | McNary | Southwick |
| Buckman | Hearst | Madden | Stanley |
| Burke, S. Dak. | Henry, Tex. | Michalek | Tyndall |
| Clark, Fla. | Hermann | Mondell | Van Duzer |
| Cockran | Hogg | Morrell | Van Winkle |
| Dovener | Hopkins | Nevin | Weisse |
| Dresser | Huff | Palmer | Welborn |
| Dunwell | Hughes | Reid | Young |
| Ellerbe | Johnson | Rhodes | |

So the substitute amendment was rejected.

The following pairs were announced:

For ship subsidy:

Mr. MORRELL (in favor) with Mr. FLOYD (against).

Mr. MCKINLAY of California (in favor) with Mr. WILEY of Alabama (against).

Mr. OTJEN (in favor) with Mr. JONES of Virginia (against).

Mr. ALLEN of Maine (in favor) with Mr. JOHNSON (against).

Mr. BURKE of South Dakota (in favor) with Mr. BROOCKS of Texas (against).

For the session:

Mr. VAN WINKLE with Mr. MCDERMOTT.

Mr. FOSS with Mr. MEYER.

Until further notice:

Mr. HUGHES with Mr. STANLEY.

Mr. YOUNG with Mr. WEISSE.

Mr. MADDEN with Mr. HARDWICK.

Mr. FULLER with Mr. HOPKINS.

Mr. LILLEY of Pennsylvania with Mr. Gilbert.

For the day:

Mr. MICHALEK with Mr. REID.

Mr. BOUTELL with Mr. ROBERTSON of Louisiana.

Mr. BOWERSOCK with Mr. ELLERBE.

Mr. BUCKMAN with Mr. FIELD.

Mr. DOVENER with Mr. HEARST.

Mr. DRESSER with Mr. RICHARDSON of Kentucky.

Mr. MONDELL with Mr. MCNARY.

Mr. HUFF with Mr. COCKRAN.

Mr. KLEPPER with Mr. BOWIE.

Mr. DUNWELL with Mr. HENRY of Texas.

Mr. RIVES with Mr. VAN DUZER.

Mr. SOUTHWICK with Mr. LINDSAY.

Mr. BENNETT of Kentucky with Mr. CLARK of Florida.

Mr. HARDWICK. Mr. Speaker, I find that I am paired with the gentleman from Illinois [Mr. MADDEN], and I desire to withdraw my vote.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. HARDWICK, and he voted "present."

Mr. LITTAUER. Mr. Speaker, I desire to change my vote.

The SPEAKER. The Clerk will call the gentleman's name.

The name of Mr. LITTAUER was called, and he voted "no."

The result of the vote was announced as above recorded.

Mr. LITTAUER. Mr. Speaker, I move to reconsider.

Mr. SULZER. Mr. Speaker, I move to reconsider and lay that motion on the table.

The SPEAKER. The gentleman from New York [Mr. LITTAUER] is recognized. How did the other gentleman from New York [Mr. SULZER] vote?

Mr. SULZER. I voted "no."

The SPEAKER. Did the gentleman from New York vote "no?"

Mr. SULZER. I voted "no."

The SPEAKER. Did the other gentleman from New York [Mr. LITTAUER] vote "no?"

Mr. LITTAUER. I voted "no."

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. LITTAUER], a member of the committee.

Mr. WILLIAMS. Mr. Speaker, I move to lay that motion on the table.

Mr. LITTAUER. On that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 156, nays 159, present 7, not voting 56, as follows:

YEAS—156.

| | | | |
|---|---|---|---|
| Adamson | Garber | Legare | Russell |
| Aiken | Garrett | Lever | Ryan |
| Bankhead | Gilhams | Lewis | Saunders |
| Bartlett | Gill | Livingston | Shackleford |
| Beall, Tex. | Gillespie | Lloyd | Shartel |
| Beidler | Glass | Lowden | Sheppard |
| Bell, Ga. | Goldfogle | McCarthy | Sherley |
| Bowers | Gouiden | McGavin | Sims |
| Brantley | Graff | McKinney | Slayden |
| Broussard | Granger | McLain | Small |
| Brundidge | Gregg | Macon | Smith, Ky. |
| Burgess | Gronna | Mann | Smith, Md. |
| Burleson | Gudger | Marshall | Smith, Tex. |
| Burnett | Hamilton | Maynard | Southall |
| Burton, Ohio | Haugen | Miller | Sparkman |
| Butler, Tenn. | Hay | Moon, Tenn. | Spight |
| Byrd | Hedge | Moore, Tex. | Stafford |
| Campbell, Kans. | Heflin | Murdock | Steenerson |
| Candler | Hill, Miss. | Murphy | Stephens, Tex. |
| Chapman | Hinshaw | Nelson | Stevens, Minn. |
| Clark, Fla. | Holliday | Overstreet, Ga. | Sullivan |
| Clark, Mo. | Houston | Padgett | Sulzer |
| Clayton | Howard | Page | Talbott |
| Cooper, Wis. | Humphreys, Miss. | Patterson, N. C. | Taylor, Ala. |
| Darragh | Hunt | Patterson, S. C. | Thomas, N. C. |
| Davey, La. | James | Perkins | Towne |
| Davidson | Jenkins | Pou | Townsend |
| Davis, Minn. | Keliher | Prince | Trimble |
| Davis, W. Va. | Kinkaid | Pujo | Underwood |
| De Armond | Kitchin, Claude | Rainey | Volstead |
| Dickson, Ill. | Kitchin, Wm. W. | Randell, Tex. | Wallace |
| Dixon, Ind. | Kline | Ransdell, La. | Watkins |
| Edwards | Knopf | Reeder | Webb |
| Esch | Lamar | Rhinock | Webber |
| Finley | Lamb | Richardson, Ala. | Weems |
| Fitzgerald | Landis, Chas. B. | Riordan | Williams |
| Fordney | Landis, Frederick | Robinson, Ark. | Wilson |
| Fulkerson | Lawrence | Rucker | Woodyard |
| Gaines, Tenn. | Lee | Ruppert | Zenor |

NAYS—159.

| | | | |
|---|---|---|---|
| Acheson | Coudrey | Henry, Conn. | Martin |
| Alexander | Cousins | Hepburn | Minor |
| Allen, N. J. | Cromer | Higgins | Mondell |
| Andrus | Crumpacker | Hill, Conn. | Moon, Pa. |
| Babcock | Currier | Howell, N. J. | Moore, Pa. |
| Bannon | Cushman | Howell, Utah | Mouser |
| Barchfeld | Dale | Hubbard | Mudd |
| Bartholdt | Dalzell | Hull | Needham |
| Bates | Dawes | Humphrey, Wash. | Norris |
| Bede | Dawson | Jones, Wash. | Olcott |
| Bennet, N. Y. | Deemer | Kahn | Olmsted |
| Bingham | Denby | Keifer | Overstreet, Ind. |
| Birdsall | Dixon, Mont. | Kennedy, Nebr. | Parker |
| Bishop | Draper | Kennedy, Ohio | Parsons |
| Bonynge | Driscoll | Knapp | Payne |
| Bradley | Dunwell | Knowland | Pearre |
| Brick | Dwight | Lacey | Pollard |
| Brooks, Colo. | Ellis | Lafean | Powers |
| Brown | Englebright | Law | Reyburn |
| Brownlow | Fassett | Le Fevre | Reynolds |
| Brumm | Foster, Ind. | Lilley, Conn. | Roberts |
| Burke, Pa. | Foster, Vt. | Littauer | Rodenberg |
| Burleigh | French | Littlefield | Samuel |
| Burton, Del. | Gaines, W. Va. | Longworth | Schneebeli |
| Butler, Pa. | Gardner, Mass. | Lorimer | Scott |
| Calder | Gardner, Mich. | Loud | Sherman |
| Calderhead | Gardner, N. J. | Loudenslager | Sibley |
| Campbell, Ohio | Gillett | Lovering | Slemp |
| Capron | Goebel | McCall | Smith, Cal. |
| Cassel | Graham | McCleary, Minn. | Smith, Ill. |
| Chaney | Greene | McCreary, Pa. | Smith, Iowa |
| Cocks | Grosvenor | McKinley, Ill. | Smith, Mich |
| Cole | Hale | McLachlan | Smith, Pa. |
| Conner | Haskins | McMorran | Smyser |
| Cooper, Pa. | Hayes | Mahon | Southard |

| | | | |
|---|---|---|---|
| Sperry | Thomas, Ohio | Waldo | Wharton |
| Sterling | Tirrell | Wanger | Wiley, N. J. |
| Sulloway | Vreeland | Washburn | Wood |
| Tawney | Wachter | Watson | The Speaker |
| Taylor, Ohio | Wadsworth | Weeks | |

PRESENT—7.

| | | | |
|---|---|---|---|
| Allen, Me. | Hughes | Meyer | Wiley, Ala. |
| Hardwick | Lilley, Pa. | Otjen | |

NOT VOTING—56.

| | | | |
|---|---|---|---|
| Ames | Fletcher | Huff | Rhodes |
| Bennett, Ky. | Flood | Johnson | Richardson, Ky. |
| Blackburn | Floyd | Jones, Va. | Rives |
| Boutell | Foss | Klepper | Robertson, La. |
| Bowersock | Fowler | Lindsay | Scroggy |
| Bowie | Fuller | McDermott | Snapp |
| Broocks, Tex. | Garner | McKinlay, Cal. | Southwick |
| Buckman | Gilbert | McNary | Stanley |
| Burke, S. Dak. | Griggs | Madden | Tyndall |
| Cockran | Hearst | Michalek | Van Duzer |
| Dovener | Henry, Tex. | Morrell | Van Winkle |
| Dresser | Hermann | Nevin | Weisse |
| Ellerbe | Hogg | Palmer | Welborn |
| Field | Hopkins | Reid | Young |

So the motion to lay on the table the motion to reconsider was rejected.

During the roll call.

The SPEAKER. Members will not assemble around the desk while the roll is being called. The clerks complain that it interferes with the discharge of their duties, and it is against the rules also.

Mr. WILLIAMS. Mr. Speaker, how is the gentleman from Tennessee [Mr. MOON] recorded?

The SPEAKER. In the affirmative. If any gentleman is not properly recorded, there is a proper way in which to get at it.

Mr. WILLIAMS. If it is in order, I would like to ask the Chair a parliamentary inquiry.

The SPEAKER. It would hardly be in order to interrupt the roll call.

Mr. WILLIAMS. It is in connection with the regularity of the call of the roll. I understand gentlemen are coming in—some of them—and going to the Clerk's desk.

The SPEAKER. The gentleman's understanding is misunderstanding.

Mr. WILLIAMS. I am very glad to hear it.

The SPEAKER. So the Chair is informed by the clerks. But it is against the rule to be about the desk during the roll call.

Mr. GAINES of Tennessee. I make the point of order that the House is in disorder.

The SPEAKER. Everybody is quiet but the gentleman from Tennessee. [Laughter.]

Mr. GAINES of Tennessee. The Speaker is in disorder also. [Applause on the Democratic side.]

The SPEAKER. The gentleman will take his seat.

The call of the roll was concluded.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I would like to know if I am recorded.

The SPEAKER. The gentleman is not.

Mr. HUMPHREYS of Mississippi. I was present and paying strict attention and did not hear my name called.

The SPEAKER. When your name should have been called?

Mr. HUMPHREYS of Mississippi. Yes, sir.

The SPEAKER. Call the name of the gentleman.

The name of Mr. HUMPHREYS of Mississippi was called, and he voted "yea."

Mr. PEARRE. Mr. Speaker, I desire to change my vote. I voted "aye." I vote "no."

The name of Mr. PEARRE was called, and he voted "no."

Mr. WILLIAMS. I would like to inquire how the gentleman from New York [Mr. DUNWELL] is recorded?

The SPEAKER. He is not recorded.

Mr. SHACKLEFORD. He came in after the second roll call. I saw that.

Mr. BEALL of Texas. Mr. Speaker——

The SPEAKER. All gentlemen will be seated before business will proceed.

Mr. BEALL of Texas. Am I recorded?

The SPEAKER. Everybody will be seated. The Chair then can entertain a request. The gentleman from Texas.

Mr. BEALL of Texas. I have gained the information I desired. I am recorded.

The SPEAKER. The gentleman from New York [Mr. DUNWELL].

Mr. DUNWELL. I was right in the doorway, and I did not hear my name.

The SPEAKER. Was the gentleman present when his name should have been called and failed to hear?

Mr. DUNWELL. I think so, Mr. Speaker.

The SPEAKER. Gentlemen will keep order.

Mr. SHACKLEFORD. I rise to make a point of order.

The SPEAKER. Gentlemen will keep order. There is no point of order now pending.

Mr. SHACKLEFORD. I want to get one pending.

The SPEAKER. The gentleman is out of order, and will please be seated. All gentlemen will be seated. The Chair reminds the gentleman from New York that he must have been present when his name was called at one time or other of the roll call, either the first or the second; and if he did not vote, that he was giving attention and failed to hear his name called.

Mr. DUNWELL. I was giving attention, Mr. Speaker, right over here in the doorway, and did not hear my name. I think I was standing there when my name was called.

The SPEAKER. Call the gentleman's name.

The name of Mr. DUNWELL was called, and he voted "nay."

Mr. WILLIAMS. Mr. Speaker——

The SPEAKER. It is a matter for the judgment of the gentleman——

Mr. WILLIAMS. Mr. Speaker, but the gentleman has not said anything. He said he "believed." Now, there are two gentlemen who were watching and saw the gentleman——

The SPEAKER. Nobody except he is interested in this case.

Mr. WILLIAMS. I am making this point of order.

The SPEAKER. The gentleman will please be seated.

Mr. WILLIAMS. Mr. Speaker, I wish to address myself to the point of order.

The SPEAKER. The gentleman will please be seated.

Mr. WILLIAMS. I will be seated, but at the same time I want to be heard on the point of order.

The SPEAKER. Now, then, the gentleman from New York, after being informed by the Chair that if his name was not recorded that he must have been present on the first or second roll call when his name was called, or should have been called, and was paying attention and did not hear his name called, the Chair will again ask the gentleman——

Mr. DUNWELL. Mr. Speaker, there are three or four men here who saw me——

The SPEAKER. No; the gentleman himself. Did the gentleman hear his name called?

Mr. DUNWELL. I did not.

The SPEAKER. Was he paying attention?

Mr. DUNWELL. Yes.

The SPEAKER. When his name was called or ought to have been called?

Mr. DUNWELL. From the moment I put my head in that door.

The SPEAKER. But was the gentleman paying attention when his name was called or ought to have been called?

Mr. DUNWELL. Yes.

The SPEAKER. Call the gentleman's name.

The Clerk called the name of Mr. DUNWELL, and he answered "No."

Mr. WILLIAMS. Now, Mr. Speaker, that is all right; but the gentleman before said he "believed" he was.

The SPEAKER. After all, everything is as we believe. The Clerk will call my name.

The Clerk called the Speaker's name, and he voted in the negative.

Mr. WILLIAMS. Mr. Speaker, I ask a recapitulation.

Mr. TAYLOR of Alabama. Mr. Speaker, I want to know if I am recorded.

Mr. FLOOD. Mr. Speaker——

The SPEAKER. Gentlemen will please take their seats. All gentlemen will take their seats.

Mr. FLOOD. Well, Mr. Speaker, we do not seem to be able to get a hearing.

The SPEAKER. All gentlemen have good lungs, and the hearing of the Chair is exceptionally fine. [Laughter and applause.]

Mr. TALBOTT. Mr. Speaker, I wish to know if I am recorded.

The SPEAKER. In the affirmative.

Mr. FLOOD. I should like to have my name called.

The SPEAKER. Was the gentleman present when his name was called or should have been called? Was he listening and did he fail to hear his name?

Mr. FLOOD. I came into the Hall while the roll was being called.

The SPEAKER. The gentleman understands the question? To bring himself within the rule he must have been present on the first or second call, when his name was called or should have been called, giving attention, and did not hear it. What is the gentleman's answer?

Mr. FLOOD. Well, I came in after my name was called. I was not here. [Applause on the Democratic side.]

The SPEAKER. Then the gentleman is not entitled to vote. The House will be in order. The gentleman from Alabama [Mr. TAYLOR].

Mr. TAYLOR of Alabama. I desire to know if my name is recorded.

The SPEAKER. In the affirmative.

Mr. DAVEY of Louisiana. I desire to know how I am recorded.

The SPEAKER. In the affirmative.

Mr. CLARK of Florida. I came in just as my name was called and voted "aye," and I should like to know if I am recorded.

The SPEAKER. In the affirmative.

Mr. McNARY. I should like to know if I am recorded.

The SPEAKER. The gentleman is not recorded.

Mr. McNARY. I should like to vote, Mr. Speaker.

The SPEAKER. Was the gentleman present and listening when his name was called or should have been called, and did he fail to hear it?

Mr. McNARY. I was not in the Chamber, Mr. Speaker. [Applause on Democratic side.]

The SPEAKER. Well, then, the gentleman does not come within the rule.

Mr. SHERLEY. Mr. Speaker, I ask a recapitulation of the vote.

Mr. BUTLER of Pennsylvania. Mr. Speaker, on this roll call I voted "no." Since the vote has been taken I am told by the gentleman from Texas [Mr. BURLESON] that his colleague [Mr. GARNER] left here with the understanding that I would pair with him. I said distinctly to him before he went away (I understand that he has gone home) that after to-day I would pair with him, but that I did not care to pair with him to-day.

Mr. SHERLEY. Mr. Speaker, I ask for a recapitulation of the vote.

Mr. BURLESON. Mr. Speaker——

The SPEAKER. One moment. The gentleman from Kentucky [Mr. SHERLEY] asks for a recapitulation of the vote.

Mr. BURLESON. Before that is done, in justice to my colleague [Mr. GARNER] and for his protection, I desire to state that before he left I asked him if he had protected himself with a pair, and he said that he had.

The SPEAKER. The gentleman from Kentucky asks to have the vote recapitulated. The Chair trusts the House will be in order, as the vote is close.

Mr. BROOCKS of Texas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BROOCKS of Texas. For an explanation.

The SPEAKER. That is not in order.

Mr. BROOCKS of Texas. I want to find out whether I am recorded.

Mr. BURLESON. The gentleman wants to know if his name is recorded.

The SPEAKER. It is not.

Mr. BROOCKS of Texas. I want to ask the Speaker if I am too late to vote. I left the Hall on account of illness, and not for the purpose of evading my duty in any way.

The SPEAKER. Was the gentleman present when his name was called or should have been called, giving attention, and did he fail to hear his name called?

Mr. BROOCKS of Texas. I will say that the reason of it was that I was ill——

The SPEAKER. The gentleman does not bring himself within the rule. The Clerk will recapitulate the vote.

Mr. HUGHES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HUGHES. I want to explain my vote. [Cries of "Regular order!"] I want to explain it in this way, Mr. Speaker. I was paired with the gentleman from Kentucky [Mr. STANLEY], but when this controversy came up it entirely slipped my memory. I want to withdraw my vote. [Applause on the Democratic side.]

The SPEAKER. Call the gentleman's name.

The Clerk called the name of Mr. HUGHES, and he answered "present."

The Clerk announced the following additional pairs:

On ship subsidy:

Mr. BURKE of South Dakota (in favor of) with Mr. BUTLER of Tennessee (against).

Mr. MORRELL (in favor of) with Mr. FLOYD (against).

Mr. McKINLAY of California (in favor of) with Mr. WILEY of Alabama (against).

Mr. ALLEN of Maine (in favor of) with Mr. JOHNSON.

Mr. OTJEN (in favor of) with Mr. JONES of Virginia (against).

For balance of the day:

Mr. RHODES with Mr. HENRY of Texas.

Mr. BOUTELL with Mr. GRIGGS.

Mr. SCROGGY with Mr. ROBERTSON of Louisiana.

The SPEAKER. The Clerk will recapitulate the vote.

The Clerk recapitulated the vote.

Mr. ALLEN of Maine. Mr. Speaker, on the roll call I answered "present." I am recorded as voting "no." I am paired with the gentleman from South Carolina, Mr. JOHNSON.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. ALLEN of Maine and he answered "present," as above recorded.

The SPEAKER. Upon this vote the yeas are 155, and the nays are 159, present 7; and the House declines to lay on the table the motion to reconsider. The question now is on the motion of the gentleman from New York to reconsider.

Mr. WILLIAMS. And on that I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 164, nays 155, answered "present" 6, not voting 53, as follows:

YEAS—164.

| | | | |
|---|---|---|---|
| Acheson | Cushman | Humphrey, Wash. | Parsons |
| Alexander | Dale | Jones, Wash. | Payne |
| Allen, N. J. | Dalzell | Kahn | Pearre |
| Andrus | Dawes | Keifer | Pollard |
| Babcock | Dawson | Kennedy, Nebr. | Powers |
| Bannon | Deemer | Kennedy, Ohio | Reyburn |
| Barchfeld | Denby | Knapp | Reynolds |
| Bartholdt | Dixon, Mont. | Knowland | Roberts |
| Bates | Dovener | Lacey | Rodenberg |
| Bede | Draper | Lafean | Samuel |
| Bennet, N. Y. | Driscoll | Law | Schneebeli |
| Bingham | Dunwell | Le Fevre | Scott |
| Birdsall | Dwight | Lilley, Conn. | Sherman |
| Bishop | Ellis | Littauer | Sibley |
| Blackburn | Englebright | Littlefield | Smith, Cal. |
| Bonynge | Fassett | Longworth | Smith, Ill. |
| Bradley | Fletcher | Lorimer | Smith, Iowa |
| Brick | Foster, Ind. | Loud | Smith, Mich. |
| Brooks, Colo. | French | Loudenslager | Smith, Pa. |
| Brown | Gaines, W. Va. | Lovering | Smyser |
| Brownlow | Gardner, Mass. | McCall | Snapp |
| Brumm | Gardner, Mich. | McCleary, Minn. | Southard |
| Burke, Pa. | Gardner, N. J. | McCreary, Pa. | Sperry |
| Burleigh | Gillett | McKinley, Ill. | Sterling |
| Burton, Del. | Goebel | McLachlan | Sulloway |
| Butler, Pa. | Graham | McMorran | Tawney |
| Calder | Greene | Mahon | Taylor, Ohio |
| Calderhead | Grosvenor | Martin | Thomas, Ohio |
| Campbell, Ohio | Hale | Minor | Tirrell |
| Capron | Haskins | Mondell | Vreeland |
| Cassel | Haugen | Moon, Pa. | Wachter |
| Chaney | Hayes | Moore, Pa. | Wadsworth |
| Cocks | Hedge | Mouser | Waldo |
| Cole | Henry, Conn. | Mudd | Wanger |
| Conner | Hepburn | Murphy | Washburn |
| Cooper, Pa. | Higgins | Needham | Watson |
| Coudrey | Hill, Conn. | Norris | Weeks |
| Cousins | Howell, N. J. | Olcott | Wharton |
| Cromer | Howell, Utah | Olmsted | Wiley, N. J. |
| Crumpacker | Hubbard | Overstreet, Ind. | Wood |
| Currier | Hull | Parker | The Speaker |

NAYS—155.

| | | | |
|---|---|---|---|
| Adamson | Fulkerson | Lever | Ryan |
| Aiken | Gaines, Tenn. | Lewis | Saunders |
| Bankhead | Garber | Livingston | Shackleford |
| Bartlett | Garrett | Lloyd | Shartel |
| Beall, Tex. | Gilhams | Lowden | Sheppard |
| Beidler | Gill | McCarthy | Sherley |
| Bell, Ga. | Gillespie | McGavin | Sims |
| Bowers | Glass | McKinney | Slayden |
| Brantley | Goldfogle | McLain | Small |
| Broocks, Tex. | Goulden | McNary | Smith, Ky. |
| Broussard | Graff | Macon | Smith, Md. |
| Brundidge | Granger | Mann | Smith, Tex. |
| Burgess | Gregg | Marshall | Southall |
| Burleson | Gronna | Maynard | Sparkman |
| Burnett | Gudger | Miller | Spight |
| Burton, Ohio | Hamilton | Moon, Tenn. | Stafford |
| Byrd | Hay | Moore, Tex. | Steenerson |
| Campbell, Kans. | Heflin | Murdock | Stephens, Tex. |
| Candler | Hinshaw | Nelson | Stevens, Minn. |
| Chapman | Holliday | Overstreet, Ga. | Sullivan |
| Clark, Fla. | Houston | Padgett | Sulzer |
| Clark, Mo. | Howard | Page | Talbott |
| Clayton | Humphreys, Miss. | Patterson, N. C. | Taylor, Ala. |
| Cooper, Wis. | Hunt | Patterson, S. C. | Thomas, N. C. |
| Darragh | James | Perkins | Towne |
| Davey, La. | Jenkins | Pou | Townsend |
| Davidson | Keliher | Prince | Trimble |
| Davis, Minn. | Kinkaid | Pujo | Underwood |
| Davis, W. Va. | Kitchin, Claude | Rainey | Volstead |
| De Armond | Kitchin, Wm. W. | Randell, Tex. | Wallace |
| Dickson, Ill. | Kline | Ransdell, La. | Watkins |
| Dixon, Ind. | Knopf | Reeder | Webb |
| Edwards | Lamar | Rhinock | Webber |
| Esch | Lamb | Richardson, Ala. | Weems |
| Finley | Landis, Chas. B. | Riordan | Williams |
| Fitzgerald | Landis, Frederick | Robinson, Ark. | Wilson |
| Flood | Lawrence | Rucker | Woodyard |
| Fordney | Lee | Ruppert | Zenor |
| Foster, Vt. | Legare | Russell | |

ANSWERED "PRESENT"—6.

| | | | |
|---|---|---|---|
| Allen, Me. | Hughes | Otjen | Wiley, Ala. |
| Hardwick | Lilley, Pa. | | |

NOT VOTING—53.

| | | | |
|---|---|---|---|
| Ames | Fowler | Klepper | Robertson, La. |
| Bennett, Ky. | Fuller | Lindsay | Scroggy |
| Boutell | Garner | McDermott | Slemp |
| Bowersock | Gilbert | McKinlay, Cal. | Southwick |
| Bowie | Griggs | Madden | Stanley |
| Buckman | Hearst | Meyer | Tyndall |
| Burke, S. Dak. | Henry, Tex. | Michalek | Van Duzer |
| Butler, Tenn. | Hermann | Morrell | Van Winkle |
| Cockran | Hill, Miss. | Nevin | Weisse |
| Dresser | Hogg | Palmer | Welborn |
| Ellerbe | Hopkins | Reid | Young |
| Field | Huff | Rhodes | |
| Floyd | Johnson | Richardson, Ky. | |
| Foss | Jones, Va. | Rives | |

So the motion to reconsider was agreed to.

The following additional pairs were announced:

On this vote:

Mr. AMES with Mr. HILL of Mississippi.

Mr. BURKE of South Dakota with Mr. BUTLER of Tennessee; Mr. BURKE in favor, Mr. BUTLER against.

Mr. MORRELL with Mr. FLOYD; Mr. MORRELL in favor, Mr. FLOYD against.

Mr. MCKINLAY of California with Mr. WILEY of Alabama; Mr. MCKINLAY in favor, Mr. WILEY against.

Mr. ALLEN of Maine with Mr. JOHNSON; Mr. ALLEN in favor, Mr. JOHNSON against.

Mr. OTJEN with Mr. JONES of Virginia; Mr. OTJEN in favor, Mr. JONES against.

The SPEAKER. Upon this vote the yeas are 164, and the nays are 155. The motion to reconsider prevails, and the question recurs upon agreeing to the amendment in the nature of a substitute to the Senate bill.

Mr. WILLIAMS. And upon that question, Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. As many as are in favor of agreeing to the amendment in the nature of a substitute to the Senate bill will when their names are called answer "yea," and as many as are opposed will answer "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 162, nays 150, answered "present" 6, not voting 60, as follows:

YEAS—162.

| | | | |
|---|---|---|---|
| Acheson | Dale | Jones, Wash. | Pearre |
| Alexander | Dalzell | Kahn | Pollard |
| Allen, N. J. | Dawes | Keifer | Powers |
| Andrus | Dawson | Kennedy, Nebr. | Reyburn |
| Babcock | Deemer | Kennedy, Ohio | Reynolds |
| Bannon | Denby | Knapp | Roberts |
| Barchfeld | Dixon, Mont. | Knowland | Rodenberg |
| Bartholdt | Dovener | Lacey | Samuel |
| Bates | Draper | Lafean | Schneebell |
| Bede | Driscoll | Law | Scott |
| Bennet, N. Y. | Dunwell | Le Fevre | Shartel |
| Bingham | Dwight | Lilley, Conn. | Sherman |
| Birdsall | Ellis | Littauer | Sibley |
| Bishop | Englebright | Littlefield | Smith, Cal. |
| Blackburn | Fassett | Longworth | Smith, Ill. |
| Bonynge | Fletcher | Lorimer | Smith, Iowa |
| Bradley | Foster, Ind. | Loud | Smith, Mich. |
| Brick | French | Loudenslager | Smith, Pa. |
| Brooks, Colo. | Gaines, W. Va. | Lovering | Southard |
| Brown | Gardner, Mass. | McCall | Sperry |
| Brownlow | Gardner, Mich. | McCleary, Minn. | Sterling |
| Brumm | Gardner, N. J. | McCreary, Pa. | Sulloway |
| Burke, Pa. | Gillett | McKinley, Ill. | Tawney |
| Burleigh | Goebel | McLachlan | Taylor, Ohio |
| Burton, Del. | Graham | McMorran | Thomas, Ohio |
| Butler, Pa. | Greene | Mahon | Tirrell |
| Calder | Grosvenor | Martin | Townsend |
| Calderhead | Hale | Minor | Vreeland |
| Campbell, Ohio | Haskins | Mondell | Wachter |
| Capron | Haugen | Moon, Pa. | Wadsworth |
| Cassel | Hayes | Moore, Pa. | Waldo |
| Chaney | Hedge | Mudd | Wanger |
| Cocks | Henry, Conn. | Murphy | Washburn |
| Cole | Hepburn | Needham | Watson |
| Conner | Higgins | Norris | Weeks |
| Coudrey | Hill, Conn. | Olcott | Wharton |
| Cousins | Howell, N. J. | Olmsted | Wiley, N. J. |
| Cromer | Howell, Utah | Overstreet, Ind. | Wood |
| Crumpacker | Hubbard | Parker | The Speaker |
| Currier | Hull | Parsons | |
| Cushman | Humphrey, Wash. | Payne | |

NAYS—150.

| | | | |
|---|---|---|---|
| Adamson | Chapman | Foster, Vt. | Hay |
| Aiken | Clark, Fla. | Fulkerson | Heflin |
| Bankhead | Clark, Mo. | Gaines, Tenn. | Hinshaw |
| Bartlett | Clayton | Garber | Holliday |
| Beall, Tex. | Cooper, Wis. | Garrett | Houston |
| Bell, Ga. | Davey, La. | Gilhams | Howard |
| Bowers | Davidson | Gill | Humphreys, Miss. |
| Brantley | Davis, Minn. | Gillespie | Hunt |
| Broocks, Tex. | Davis, W. Va. | Glass | James |
| Brundidge | De Armond | Goldfogle | Jenkins |
| Burgess | Dixon, Ind. | Goulden | Keliher |
| Burleson | Edwards | Graff | Kinkaid |
| Burnett | Esch | Granger | Kitchin, Claude |
| Burton, Ohio | Finley | Gregg | Kitchin, Wm. W. |
| Byrd | Fitzgerald | Gronna | Kline |
| Campbell, Kans. | Flood | Gudger | Knopf |
| Candler | Fordney | Hamilton | Lamar |
| Lamb | Moon, Tenn. | Robinson, Ark. | Stevens, Minn. |
| Landis, Chas. B. | Moore, Tex. | Rucker | Sullivan |
| Landis, Frederick | Mouser | Ruppert | Sulzer |
| Lawrence | Murdock | Russell | Talbott |
| Lee | Nelson | Ryan | Taylor, Ala. |
| Legare | Overstreet, Ga. | Saunders | Thomas, N. C. |
| Lever | Padgett | Shackleford | Towne |
| Lewis | Page | Sheppard | Trimble |
| Livingston | Patterson, N. C. | Sherley | Underwood |
| Lloyd | Patterson, S. C. | Sims | Volstead |
| Lowden | Perkins | Slayden | Wallace |
| McCarthy | Pou | Small | Watkins |
| McGavin | Prince | Smith, Ky. | Webb |
| McKinney | Pujo | Smith, Md. | Webber |
| McLain | Rainey | Smith, Tex. | Weems |
| McNary | Randell, Tex. | Southall | Williams |
| Macon | Ransdell, La. | Sparkman | Wilson |
| Mann | Reeder | Spight | Woodyard |
| Marshall | Rhinock | Stafford | Zenor |
| Maynard | Richardson, Ala. | Steenerson | |
| Miller | Riordan | Stephens, Tex. | |

ANSWERED "PRESENT"—6.

| | | | |
|---|---|---|---|
| Hardwick | Lilley, Pa. | Otjen | Wiley, Ala. |
| Hughes | Meyer | | |

NOT VOTING—60.

| | | | |
|---|---|---|---|
| Allen, Me. | Dresser | Hopkins | Richardson, Ky. |
| Ames | Ellerbe | Huff | Rives |
| Beidler | Field | Johnson | Robertson, La. |
| Bennett, Ky. | Floyd | Jones, Va. | Scroggy |
| Boutell | Foss | Klepper | Slemp |
| Bowersock | Fowler | Lindsay | Smyser |
| Bowie | Fuller | McDermott | Snapp |
| Broussard | Garner | McKinlay, Cal. | Southwick |
| Buckman | Gilbert | Madden | Stanley |
| Burke, S. Dak. | Griggs | Michalek | Tyndall |
| Butler, Tenn. | Hearst | Morrell | Van Duzer |
| Cockran | Henry, Tex. | Nevin | Van Winkle |
| Cooper, Pa. | Hermann | Palmer | Weisse |
| Darragh | Hill, Miss. | Reid | Welborn |
| Dickson, Ill. | Hogg | Rhodes | Young |

So the amendment in the nature of a substitute was agreed to.

The Clerk announced the following additional pairs:

For the vote:

Mr. COOPER of Pennsylvania with Mr. BROUSSARD.

Mr. OTJEN (in favor) with Mr. JONES of Virginia (against ship-subsidy bill).

Mr. RIVES (in favor) with Mr. DICKSON of Illinois (against ship-subsidy bill).

Mr. BURKE of South Dakota (in favor) with Mr. BUTLER of Tennessee (against ship-subsidy bill).

Mr. MORRELL (in favor) with Mr. FLOYD (against ship-subsidy bill).

Mr. MCKINLAY of California (in favor) with Mr. WILEY of Alabama (against ship-subsidy bill).

Mr. ALLEN of Maine (in favor) with Mr. JOHNSON (against ship-subsidy bill).

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the third reading of the Senate bill.

Mr. GARDNER of Massachusetts. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. GARDNER of Massachusetts. That the order under which we are considering this bill says that the vote shall be taken to its final passage.

The SPEAKER. That means to go on to the final passage. The next step is on the third reading of the Senate bill.

Mr. SHERLEY. Mr. Speaker, on that vote I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 161, nays 151, answered "present" 7, not voting 59, as follows:

YEAS—161.

| | | | |
|---|---|---|---|
| Acheson | Calderhead | Ellis | Hull |
| Alexander | Campbell, Ohio | Englebright | Humphrey, Wash. |
| Allen, N. J. | Capron | Fassett | Jones, Wash. |
| Andrus | Cassel | Fletcher | Kahn |
| Babcock | Chaney | Foster, Ind. | Keifer |
| Bannon | Cocks | French | Kennedy, Nebr. |
| Barchfeld | Cole | Gaines, W. Va. | Kennedy, Ohio |
| Bartholdt | Conner | Gardner, Mass. | Knapp |
| Bates | Cooper, Pa. | Gardner, Mich. | Knowland |
| Bede | Coudrey | Gardner, N. J. | Lacey |
| Bennet, N. Y. | Cousins | Gillett | Lafean |
| Bingham | Cromer | Goebel | Law |
| Birdsall | Crumpacker | Graham | Le Fevre |
| Bishop | Currier | Greene | Lilley, Conn. |
| Blackburn | Cushman | Grosvenor | Littauer |
| Bonynge | Dale | Hale | Littlefield |
| Bradley | Dalzell | Haskins | Longworth |
| Brick | Dawes | Haugen | Lorimer |
| Brooks, Colo. | Dawson | Hayes | Loud |
| Brown | Deemer | Hedge | Loudenslager |
| Brownlow | Denby | Henry, Conn. | Lovering |
| Brumm | Dixon, Mont. | Hepburn | McCall |
| Burke, Pa. | Dovener | Higgins | McCleary, Minn. |
| Burleigh | Draper | Hill, Conn. | McCreary, Pa. |
| Burton, Del. | Driscoll | Howell, N. J. | McKinley, Ill. |
| Butler, Pa. | Dunwell | Howell, Utah | McLachlan |
| Calder | Dwight | Hubbard | McMorran |

| | | | |
|---|---|---|---|
| Mahon | Parsons | Smith, Cal. | Vreeland |
| Martin | Payne | Smith, Ill. | Wachter |
| Minor | Pollard | Smith, Iowa | Wadsworth |
| Mondell | Powers | Smith, Mich. | Waldo |
| Moon, Pa. | Reyburn | Smith, Pa. | Wanger |
| Moore, Pa. | Reynolds | Southard | Washburn |
| Mudd | Roberts | Sperry | Weeks |
| Murphy | Rodenberg | Sterling | Wharton |
| Needham | Samuel | Sulloway | Wiley, N. J. |
| Norris | Schneebeli | Tawney | Wood |
| Olcott | Scott | Taylor, Ohio | The Speaker |
| Olmsted | Shartel | Thomas, Ohio | |
| Overstreet, Ind. | Sherman | Tirrell | |
| Parker | Sibley | Townsend | |

NAYS—151.

| | | | |
|---|---|---|---|
| Adamson | Gaines, Tenn. | Lever | Russell |
| Aiken | Garber | Lewis | Ryan |
| Bankhead | Garrett. | Livingston | Saunders |
| Bartlett | Gilhams | Lloyd | Shackleford |
| Beall, Tex. | Gill | Lowden | Sheppard |
| Bell, Ga. | Gillespie | McCarthy | Sherley |
| Bowers | Glass | McGavin | Sims |
| Brantley | Goldfogle | McKinney | Slayden |
| Broocks, Tex. | Goulden | McLain | Small |
| Broussard | Graff | McNary | Smith, Ky. |
| Brundidge | Granger | Macon | Smith, Md. |
| Burgess | Gregg | Mann | Smith, Tex. |
| Burleson | Gronna | Marshall | Southall |
| Burnett | Gudger | Maynard | Sparkman |
| Burton, Ohio | Hamilton | Miller | Spight |
| Byrd | Hay | Moon, Tenn. | Stafford |
| Campbell, Kans. | Heflin | Moore, Tex. | Steenerson |
| Candler | Hinshaw | Mouser | Stephens, Tex. |
| Chapman | Holliday | Murdock | Stevens, Minn. |
| Clark, Fla. | Houston | Nelson | Sullivan |
| Clark, Mo. | Howard | Overstreet, Ga. | Sulzer |
| Clayton | Humphreys, Miss. | Padgett | Talbott |
| Cooper, Wis. | Hunt | Page | Taylor, Ala. |
| Darragh | James | Patterson, N. C. | Thomas, N. C. |
| Davey, La. | Jenkins | Patterson, S. C. | Towne |
| Davidson | Keliher | Perkins | Trimble |
| Davis, Minn. | Kinkaid | Pou | Underwood |
| Davis, W. Va. | Kitchin, Claude | Prince | Volstead |
| De Armond | Kitchin, Wm. W. | Pujo | Wallace |
| Dixon, Ind. | Kline | Rainey | Watkins |
| Edwards | Knopf | Randell, Tex. | Webb |
| Esch | Lamar | Ransdell, La. | Webber |
| Finley | Lamb | Rhinock | Weems |
| Fitzgerald | Landis, Chas. B. | Richardson, Ala. | Williams |
| Flood | Landis, Frederick | Riordan | Wilson |
| Fordney | Lawrence | Robinson, Ark. | Woodyard |
| Foster, Vt. | Lee | Rucker | Zenor |
| Fulkerson | Legare | Ruppert | |

ANSWERED "PRESENT—7.

| | | | |
|---|---|---|---|
| Allen, Me. | Hughes | Meyer | Wiley, Ala. |
| Hardwick | Lilley, Pa. | Otjen | |

NOT VOTING—59.

| | | | |
|---|---|---|---|
| Ames | Foss | Klepper | Robertson, La. |
| Beidler | Fowler | Lindsay | Scroggy |
| Bennett, Ky. | Fuller | McDermott | Slemp |
| Boutell | Garner | McKinlay, Cal. | Smyser |
| Bowersock | Gilbert | Madden | Snapp |
| Bowie | Griggs | Michalek | Southwick |
| Buckman | Hearst | Morrell | Stanley |
| Burke, S. Dak. | Henry, Tex. | Nevin | Tyndall |
| Butler, Tenn. | Hermann | Palmer | Van Duzer |
| Cockran | Hill, Miss. | Pearre | Van Winkle |
| Dickson, Ill. | Hogg | Reeder | Watson |
| Dresser | Hopkins | Reid | Weisse |
| Ellerbe | Huff | Rhodes | Welborn |
| Field | Johnson | Richardson, Ky. | Young |
| Floyd | Jones, Va. | Rives | |

So the bill was ordered to be read a third time.

The following additional pairs were announced:

On this vote:

Mr. PEARRE with Mr. HILL of Mississippi.

On ship subsidy:

Mr. BURKE of South Dakota (in favor of) with Mr. BUTLER of Tennessee (against).

Mr. MORRELL (in favor of) with Mr. FLOYD (against).

Mr. MCKINLAY of California (in favor of) with Mr. WILEY of Alabama (against).

Mr. ALLEN of Maine (in favor of) with Mr. JOHNSON (against).

Mr. OTJEN (in favor of) with Mr. JONES of Virginia (against).

The result of the vote was announced as above recorded.

Mr. SHERLEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SHERLEY. Does not this bill have to be engrossed for a third reading?

The SPEAKER. No; it is a Senate bill already engrossed.

Mr. SHERLEY. Is the substitute engrossed?

The SPEAKER. There is no rule requiring a substitute to a Senate bill to be engrossed; it does not have to be engrossed.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question now is on the passage of the bill.

Mr. WILLIAMS. Yeas and nays, Mr. Speaker.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 157, nays 145, answered "present" 8, not voting 68, as follows:

YEAS—157.

| | | | |
|---|---|---|---|
| Acheson | Currier | Jones, Wash. | Payne |
| Alexander | Cushman | Kahn | Pollard |
| Allen, N. J. | Dale | Keifer | Reyburn |
| Andrus | Dalzell | Kennedy, Nebr. | Reynolds |
| Babcock | Dawes | Kennedy, Ohio | Roberts |
| Bannon | Dawson | Knapp | Rodenberg |
| Barchfeld | Deemer | Knowland | Samuel |
| Bartholdt | Denby | Lacey | Schneebeli |
| Bates | Dixon, Mont. | Lafean | Scott |
| Bede | Dovener | Law | Sherman |
| Bennet, N. Y. | Draper | Le Fevre | Sibley |
| Bingham | Driscoll | Lilley, Conn. | Smith, Cal. |
| Birdsall | Dunwell | Littauer | Smith, Ill. |
| Bishop | Dwight | Littlefield | Smith, Iowa |
| Blackburn | Ellis | Longworth | Smith, Mich |
| Bonynge | Englebright | Lorimer | Smith, Pa. |
| Bradley | Fassett | Loud | Southard |
| Brick | Foster, Ind. | Loudenslager | Sperry |
| Brooks, Colo. | French | Lovering | Sterling |
| Brown | Gaines, W. Va. | McCall | Sulloway |
| Brownlow | Gardner, Mass. | McCleary, Minn. | Tawney |
| Brumm | Gardner, N. J. | McCreary, Pa. | Taylor, Ohio |
| Burke, Pa. | Gillett | McKinley, Ill. | Thomas, Ohio |
| Burleigh | Graham | McLachlan | Tirrell |
| Burton, Del. | Greene | McMorran | Townsend |
| Butler, Pa. | Grosvenor | Mahon | Vreeland |
| Calder | Hale | Martin | Wachter |
| Calderhead | Haskins | Minor | Wadsworth |
| Campbell, Ohio | Haugen | Mondell | Waldo |
| Capron | Hayes | Moon, Pa. | Wanger |
| Cassel | Hedge | Moore, Pa. | Washburn |
| Chaney | Henry, Conn. | Mudd | Watson |
| Cocks | Hepburn | Murphy | Weeks |
| Cole | Higgins | Needham | Wharton |
| Conner | Hill, Conn. | Norris | Wiley, N. J. |
| Cooper, Pa. | Howell, N. J. | Olcott | Wood |
| Coudry | Howell, Utah | Olmsted | The Speaker |
| Cousins | Hubbard | Overstreet, Ind. | |
| Cromer | Hull | Parker | |
| Crumpacker | Humphrey, Wash. | Parsons | |

NAYS—145.

| | | | |
|---|---|---|---|
| Adamson | Gilhams | Livingston | Saunders |
| Aiken | Gill | Lloyd | Shackleford |
| Bankhead | Gillespie | Lowden | Sheppard |
| Bartlett | Glass | McCarthy | Sherley |
| Beall, Tex. | Goldfogle | McGavin | Sims |
| Bell, Ga. | Goulden | McKinney | Slayden |
| Bowers | Graff | McLain | Small |
| Brantley | Granger | McNary | Smith, Ky. |
| Broocks, Tex. | Gregg | Macon | Smith, Md. |
| Broussard | Gronna | Mann | Smith, Tex. |
| Brundidge | Gudger | Marshall | Southall |
| Burgess | Hamilton | Maynard | Sparkman |
| Burleson | Hay | Miller | Spight |
| Burnett | Heflin | Moon, Tenn. | Stafford |
| Burton, Ohio | Hinshaw | Moore, Tex. | Steenerson |
| Campbell, Kans. | Holliday | Mouser | Stephens, Tex. |
| Candler | Houston | Murdock | Stevens, Minn. |
| Chapman | Howard | Nelson | Sullivan |
| Clark, Fla. | Humphreys, Miss. | Overstreet, Ga. | Sulzer |
| Clark, Mo. | Hunt | Padgett | Talbott |
| Clayton | James | Page | Taylor, Ala. |
| Cooper, Wis. | Jenkins | Patterson, N. C. | Thomas, N. C. |
| Darragh | Keliher | Patterson, S. C. | Towne |
| Davey, La. | Kinkaid | Perkins | Trimble |
| Davidson | Kitchin, Claude | Pou | Underwood |
| Davis, Minn. | Kitchin, Wm. W. | Pujo | Volstead |
| Davis, W. Va. | Kline | Rainey | Wallace |
| De Armond | Knopf | Randell, Tex. | Watkins |
| Dixon, Ind. | Lamar | Ransdell, La. | Webb |
| Fitzgerald | Lamb | Rhinock | Webber |
| Flood | Landis, Chas. B. | Richardson, Ala. | Weems |
| Fordney | Landis, Frederick | Riordan | Williams |
| Foster, Vt. | Lawrence | Robinson, Ark. | Wilson |
| Fulkerson | Lee | Rucker | Woodyard |
| Gaines, Tenn. | Legare | Ruppert | |
| Garber | Lever | Russell | |
| Garrett | Lewis | Ryan | |

ANSWERED "PRESENT"—8.

| | | | |
|---|---|---|---|
| Allen, Me. | Hardwick | Lilley, Pa. | Wiley, Ala. |
| Esch | Hughes | Otjen | Zenor |

NOT VOTING—68.

| | | | |
|---|---|---|---|
| Ames | Fletcher | Johnson | Rhodes |
| Beidler | Floyd | Jones, Va. | Richardson, Ky. |
| Bennett, Ky. | Foss | Klepper | Rives |
| Boutell | Fowler | Lindsay | Robertson, La. |
| Bowersock | Fuller | McDermott | Scroggy |
| Bowie | Gardner, Mich. | McKinlay, Cal. | Shartel |
| Buckman | Garner | Madden | Slemp |
| Burke, S. Dak. | Gilbert | Meyer | Smyser |
| Butler, Tenn. | Goebel | Michalek | Snapp |
| Byrd | Griggs | Morrell | Southwick |
| Cockran | Hearst | Nevin | Stanley |
| Dickson, Ill. | Henry, Tex. | Palmer | Tyndall |
| Dresser | Hermann | Pearre | Van Duzer |
| Edwards | Hill, Miss. | Powers | Van Winkle |
| Ellerbe | Hogg | Prince | Weisse |
| Field | Hopkins | Reeder | Welborn |
| Finley | Huff | Reid | Young |

So the bill was passed.

The following additional pairs were announced:

On ship subsidy:

Mr. BURKE of South Dakota (in favor of) with Mr. BUTLER of Tennessee (against).

Mr. MORRELL (in favor of) with Mr. FLOYD (against).

Mr. MCKINLAY of California (in favor of) with Mr. WILEY of Alabama (against).

Mr. ALLEN of Maine (in favor of) with Mr. JOHNSON (against).

Mr. OTJEN (in favor of) with Mr. JONES of Virginia (against).

Mr. GARDNER of Michigan (in favor of) with Mr. ESCH (against).

Until further notice:

Mr. POWERS with Mr. ZENOR.

For the balance of the day:

Mr. FLETCHER with Mr. FINLEY.

For this vote:

Mr. PEARRE with Mr. HILL of Mississippi.

The result of the vote was announced as above recorded.

On motion of Mr. LITTAUER, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River, near the village of Mottville, St. Joseph County, Mich.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 8572) permitting the building of a dam across the Savannah River at Andersonville Shoals; the bill (S. 8581) permitting the building of a dam across the Savannah River at Trotters Shoals; the bill (S. 8583) permitting the building of a dam across the Savannah River at Calhoun Falls; and the bill (S. 8584) permitting the building of a dam across the Savannah River at Hattons Ford.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Senate recedes from its amendment numbered 1 to the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, had further insisted upon its amendments numbered 4, 10, 11, 12, 22, 68, 69, 78, 79, 80, 82, 83, 87, 96, 97, 98, 99, 117, and 126, disagreed to by the House of Representatives, has asked a further conference with the House, and had appointed Mr. ALLISON, Mr. HALE, and Mr. BERRY as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 8585. An act for the relief of Charles W. Spalding.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 13418. An act for the relief of W. S. Hammaker;

H. R. 11401. An act granting an increase of pension to William Kling;

H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same;" and

H. R. 10095. An act making certain changes in the postal laws.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 8540. An act to ratify a certain lease with the Seneca Nation of Indians.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 24816. An act to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 8585. An act for the relief of Charles W. Spalding—to the Committee on Military Affairs.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 23551. An act making appropriation for the support of the Army for the fiscal year ending June 30, 1908;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army;

H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River;

H. R. 8984. An act to amend the laws governing labor or improvements upon mining claims in Alaska;

H. R. 20128. An act to complete the naval record of Patrick Naddy;

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoals;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. J. Res. 240. Joint resolution to create a joint committee to consider the revision and codification of the laws of the United States;

H. R. 19275. An act for the relief of T. E. Boyt;

H. R. 6104. An act to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails;

H. J. Res. 31. Joint resolution authorizing the wearing of the distinctive badge adopted by the Army and Navy Union upon all occasions of ceremony;

H. R. 11040. An act to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys;

H. R. 15909. An act for the relief of the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the United States Army transport *Meade;*

H. R. 25630. An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906; and

H. R. 24122. An act in reference to the expatriation of citizens and their protection abroad.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2787. An act to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation, in the State of Wisconsin;"

S. 8535. An act for the relief of certain white persons who intermarried with Cherokee citizens;

S. 6498. An act to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of permanent Hot Springs Mountain Reservation, Ark.," approved April 20, 1904;

S. 5365. An act to appoint Joseph Y. Porter a lieutenant-colonel and a deputy surgeon-general and place him on the retired list of the Army;

S. 8063. An act to amend an act entitled "An act to amend an act approved August 3, 1894, entitled 'An act concerning leases in the Yellowstone Natural Park,'" approved June 4, 1906;

S. 8377. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906;

S. 8128. An act granting to the St. Johns Light and Power Company a right of way for street railroad purposes through the United States Military Reservation of Fort Marion, in St. Augustine, Fla., and through other Government property in said city; and

S. 7994. An act authorizing the State of North Dakota to select other lands in lieu of lands erroneously entered in sections 16 and 36, within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations, in said State.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by

Mr. LATTA, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 26:

H. R. 21574. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 12858. An act permitting the county of Taos, in the Territory of New Mexico, to refund its indebtedness at a lower rate of interest;

H. R. 17212. An act to amend an act to incorporate the Supreme Lodge of the Knights of Pythias;

H. R. 24284. An act for the opening of Warren and Forty-sixth streets NW., in the District of Columbia;

H. R. 25242. An act to authorize additional aids to navigation in the Light-House Establishment, and for other purposes;

H. R. 22350. An act to authorize the recorder of deeds of the District of Columbia to recopy old records in his office, and for other purposes;

H. J. Res. 246. A joint resolution authorizing the President to extend an invitation to the Twelfth International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington;

H. R. 1078. An act for the relief of Hamilton D. South, second lieutenant, United States Marine Corps;

H. R. 7741. An act waiving the age limit for admission to the Pay Corps of the United States Navy in the case of Pay Clerk Walter Delafield Bollard, United States Navy; and

H. R. 18020. An act for the relief of Snare & Triest.

On February 27:

H. R. 25475. An act to amend an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906;

H. R. 23576. An act to provide for the extension of New Hampshire avenue, in the District of Columbia, and for other purposes;

H. R. 5971. An act authorizing the extension of T street (formerly W street) NW.;

H. R. 129. An act for the opening of a connecting parkway along Piney Branch, between Sixteenth street and Rock Creek Park, District of Columbia;

H. R. 24875. An act authorizing the extension of Forty-fifth street NW.;

H. R. 23201. An act to amend the act approved March 1, 1905, entitled "An act to amend section 4 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901;"

H. R. 22338. An act to bridge Bayou Bartholomew, in Louisiana;

H. J. Res. 223. Joint resolution relating to the holders of medals of honor;

H. R. 13367. An act to amend section 13 of an act of March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California;"

H. R. 19312. An act to authorize the Mingo-Martin Coal Land Company to construct a bridge across Tug Fork of Big Sandy River at or near mouth of Wolf Creek;

H. R. 23218. An act to authorize the Kentucky and West Virginia Bridge Company to construct a bridge across the Tug Fork of Big Sandy River at or near Williamson, in Mingo County, W. Va., to a point on the east side of said river in Pike County, Ky.;

H. R. 22334. An act to amend an act to regulate the sitting of the United States courts within the district of South Carolina;

H. R. 25482. An act to amend section 878 of the Code of Law for the District of Columbia;

H. R. 5622. An act for the relief of M. D. Wright and Robert Neill;

H. R. 8078. An act for the relief of Miss Bernice Farrell;

H. R. 25601. An act to repeal the act approved January 22, 1903, granting a pension to Minerva Robinson;

H. R. 10430. An act granting an increase of pension to Samuel Ledgerwood;

H. R. 17011. An act granting an increase of pension to Mary E. Brown;

H. R. 17956. An act granting an increase of pension to John Shinolt;

H. R. 20223. An act granting an increase of pension to William L. Clendening;

H. R. 21415. An act granting an increase of pension to Casper W. Tyler;

H. R. 21447. An act granting a pension to William W. Sparks;

H. R. 21639. An act granting a pension to Nannie E. Hayes;

H. R. 20718. An act granting an increase of pension to Anne B. Whitcomb;

H. R. 23367. An act granting an increase of pension to Asa A. Gardner;

H. R. 23860. An act granting an increase of pension to William G. Cummings;

H. R. 4271. An act for the relief of Patrick J. Madden;

H. R. 5169. An act for the relief of W. B. Sutter;

H. R. 14381. An act authorizing and directing the Secretary of the Treasury to pay to the Holtzer-Cabot Electric Company the amount due said company from the Post-Office Department;

H. R. 12009. An act for the relief of the heirs at law of M. A. Phelps and the heirs at law of John W. Renner;

H. R. 2926. An act for the relief of the heirs of John Smith;

H. R. 3577. An act for the relief of Barclay H. Warburton;

H. R. 5195. An act for the relief of the Milburn Wagon Company, of Toledo, Ohio;

H. R. 7746. An act for the relief of Columbia Hospital and Dr. A. E. Boozer;

H. R. 9289. An act for the relief of Mitsui Bussan Kaisha;

H. R. 9877. An act for the relief of James P. Barney;

H. R. 11676. An act for the relief of persons who sustained property damage caused by fire at the Rock Island Arsenal;

H. R. 1371. An act to refund to J. Tennant Steeb certain duties erroneously paid by him, without protest, on goods of domestic production shipped from the United States to Hawaii and thereafter returned;

H. R. 4233. An act to reimburse the Harpswell Steamboat Company, of Portland, Me., for expenses incurred and for repairing damages sustained by its steamer *Sebascodegan* in collision with the United States steamer *Woodbury;* and

H. R. 14464. An act for the relief of Wiley Corbett.

On February 28:

H. R. 12686. An act for the relief of Edwin T. Hayward, executor of Columbus F. Hayward and the administrator of Charlotte G. Hayward;

H. R. 17285. An act for the relief of Second Lieut. Gouverneur V. Packer, Twenty-fourth United States Infantry; and

H. R. 18865. An act for the relief of John and David West.

On March 1:

H. R. 7960. An act for the relief of John C. Ray, assignee of John Gafford, of Arkansas.

On February 25:

H. R. 1778. An act granting a pension to Jefferson L. Jennings;

H. R. 1887. An act granting a pension to Joseph Brooks;

H. R. 5913. An act granting a pension to Helen Goll;

H. R. 8816. An act granting a pension to Mary Schoske;

H. R. 11535. An act granting a pension to Margarette R. Bacon;

H. R. 14777. An act granting a pension to Mary A. Clark;

H. R. 16389. An act granting a pension to Jefferson Wilcox;

H. R. 17204. An act granting a pension to Sarah E. Robey;

H. R. 18968. An act granting a pension to Vance Perkins;

H. R. 19042. An act granting a pension to Georgetta K. Collum;

H. R. 19976. An act granting a pension to Nelson Isbill;

H. R. 19994. An act granting a pension to Ritty M. Lane;

H. R. 20413. An act granting a pension to Eva Louise Eberlin;

H. R. 20577. An act granting a pension to Mary Kaisted;

H. R. 20605. An act granting a pension to Mary E. P. Barr;

H. R. 20738. An act granting a pension to Sarah A. Hawkes;

H. R. 21026. An act granting a pension to Delia S. Humphrey;

H. R. 21046. An act granting a pension to Jesse Harral;

H. R. 21175. An act granting a pension to Martin J. Flagstad;

H. R. 21246. An act granting a pension to Margaret Guilroy;

H. R. 21249. An act granting a pension to Minnie Scheele;

H. R. 21268. An act granting a pension to Rollin S. Belknap;

H. R. 21354. An act granting a pension to Mary Shutler;

H. R. 21769. An act granting a pension to Emma C. Aiken;

H. R. 21988. An act granting a pension to Philip Dieter;

H. R. 22036. An act granting a pension to Emma A. Hawkes;

H. R. 22039. An act granting a pension to Alethia White;

H. R. 22101. An act granting a pension to Mack Rittenberry;

H. R. 22153. An act granting a pension to Antonio Archuleta;

H. R. 22187. An act granting a pension to Hiram C. Jett;

H. R. 22240. An act granting a pension to James M. Ping;

H. R. 22262. An act granting a pension to Elizabeth S. Osborne;

H. R. 22448. An act granting a pension to F. Medora Johnson;

H. R. 22747. An act granting a pension to Celestia E. Outlaw;

H. R. 22926. An act granting a pension to Louisa Bartlett;

H. R. 23135. An act granting a pension to Roseanna King;

H. R. 23187. An act granting a pension to Jennie E. Luckenbach;
H. R. 23250. An act granting a pension to Georgia A. Mercer;
H. R. 23687. An act granting a pension to Blanche C. Polk;
H. R. 23915. An act granting a pension to William Stegal;
H. R. 24064. An act granting a pension to Mary Murray;
H. R. 4678. An act granting an increase of pension to John F. Casper;
H. R. 11523. An act granting an increase of pension to Robert L. Hamill;
H. R. 11693. An act granting an increase of pension to James H. Davison;
H. R. 11740. An act granting an increase of pension to Robert R. Dill;
H. R. 11754. An act granting an increase of pension to Charles W. Helvey;
H. R. 11980. An act granting an increase of pension to William H. Boulton;
H. R. 11994. An act granting an increase of pension to Martha W. Wright;
H. R. 12033. An act granting an increase of pension to George W. Irwin;
H. R. 12095. An act granting an increase of pension to Atticus Lewis;
H. R. 12154. An act granting an increase of pension to Henry E. Collins;
H. R. 12250. An act granting an increase of pension to Samuel Naus;
H. R. 12355. An act granting an increase of pension to Thomas B. Thompson;
H. R. 12458. An act granting an increase of pension to Thomas J. Saylor;
H. R. 12496. An act granting an increase of pension to Hurlbutt L. Farnsworth;
H. R. 13706. An act granting an increase of pension to Albert C. Roach;
H. R. 13769. An act granting an increase of pension to David Angel;
H. R. 13835. An act granting an increase of pension to William Crane;
H. R. 13920. An act granting an increase of pension to Oren D. Curtis;
H. R. 13960. An act granting an increase of pension to Thomas B. Manning;
H. R. 15012. An act granting an increase of pension to Oliver Curry;
H. R. 15136. An act granting an increase of pension to George H. Justin;
H. R. 15189. An act granting an increase of pension to Sidney S. Skinner;
H. R. 15353. An act granting an increase of pension to Abbie J. Bryant;
H. R. 15965. An act granting an increase of pension to Stephen Gangwer;
H. R. 16020. An act granting an increase of pension to Andrew Brink;
H. R. 16046. An act granting an increase of pension to David Province;
H. R. 16181. An act granting an increase of pension to Ann Rafferty;
H. R. 16283. An act granting an increase of pension to Archibald H. R. Calvin;
H. R. 16322. An act granting an increase of pension to George C. Limpert;
H. R. 16340. An act granting an increase of pension to William M. Harris;
H. R. 16391. An act granting an increase of pension to William Jackson;
H. R. 16458. An act granting an increase of pension to Daniel W. Gillam;
H. R. 16487. An act granting an increase of pension to Martha Lavender;
H. R. 16506. An act granting an increase of pension to Kate S. Church;
H. R. 16698. An act granting an increase of pension to Henry H. Davis;
H. R. 16813. An act granting an increase of pension to Charles Brumm;
H. R. 16855. An act granting an increase of pension to Milton Peden;
H. R. 16886. An act granting an increase of pension to Elizabeth A. Murrey;
H. R. 16907. An act granting an increase of pension to Clarke S. Cole;
H. R. 16978. An act granting an increase of pension to Max Mueller;
H. R. 17058. An act granting an increase of pension to James H. O'Brien;
H. R. 17061. An act granting an increase of pension to Iva O. Shepardson;
H. R. 17251. An act granting an increase of pension to John J. Higgins;
H. R. 17266. An act granting an increase of pension to Henry W. Alspach;
H. R. 17330. An act granting an increase of pension to William Tuders;
H. R. 17331. An act granting an increase of pension to Douglas V. Donnelly;
H. R. 17334. An act granting an increase of pension to Henry Power;
H. R. 17335. An act granting an increase of pension to Lewis F. Belden;
H. R. 17369. An act granting an increase of pension to Minor B. Monaghan;
H. R. 17483. An act granting an increase of pension to William H. Loyd;
H. R. 17581. An act granting an increase of pension to Aquilla Williams;
H. R. 17618. An act granting an increase of pension to Anna F. Burlingame;
H. R. 17620. An act granting an increase of pension to Michael Pendergast, alias Michael Blake;
H. R. 17634. An act granting an increase of pension to John S. Cochran;
H. R. 17642. An act granting an increase of pension to Roland M. Johnson;
H. R. 17712. An act granting an increase of pension to Frank J. Biederman;
H. R. 17750. An act granting an increase of pension to John Gustus;
H. R. 17783. An act granting an increase of pension to James West;
H. R. 17817. An act granting an increase of pension to John Grimm;
H. R. 17831. An act granting an increase of pension to James Bowman;
H. R. 18014. An act granting an increase of pension to Elbridge P. Boyden;
H. R. 18042. An act granting an increase of pension to James H. Sinclair;
H. R. 18213. An act granting an increase of pension to William Ingram;
H. R. 18245. An act granting an increase of pension to Samuel D. McCurdy;
H. R. 18322. An act granting an increase of pension to Hezekiah James;
H. R. 18323. An act granting an increase of pension to Richard B. Rankin;
H. R. 18344. An act granting an increase of pension to William Todd;
H. R. 18383. An act granting an increase of pension to Frederick Shinaman;
H. R. 18433. An act granting an increase of pension to William Wentz;
H. R. 18450. An act granting an increase of pension to Eliza Howell;
H. R. 18602. An act granting an increase of pension to James E. Netser;
H. R. 18681. An act granting an increase of pension to William E. Gray;
H. R. 18723. An act granting an increase of pension to William E. Hanigan;
H. R. 18881. An act granting an increase of pension to Alexander B. Mott;
H. R. 18969. An act granting an increase of pension to Herman Hagemiller;
H. R. 19067. An act granting an increase of pension to Thomas J. Smith;
H. R. 19131. An act granting an increase of pension to Edward K. Mull;
H. R. 19133. An act granting an increase of pension to Fergus P. McMillan; and
H. R. 19175. An act granting an increase of pension to Josiah B. Arnott.

On February 26:

H. R. 19263. An act granting an increase of pension to John Ingram;

H. R. 19271. An act granting an increase of pension to Joseph J. Branyan;
H. R. 19294. An act granting an increase of pension to Francis M. Hatten;
H. R. 19369. An act granting an increase of pension to John F. G. Cleborne;
H. R. 19384. An act granting an increase of pension to Susan E. Hernandez;
H. R. 19385. An act granting an increase of pension to Agnes E. Calvert;
H. R. 19400. An act granting an increase of pension to Washington M. Brown;
H. R. 19401. An act granting an increase of pension to Campbell Cowan;
H. R. 19450. An act granting an increase of pension to Henry C. Eastep;
H. R. 19498. An act granting an increase of pension to Sarah Neely;
H. R. 19499. An act granting an increase of pension to Thomas Milson;
H. R. 19526. An act granting an increase of pension to Judson H. Holcomb;
H. R. 19537. An act granting an increase of pension to Edward S. E. Newbury;
H. R. 19578. An act granting an increase of pension to Mary A. Rogers;
H. R. 19581. An act granting an increase of pension to Mary E. Bookhammer;
H. R. 19592. An act granting an increase of pension to William B. Conley;
H. R. 19613. An act granting an increase of pension to James A. Pryce;
H. R. 19628. An act granting an increase of pension to Elizabeth Mooney;
H. R. 19650. An act granting an increase of pension to Alexander W. Taylor;
H. R. 19706. An act granting an increase of pension to Almon Wood;
H. R. 19770. An act granting an increase of pension to James G. Van Dewalker;
H. R. 19775. An act granting an increase of pension to Greenup Meece;
H. R. 19832. An act granting an increase of pension to George W. Smith;
H. R. 19863. An act granting an increase of pension to Walter B. Swain;
H. R. 19869. An act granting an increase of pension to John E. Bowles;
H. R. 19943. An act granting an increase of pension to Edward La Coste;
H. R. 19969. An act granting an increase of pension to Henry K. Burger;
H. R. 20000. An act granting an increase of pension to Thomas R. Elliott;
H. R. 20008. An act granting an increase of pension to Caroline A. Smith;
H. R. 20036. An act granting an increase of pension to Oliver T. Westmoreland;
H. R. 20079. An act granting an increase of pension to Richard F. Barret;
H. R. 20091. An act granting an increase of pension to John A. Smith;
H. R. 20107. An act granting an increase of pension to William A. Brown;
H. R. 20125. An act granting an increase of pension to Mary Küchler;
H. R. 20126. An act granting an increase of pension to Margaret Pint;
H. R. 20187. An act granting an increase of pension to John J. Duff;
H. R. 20188. An act granting an increase of pension to John H. McCain, alias John Croft;
H. R. 20189. An act granting an increase of pension to Thomas W. Daniels;
H. R. 20201. An act granting an increase of pension to Charles W. Airey;
H. R. 20212. An act granting an increase of pension to George W. Green;
H. R. 20215. An act granting an increase of pension to Riley J. Berkley;
H. R. 20224. An act granting an increase of pension to Philip Hamman;
H. R. 20236. An act granting an increase of pension to William E. Richards;
H. R. 20243. An act granting an increase of pension to Anton Heinzen;
H. R. 20244. An act granting an increase of pension to Alfred Hayward;
H. R. 20261. An act granting an increase of pension to Burris Subers;
H. R. 20283. An act granting an increase of pension to Henry D. Bole;
H. R. 20291. An act granting an increase of pension to Emma F. Buchanan;
H. R. 20356. An act granting an increase of pension to Mary T. Mathis;
H. R. 20446. An act granting an increase of pension to Andrew H. Groves;
H. R. 20455. An act granting an increase of pension to Harvey McCallin;
H. R. 20493. An act granting an increase of pension to Charles F. Connery;
H. R. 20557. An act granting an increase of pension to Webster Miller;
H. R. 20558. An act granting an increase of pension to Mark W. Terrill;
H. R. 20568. An act granting an increase of pension to Chester R. Pitt;
H. R. 20615. An act granting an increase of pension to Julia T. Baldwin;
H. R. 20616. An act granting an increase of pension to Isaac Fornwalt;
H. R. 20618. An act granting an increase of pension to George W. Brinton;
H. R. 20647. An act granting an increase of pension to Dominick Garvey;
H. R. 20654. An act granting an increase of pension to William A. Nichols;
H. R. 20684. An act granting an increase of pension to William M. Neal;
H. R. 20685. An act granting an increase of pension to Joseph R. Benham;
H. R. 20686. An act granting an increase of pension to Joshua S. Jayne;
H. R. 20687. An act granting an increase of pension to John M. Dixon;
H. R. 20688. An act granting an increase of pension to Joseph M. Storey;
H. R. 20689. An act granting an increase of pension to Francis Doughty;
H. R. 20713. An act granting an increase of pension to Timothy Quinn;
H. R. 20719. An act granting an increase of pension to James C. Price;
H. R. 20727. An act granting an increase of pension to William Conwell;
H. R. 20728. An act granting an increase of pension to Ira D. Hill;
H. R. 20729. An act granting an increase of pension to Benjamin Lyons;
H. R. 20730. An act granting an increase of pension to John Carpenter;
H. R. 20731. An act granting an increase of pension to Peter Buchmann;
H. R. 20732. An act granting an increase of pension to Le Roy Benson;
H. R. 20733. An act granting an increase of pension to Oscar Andrews;
H. R. 20734. An act granting an increase of pension to Amos Kellner;
H. R. 20737. An act granting an increase of pension to William G. Whitney;
H. R. 20740. An act granting an increase of pension to Guthridge L. Phillips;
H. R. 20821. An act granting an increase of pension to John L. Newman;
H. R. 20822. An act granting an increase of pension to Milton L. Howard;
H. R. 20823. An act granting an increase of pension to William H. Webb;
H. R. 20831. An act granting an increase of pension to James R. Dunlap;
H. R. 20834. An act granting an increase of pension to Franklin Comstock;
H. R. 20842. An act granting an increase of pension to Henry Joyce;
H. R. 20854. An act granting an increase of pension to Thomas Welsh;

H. R. 20855. An act granting an increase of pension to George Hierl, alias George Hill;
H. R. 20856. An act granting an increase of pension to Catharine A. Greene;
H. R. 20858. An act granting an increase of pension to William C. Thompson;
H. R. 20859. An act granting an increase of pension to Henry C. Hughes;
H. R. 20860. An act granting an increase of pension to Charles T. Chapman;
H. R. 20861. An act granting an increase of pension to Catharine Weigert;
H. R. 20862. An act granting an increase of pension to August Weber;
H. R. 20881. An act granting an increase of pension to Martha J. Weaverling;
H. R. 20882. An act granting an increase of pension to Luther W. Harris;
H. R. 20887. An act granting an increase of pension to Emma Walters;
H. R. 20929. An act granting an increase of pension to Thomas D. King;
H. R. 20930. An act granting an increase of pension to Joseph Rouge;
H. R. 20931. An act granting an increase of pension to John N. Shear;
H. R. 20953. An act granting an increase of pension to James D. Walker;
H. R. 20957. An act granting an increase of pension to William Chagnon;
H. R. 20960. An act granting an increase of pension to Sarah M. Bickford;
H. R. 20966. An act granting an increase of pension to Thomas Jones;
H. R. 20967. An act granting an increase of pension to Samuel W. Hines;
H. R. 20970. An act granting an increase of pension to Edgar Weaver;
H. R. 20973. An act granting an increase of pension to Henry Lufft;
H. R. 21000. An act granting an increase of pension to Mary Evans;
H. R. 21002. An act granting an increase of pension to William Wiggins;
H. R. 21022. An act granting an increase of pension to Thomas N. Gootee;
H. R. 21025. An act granting an increase of pension to Enoch May;
H. R. 21039. An act granting an increase of pension to Nelson J. Weller;
H. R. 21047. An act granting an increase of pension to Jesse J. Melton;
H. R. 21060. An act granting an increase of pension to Gottlieb Kirchner;
H. R. 21061. An act granting an increase of pension to James Collins;
H. R. 21077. An act granting an increase of pension to Andrew M. Dunn;
H. R. 21078. An act granting an increase of pension to Henry C. Davis;
H. R. 21079. An act granting an increase of pension to Patrick Kinney;
H. R. 21087. An act granting an increase of pension to Albert Manice;
H. R. 21097. An act granting an increase of pension to Henry W. Martin;
H. R. 21103. An act granting an increase of pension to Jacob Palmer;
H. R. 21111. An act granting an increase of pension to Arthur Graham;
H. R. 21113. An act granting an increase of pension to Emma M. Chamberlin; and
H. R. 21115. An act granting an increase of pension to Sylvester Bickford.

On February 25:

H. R. 21118. An act granting an increase of pension to Jacob Hartman;
H. R. 21120. An act granting an increase of pension to John Lynch;
H. R. 21122. An act granting an increase of pension to Nathan Small;
H. R. 21123. An act granting an increase of pension to Lawrence McHugh;
H. R. 21133. An act granting an increase of pension to James W. Cosgrove;
H. R. 21134. An act granting an increase of pension to Frederick Kriner;
H. R. 21139. An act granting an increase of pension to Willa Fyffe;
H. R. 21157. An act granting an increase of pension to George C. Peek;
H. R. 21161. An act granting an increase of pension to Henry J. Rhodes;
H. R. 21227. An act granting an increase of pension to Parthena Lasley;
H. R. 21238. An act granting an increase of pension to John W. Gahan;
H. R. 21255. An act granting an increase of pension to Thomas McDowell;
H. R. 21256. An act granting an increase of pension to William Foster;
H. R. 21257. An act granting an increase of pension to Thomas Morris;
H. R. 21258. An act granting an increase of pension to James Dopp;
H. R. 21264. An act granting an increase of pension to David J. Wise;
H. R. 21270. An act granting an increase of pension to Ellen Sullivan;
H. R. 21274. An act granting an increase of pension to Jeremiah Buffington;
H. R. 21276. An act granting an increase of pension to Christian Roessler;
H. R. 21277. An act granting an increase of pension to Robert Martin;
H. R. 21279. An act granting an increase of pension to Martin Heiler;
H. R. 21280. An act granting an increase of pension to Isaac Cain;
H. R. 21281. An act granting an increase of pension to Catharine Ludwig;
H. R. 21283. An act granting an increase of pension to Frederick De Planque;
H. R. 21289. An act granting an increase of pension to Jesse Lewis;
H. R. 21294. An act granting an increase of pension to Lissie D. Allen;
H. R. 21298. An act granting an increase of pension to John A. Pence;
H. R. 21301. An act granting an increase of pension to John R. Goodier;
H. R. 21303. An act granting an increase of pension to James Edward Bristol;
H. R. 21312. An act granting an increase of pension to Ernst Boger;
H. R. 21316. An act granting an increase of pension to Samuel Rhodes;
H. R. 21320. An act granting an increase of pension to Malinda H. Hitchcock;
H. R. 21322. An act granting an increase of pension to Elizabeth Wilson;
H. R. 21325. An act granting an increase of pension to George O. Tibbitts;
H. R. 21331. An act granting an increase of pension to Robert O. Bradley;
H. R. 21332. An act granting an increase of pension to John R. Smith;
H. R. 21335. An act granting an increase of pension to Harvey S. Nettleton;
H. R. 21343. An act granting an increase of pension to James C. Murray;
H. R. 21347. An act granting an increase of pension to Jeannette M. Guiney;
H. R. 21355. An act granting an increase of pension to John Cooper;
H. R. 21356. An act granting an increase of pension to Edward C. Miller;
H. R. 21373. An act granting an increase of pension to Carrie E. Cosgrove;
H. R. 21374. An act granting an increase of pension to Charles H. Homan;
H. R. 21375. An act granting an increase of pension to John S. Cornwell;
H. R. 21376. An act granting an increase of pension to John W. Stichter;
H. R. 21410. An act granting an increase of pension to Blanche M. Kell;
H. R. 21423. An act granting an increase of pension to Martha E. Wood;

H. R. 21425. An act granting an increase of pension to Jasper N. Brown;
H. R. 21426. An act granting an increase of pension to John J. Ross;
H. R. 21427. An act granting an increase of pension to Thomas L. Moody;
H. R. 21428. An act granting an increase of pension to Cornelius H. Lawrence;
H. R. 21432. An act granting an increase of pension to Benjamin Bragg;
H. R. 21433. An act granting an increase of pension to George W. Lasley;
H. R. 21446. An act granting an increase of pension to William A. Crum;
H. R. 21448. An act granting an increase of pension to Jesse Jackman;
H. R. 21461. An act granting an increase of pension to Henry Huff;
H. R. 21462. An act granting an increase of pension to William H. Wickham;
H. R. 21470. An act granting an increase of pension to Mary Rebecca Carroll;
H. R. 21471. An act granting an increase of pension to Adaline H. Malone;
H. R. 21472. An act granting an increase of pension to Wiley H. Jackson;
H. R. 21473. An act granting an increase of pension to James B. Wood;
H. R. 21481. An act granting an increase of pension to Lucy Cole;
H. R. 21483. An act granting an increase of pension to George S. Woods;
H. R. 21496. An act granting an increase of pension to Samuel B. Davis;
H. R. 21497. An act granting an increase of pension to Mary E. Hobbs;
H. R. 21499. An act granting an increase of pension to Henry A. Weiand;
H. R. 21506. An act granting an increase of pension to Jacob Howe;
H. R. 21508. An act granting an increase of pension to Samuel Barber;
H. R. 21515. An act granting an increase of pension to Joseph Wheeler;
H. R. 21516. An act granting an increase of pension to James Murtha;
H. R. 21524. An act granting an increase of pension to Elison Gatewood;
H. R. 21529. An act granting an increase of pension to Charlotte Game;
H. R. 21532. An act granting an increase of pension to William Dobson;
H. R. 21534. An act granting an increase of pension to Henry Reed;
H. R. 21535. An act granting an increase of pension to William E. Feeley;
H. R. 21540. An act granting an increase of pension to John L. Wilson;
H. R. 21542. An act granting an increase of pension to Erastus A. Thomas;
H. R. 21543. An act granting an increase of pension to Addison Thompson;
H. R. 21551. An act granting an increase of pension to Alfred E. Lucas;
H. R. 21563. An act granting an increase of pension to Merritt M. Smart;
H. R. 21564. An act granting an increase of pension to Daniel French;
H. R. 21588. An act granting an increase of pension to Robert Medworth;
H. R. 21603. An act granting an increase of pension to Calvin S. Mullins;
H. R. 21604. An act granting an increase of pension to William Girdler;
H. R. 21612. An act granting an increase of pension to James S. Hart;
H. R. 21615. An act granting an increase of pension to David Yoder;
H. R. 21617. An act granting an increase of pension to William Miller;
H. R. 21618. An act granting an increase of pension to Leonidas W. Reavis;
H. R. 21621. An act granting an increase of pension to Minerva A. Mayes;
H. R. 21624. An act granting an increase of pension to William H. Willey;
H. R. 21626. An act granting an increase of pension to Calvin Barker;
H. R. 21630. An act granting an increase of pension to John F. Yeargin;
H. R. 21634. An act granting an increase of pension to Emma Sickler;
H. R. 21636. An act granting an increase of pension to Elias Miller;
H. R. 21643. An act granting an increase of pension to Edward Ford;
H. R. 21644. An act granting an increase of pension to Sheldon Hess;
H. R. 21648. An act granting an increase of pension to Michael Gaus;
H. R. 21651. An act granting an increase of pension to Jacob B. Butts;
H. R. 21660. An act granting an increase of pension to Emma Fehr;
H. R. 21667. An act granting an increase of pension to John W. Towle;
H. R. 21718. An act granting an increase of pension to Franz Z. F. W. Jensen;
H. R. 21724. An act granting an increase of pension to John D. Martin;
H. R. 21740. An act granting an increase of pension to Maria R. Klindt;
H. R. 21761. An act granting an increase of pension to John Tims;
H. R. 21764. An act granting an increase of pension to Ment Stannah;
H. R. 21767. An act granting an increase of pension to George Young;
H. R. 21782. An act granting an increase of pension to Anderson Graham;
H. R. 21787. An act granting an increase of pension to Alexander Porter;
H. R. 21793. An act granting an increase of pension to Charles H. Pratt;
H. R. 21798. An act granting an increase of pension to Andrew Spencer;
H. R. 21808. An act granting an increase of pension to Levi Mitchell;
H. R. 21819. An act granting an increase of pension to Joseph Peach;
H. R. 21832. An act granting an increase of pension to John W. Wilkinson;
H. R. 21836. An act granting an increase of pension to Mary C. Hall;
H. R. 21837. An act granting an increase of pension to James W. Kasson;
H. R. 21838. An act granting an increase of pension to Fannie J. Terry;
H. R. 21843. An act granting an increase of pension to Robert H. Delaney;
H. R. 21848. An act granting an increase of pension to Charles W. Arthur;
H. R. 21852. An act granting an increase of pension to James M. Eaman;
H. R. 21853. An act granting an increase of pension to William A. Whitaker;
H. R. 21856. An act granting an increase of pension to John G. Viall;
H. R. 21881. An act granting an increase of pension to Mahala M. Jones;
H. R. 21882. An act granting an increase of pension to Frank Breazeale;
H. R. 21886. An act granting an increase of pension to John Bryant;
H. R. 21887. An act granting an increase of pension to James H. Hayman;
H. R. 21888. An act granting an increase of pension to Andrew Canova;
H. R. 21894. An act granting an increase of pension to Jacob W. Pierce;
H. R. 21896. An act granting an increase of pension to George H. Field;
H. R. 21906. An act granting an increase of pension to John M. Bruder;
H. R. 21909. An act granting an increase of pension to George W. W. Tanner;
H. R. 21913. An act granting an increase of pension to Henry Pieper;

H. R. 21915. An act granting an increase of pension to John A. Smith;
H. R. 21923. An act granting an increase of pension to Sebastian Fuchs;
H. R. 21960. An act granting an increase of pension to Sarah Betts;
H. R. 21961. An act granting an increase of pension to Harvey F. Wood;
H. R. 21962. An act granting an increase of pension to Henry Osterheld;
H. R. 21991. An act granting an increase of pension to Redmond Roche;
H. R. 21997. An act granting an increase of pension to Martha Joyce;
H. R. 22002. An act granting an increase of pension to John W. Hall;
H. R. 22003. An act granting an increase of pension to Alexander Matchett;
H. R. 22007. An act granting an increase of pension to Sanford D. Paine;
H. R. 22015. An act granting an increase of pension to William Reese;
H. R. 22017. An act granting an increase of pension to Adolphus Cooley;
H. R. 22018. An act granting an increase of pension to Charles Sells;
H. R. 22020. An act granting an increase of pension to Samuel Keller;
H. R. 22022. An act granting an increase of pension to Josiah H. Shaver;
H. R. 22024. An act granting an increase of pension to Eldridge Underwood;
H. R. 22025. An act granting an increase of pension to Thomas H. Cook;
H. R. 22034. An act granting an increase of pension to James A. Wonder;
H. R. 22035. An act granting an increase of pension to Benjamin Swayze;
H. R. 22047. An act granting an increase of pension to George Tinkham;
H. R. 22048. An act granting an increase of pension to Orrin Freeman;
H. R. 22050. An act granting an increase of pension to John W. Frost;
H. R. 22065. An act granting an increase of pension to Henry Utter;
H. R. 22067. An act granting an increase of pension to Levi E. Miller;
H. R. 22068. An act granting an increase of pension to John P. Macy;
H. R. 22069. An act granting an increase of pension to Caroline W. Congdon;
H. R. 22073. An act granting an increase of pension to Eliza M. Scott;
H. R. 22079. An act granting an increase of pension to James D. Grayson;
H. R. 22085. An act granting an increase of pension to Randolph Wesson;
H. R. 22088. An act granting an increase of pension to Gottlieb Schweizer;
H. R. 22089. An act granting an increase of pension to Adaline G. Bailey;
H. R. 22090. An act granting an increase of pension to Severt Larson;
H. R. 22092. An act granting an increase of pension to Simon McAteer;
H. R. 22094. An act granting an increase of pension to Albert J. Hamre;
H. R. 22099. An act granting an increase of pension to Libbie D. Lowry;
H. R. 22102. An act granting an increase of pension to Barre Peterson;
H. R. 22103. An act granting an increase of pension to Warren P. Hubbs;
H. R. 22155. An act granting an increase of pension to Andrew J. Armstrong;
H. R. 22203. An act granting an increase of pension to Oliver J. Burns;
H. R. 22214. An act granting an increase of pension to Thomas J. Prouty;
H. R. 22215. An act granting an increase of pension to Eliza A. Hughes;
H. R. 22217. An act granting an increase of pension to George W. Boughner;
H. R. 22222. An act granting an increase of pension to John W. Booth;
H. R. 22223. An act granting an increase of pension to Uriah Kitchen;
H. R. 22237. An act granting an increase of pension to Nathan Lawson;
H. R. 22238. An act granting an increase of pension to James Stinson;
H. R. 22239. An act granting an increase of pension to Elizabeth T. Hayes;
H. R. 22241. An act granting an increase of pension to Stephen Robinson;
H. R. 22243. An act granting an increase of pension to James W. Campbell;
H. R. 22252. An act granting an increase of pension to William W. Tyson;
H. R. 22264. An act granting an increase of pension to Sibby Barnhill;
H. R. 22266. An act granting an increase of pension to Delphie Thorne;
H. R. 22269. An act granting an increase of pension to John L. Rosencrans;
H. R. 22270. An act granting an increase of pension to Michael Hogan;
H. R. 22272. An act granting an increase of pension to George W. Rodefer;
H. R. 22276. An act granting an increase of pension to Warren A. Sherwood;
H. R. 22279. An act granting an increase of pension to Thomas M. Griffith;
H. R. 22282. An act granting an increase of pension to Edward H. Lunn;
H. R. 22284. An act granting an increase of pension to George Ruhle;
H. R. 22285. An act granting an increase of pension to Dennis Remington, alias John Baker;
H. R. 22288. An act granting an increase of pension to Samuel L. Davis;
H. R. 22297. An act granting an increase of pension to Hugh L. Dicus;
H. R. 22306. An act granting an increase of pension to Louisa Duncan;
H. R. 22310. An act granting an increase of pension to Mary A. Kerr;
H. R. 22318. An act granting an increase of pension to James D. Cox;
H. R. 22322. An act granting an increase of pension to Maria Cross;
H. R. 22359. An act granting an increase of pension to Louisa L. Wood;
H. R. 22376. An act granting an increase of pension to William M. Colby;
H. R. 22388. An act granting an increase of pension to Daniel A. Peabody;
H. R. 22408. An act granting an increase of pension to Aaron Preston;
H. R. 22409. An act granting an increase of pension to Margaret A. McAdoo;
H. R. 22420. An act granting an increase of pension to Edward Wesley Ward;
H. R. 22422. An act granting an increase of pension to William J. Johnson;
H. R. 22425. An act granting an increase of pension to Thomas Sires;
H. R. 22428. An act granting an increase of pension to Dora T. Bristol;
H. R. 22431. An act granting an increase of pension to Alden Youngman;
H. R. 22434. An act granting an increase of pension to Peter McCormick;
H. R. 22440. An act granting an increase of pension to Daniel Mose;
H. R. 22442. An act granting an increase of pension to John Clark;
H. R. 22443. An act granting an increase of pension to Lyman S. Strickland;
H. R. 22444. An act granting an increase of pension to William Oliver Anderson;
H. R. 22447. An act granting an increase of pension to Frank Schadler;
H. R. 22451. An act granting an increase of pension to John McCaslin;
H. R. 22452. An act granting an increase of pension to William A. Narrin;

H. R. 22462. An act granting an increase of pension to Aaron Chamberlain;
H. R. 22500. An act granting an increase of pension to Minor Cleavenger;
H. R. 22501. An act granting an increase of pension to Austin B. Truman;
H. R. 22502. An act granting an increase of pension to Oren D. Haskell;
H. R. 22506. An act granting an increase of pension to James F. Smith;
H. R. 22522. An act granting an increase of pension to Susan Harroun;
H. R. 22528. An act granting an increase of pension to Daniel Fuller;
H. R. 22542. An act granting an increase of pension to Charlotte S. O'Neall;
H. R. 22550. An act granting an increase of pension to Jonathan B. Reber;
H. R. 22551. An act granting an increase of pension to Wilson Siddell;
H. R. 22601. An act granting an increase of pension to John J. Clark;
H. R. 22602. An act granting an increase of pension to John H. Passon;
H. R. 22605. An act granting an increase of pension to John R. Hargrave;
H. R. 22609. An act granting an increase of pension to Thomas Bayley;
H. R. 22620. An act granting an increase of pension to Charles S. Abbott;
H. R. 22623. An act granting an increase of pension to George W. Willison;
H. R. 22624. An act granting an increase of pension to Louisa M. Carothers;
H. R. 22634. An act granting an increase of pension to Helon Wilson;
H. R. 22635. An act granting an increase of pension to Catharine Williams;
H. R. 22642. An act granting an increase of pension to John Gregory;
H. R. 22651. An act granting an increase of pension to Sarah E. Cadmus;
H. R. 22706. An act granting an increase of pension to William Smoker;
H. R. 22710. An act granting an increase of pension to Nelson Cornell;
H. R. 22711. An act granting an increase of pension to Jacob Kures;
H. R. 22715. An act granting an increase of pension to Terrance Doyle;
H. R. 22718. An act granting an increase of pension to William Dean;
H. R. 22734. An act granting an increase of pension to Michael Maier;
H. R. 22746. An act granting an increase of pension to Felix G. Cobb;
H. R. 22748. An act granting an increase of pension to Willard P. Fisher;
H. R. 22749. An act granting an increase of pension to Della S. Easton;
H. R. 22750. An act granting an increase of pension to William Jenkins;
H. R. 22756. An act granting an increase of pension to Levi E. Curtis;
H. R. 22757. An act granting an increase of pension to Joshua E. Hyatt;
H. R. 22762. An act granting an increase of pension to John M. Gilbert;
H. R. 22764. An act granting an increase of pension to Samuel V. Carr;
H. R. 22766. An act granting an increase of pension to Soren V. Kalsem;
H. R. 22771. An act granting an increase of pension to William J. Courter;
H. R. 22772. An act granting an increase of pension to Mary S. Sanders;
H. R. 22776. An act granting an increase of pension to James E. Converse;
H. R. 22820. An act granting an increase of pension to George S. Schmutz;
H. R. 22827. An act granting an increase of pension to Mary Kirk;
H. R. 22829. An act granting an increase of pension to George Spalding;
H. R. 22838. An act granting an increase of pension to W. Ira Templeton;
H. R. 22842. An act granting an increase of pension to William C. Hodges;
H. R. 22846. An act granting an increase of pension to Martin Holmes, alias George Langin;
H. R. 22853. An act granting an increase of pension to Burden H. Barrett;
H. R. 22858. An act granting an increase of pension to John A. Henry;
H. R. 22881. An act granting an increase of pension to Thomas L. Williams;
H. R. 22927. An act granting an increase of pension to William A. Leach;
H. R. 22929. An act granting an increase of pension to John O. McNabb;
H. R. 22941. An act granting an increase of pension to Lucinda Davidson;
H. R. 22951. An act granting an increase of pension to Alice E. Ragan;
H. R. 22976. An act granting an increase of pension to Milton Stevens;
H. R. 22978. An act granting an increase of pension to Thomas Adams;
H. R. 22985. An act granting an increase of pension to Henry Bauerlin;
H. R. 22990. An act granting an increase of pension to Francis A. Lander;
H. R. 22993. An act granting an increase of pension to Emily Hibernia Trabue;
H. R. 22994. An act granting an increase of pension to Lucinda C. Musgrove;
H. R. 22995. An act granting an increase of pension to Nathaniel Y. Buck;
H. R. 23036. An act granting an increase of pension to John C. Mitchell;
H. R. 23051. An act granting an increase of pension to Volna S. Topping;
H. R. 23057. An act granting an increase of pension to James M. Davidson;
H. R. 23096. An act granting an increase of pension to James L. Colding;
H. R. 23121. An act granting an increase of pension to Frank Vroman;
H. R. 23122. An act granting an increase of pension to Melissa D. Whitman;
H. R. 23133. An act granting an increase of pension to John Cowan;
H. R. 23136. An act granting an increase of pension to Sylvanus Sloat;
H. R. 23143. An act granting an increase of pension to John H. Robbins;
H. R. 23153. An act granting an increase of pension to George Quien;
H. R. 23166. An act granting an increase of pension to William S. Voris;
H. R. 23171. An act granting an increase of pension to Harmon Veatch;
H. R. 23182. An act granting an increase of pension to Martha Ella Wrenn;
H. R. 23195. An act granting an increase of pension to Aurora Garwood Ellis;
H. R. 23197. An act granting an increase of pension to Agnes E. Brown;
H. R. 23234. An act granting an increase of pension to James W. Walsh, alias James Powers;
H. R. 23241. An act granting an increase of pension to Mary Loomis;
H. R. 23247. An act granting an increase of pension to George I. Stults;
H. R. 23263. An act granting an increase of pension to Michael Downs;
H. R. 23265. An act granting an increase of pension to Henry Helton;
H. R. 23278. An act granting an increase of pension to James M. Morris;
H. R. 23279. An act granting an increase of pension to David H. Moore;
H. R. 23281. An act granting an increase of pension to William T. Fisher;
H. R. 23299. An act granting an increase of pension to Henry Goodlander; and
H. R. 23327. An act granting an increase of pension to Paul Sheets.

On February 26:

H. R. 23339. An act granting an increase of pension to Martha L. Burnham;

H. R. 23357. An act granting an increase of pension to James M. Houston;

H. R. 23365. An act granting an increase of pension to William Seitz;

H. R. 23371. An act granting an increase of pension to Clark Crecelius;

H. R. 23423. An act granting an increase of pension to Elbridge Simpson;

H. R. 23458. An act granting an increase of pension to Edgar D. Ellis;

H. R. 23468. An act granting an increase of pension to Martin Becker;

H. R. 23475. An act granting an increase of pension to Thomas J. Green;

H. R. 23477. An act granting an increase of pension to Caroline Vick;

H. R. 23481. An act granting an increase of pension to John G. Price;

H. R. 23495. An act granting an increase of pension to Adam Sliger;

H. R. 23522. An act granting an increase of pension to George W. Shacklett;

H. R. 23526. An act granting an increase of pension to Stephen D. Jordan;

H. R. 23527. An act granting an increase of pension to Joseph E. Knighten;

H. R. 23528. An act granting an increase of pension to John M. Smith;

H. R. 23549. An act granting an increase of pension to Isaiah Carter;

H. R. 23550. An act granting an increase of pension to Elizabeth C. Smith;

H. R. 23593. An act granting an increase of pension to Charles M. Buck;

H. R. 23599. An act granting an increase of pension to Alfred B. Stansil;

H. R. 23608. An act granting an increase of pension to John Manley;

H. R. 23622. An act granting an increase of pension to Benjamin Maple;

H. R. 23624. An act granting an increase of pension to Albina M. Williams;

H. R. 23644. An act granting an increase of pension to Charles J. Schreiner;

H. R. 23645. An act granting an increase of pension to Isaac L. Griswold;

H. R. 23651. An act granting an increase of pension to John W. Wilson;

H. R. 23652. An act granting an increase of pension to William H. Zimmerman;

H. R. 23653. An act granting an increase of pension to Dewitt C. Chapman;

H. R. 23656. An act granting an increase of pension to John Kilpatrick;

H. R. 23683. An act granting an increase of pension to Thomas Phillips;

H. R. 23684. An act granting an increase of pension to Harry C. Cadwell;

H. R. 23686. An act granting an increase of pension to William H. Kehlbeck;

H. R. 23699. An act granting an increase of pension to Joseph Countryman;

H. R. 23703. An act granting an increase of pension to Clarendon Kelly;

H. R. 23705. An act granting an increase of pension to Frederick P. Gaudineer;

H. R. 23739. An act granting an increase of pension to Elizabeth Pillow;

H. R. 23762. An act granting an increase of pension to Adeliade Wagner;

H. R. 23764. An act granting an increase of pension to Joseph C. Fisher;

H. R. 23770. An act granting an increase of pension to Henry D. Combs;

H. R. 23772. An act granting an increase of pension to Temperance Davis;

H. R. 23774. An act granting an increase of pension to James Kelley;

H. R. 23777. An act granting an increase of pension to James Marshall;

H. R. 23778. An act granting an increase of pension to Henry Clapper;

H. R. 23781. An act granting an increase of pension to Honora Higgins;

H. R. 23783. An act granting an increase of pension to George W. Buzzell;

H. R. 23792. An act granting an increase of pension to Zeurial McCullock;

H. R. 23795. An act granting an increase of pension to Patrick McMahon;

H. R. 23803. An act granting an increase of pension to David C. Jones;

H. R. 23804. An act granting an increase of pension to Phoebe E. Sparkman;

H. R. 23805. An act granting an increase of pension to Thomas Hamilton;

H. R. 23810. An act granting an increase of pension to Ira J. Everson;

H. R. 23811. An act granting an increase of pension to Theron Cross;

H. R. 23812. An act granting an increase of pension to Joseph Dewhurst;

H. R. 23845. An act granting an increase of pension to George W. Cassle;

H. R. 23846. An act granting an increase of pension to Sarah Ann Kendig;

H. R. 23858. An act granting an increase of pension to Hugh M. Cox;

H. R. 23870. An act granting an increase of pension to America J. Austin;

H. R. 23872. An act granting an increase of pension to Charles Blacker;

H. R. 23874. An act granting an increase of pension to William R. Horn;

H. R. 23877. An act granting an increase of pension to Mary A. Edwards;

H. R. 23899. An act granting an increase of pension to James P. Hanna;

H. R. 23957. An act granting an increase of pension to John Heinrichs;

H. R. 23958. An act granting an increase of pension to Thomas W. Parson;

H. R. 23969. An act granting an increase of pension to William Morson;

H. R. 23973. An act granting an increase of pension to Henry Loor Reger;

H. R. 23981. An act granting an increase of pension to Sarah Elizabeth Fuller;

H. R. 23984. An act granting an increase of pension to Jacob Miller;

H. R. 24017. An act granting an increase of pension to Timothy Hanlon;

H. R. 24018. An act granting an increase of pension to John Adam Miller;

H. R. 24019. An act granting an increase of pension to John Brown;

H. R. 24023. An act granting an increase of pension to Joseph H. Clark;

H. R. 24056. An act granting an increase of pension to Reuben Copher;

H. R. 24078. An act granting an increase of pension to Warren J. Sevey;

H. R. 24096. An act granting an increase of pension to Oscar F. Peacock;

H. R. 24099. An act granting an increase of pension to Benjamin J. Puckett;

H. R. 24155. An act granting an increase of pension to Richard N. Porter;

H. R. 24182. An act granting an increase of pension to John Delaney;

H. R. 24185. An act granting an increase of pension to William S. Weller;

H. R. 24187. An act granting an increase of pension to Nancy G. Reid;

H. R. 24188. An act granting an increase of pension to Samuel Moore;

H. R. 24192. An act granting an increase of pension to Charles Lee;

H. R. 24208. An act granting an increase of pension to Albert Sunderland;

H. R. 24214. An act granting an increase of pension to Elizabeth Hodge;

H. R. 24231. An act granting an increase of pension to Absalom Sivley;

H. R. 24259. An act granting an increase of pension to Hannibal A. Johnson;

H. R. 24268. An act granting an increase of pension to Louisa Olin;
H. R. 24303. An act granting an increase of pension to Gillum M. Ezell;
H. R. 24321. An act granting an increase of pension to Belah H. Wilcox;
H. R. 24323. An act granting an increase of pension to Talcott M. Brown;
H. R. 24360. An act granting an increase of pension to Jeremiah F. Pittman;
H. R. 24380. An act granting an increase of pension to Charles Woodruff Woolley;
H. R. 24383. An act granting an increase of pension to Shadrach H. J. Alley;
H. R. 24415. An act granting an increase of pension to Laura G. Hight;
H. R. 24418. An act granting an increase of pension to Kate Flowers;
H. R. 24479. An act granting an increase of pension to Simeon D. Pope;
H. R. 24513. An act granting an increase of pension to Bowman H. Buck;
H. R. 24616. An act granting an increase of pension to Mathias Shirk;
H. R. 24620. An act granting an increase of pension to Elizabeth Bulew;
H. R. 24671. An act granting an increase of pension to Augustine Sorrell;
H. R. 2324. An act granting a pension to Christina Vetter;
H. R. 5497. An act granting a pension to Cora Allie Booth;
H. R. 5774. An act granting a pension to Cornelia Mitchell;
H. R. 5926. An act granting a pension to Sarah C. Pitman;
H. R. 7255. An act granting a pension to Christopher Horn;
H. R. 9445. An act granting a pension to Ida E. G. Pierce;
H. R. 10023. An act granting a pension to Martha J. Lewis;
H. R. 10164. An act granting a pension to Emma L. Beatty;
H. R. 13163. An act granting a pension to Rittie Blackwell;
H. R. 15492. An act granting a pension to William L. Tyler;
H. R. 16819. An act granting a pension to John V. Sumner;
H. R. 16905. An act granting a pension to Anna E. Marble;
H. R. 16925. An act granting a pension to Johanne Lange;
H. R. 18519. An act granting a pension to Benjamin W. McCray;
H. R. 18874. An act granting a pension to Nannie T. Johnson;
H. R. 19079. An act granting a pension to Phoebe Templeton;
H. R. 20148. An act granting a pension to Flora Fenzl;
H. R. 20352. An act granting a pension to Martha Stevens;
H. R. 21352. An act granting a pension to Hester A. Parrish;
H. R. 21038. An act granting a pension to Lucy A. Gaylord;
H. R. 21130. An act granting a pension to Margaret McNally;
H. R. 526. An act granting an increase of pension to Robert Cole;
H. R. 560. An act granting an increase of pension to Wilson M. Holmes;
H. R. 561. An act granting an increase of pension to Giles Townsend;
H. R. 654. An act granting an increase of pension to Amos J. Loranger;
H. R. 1171. An act granting an increase of pension to Alfred Nichols;
H. R. 1223. An act granting an increase of pension to Andrew Jarvis;
H. R. 1232. An act granting an increase of pension to John V. Buskirk;
H. R. 1242. An act granting an increase of pension to Luke Reynolds;
H. R. 1377. An act granting an increase of pension to Thomas G. Dallman;
H. R. 1474. An act granting an increase of pension to Thomas C. Fisher;
H. R. 1574. An act granting an increase of pension to Franklin Sampson;
H. R. 1665. An act granting an increase of pension to Frederick E. Hayward;
H. R. 1728. An act granting an increase of pension to George C. Vance;
H. R. 1767. An act granting an increase of pension to James H. Marcum;
H. R. 1838. An act granting an increase of pension to Asa J. Clother;
H. R. 1851. An act granting an increase of pension to Ralph D. Parsons;
H. R. 1890. An act granting an increase of pension to Adam Leak;
H. R. 2064. An act granting an increase of pension to Daniel Sullivan;
H. R. 2270. An act granting an increase of pension to John Lehn;
H. R. 2821. An act granting an increase of pension to Turner J. Preble;
H. R. 2905. An act granting an increase of pension to Burr Clark;
H. R. 3239. An act granting an increase of pension to George W. Stewart;
H. R. 3785. An act granting an increase of pension to Frederick W. Wagner;
H. R. 4150. An act granting an increase of pension to John C. McGinis;
H. R. 4553. An act granting an increase of pension to William R. Wilkins;
H. R. 4757. An act granting an increase of pension to Edward Willis;
H. R. 5029. An act granting an increase of pension to Beverly W. Sullivan;
H. R. 5050. An act granting an increase of pension to Ephriam M. Boltz;
H. R. 5162. An act granting an increase of pension to James F. Travis;
H. R. 5202. An act granting an increase of pension to Jennie R. Hunt;
H. R. 5388. An act granting an increase of pension to Silas Garrison;
H. R. 5627. An act granting an increase of pension to John C. L. Hargis;
H. R. 5634. An act granting an increase of pension to John Redding;
H. R. 5800. An act granting an increase of pension to Joseph G. Maddocks;
H. R. 6206. An act granting an increase of pension to Stephen J. Henning;
H. R. 6237. An act granting an increase of pension to David Bethurum;
H. R. 6353. An act granting an increase of pension to John Shobert;
H. R. 6767. An act granting an increase of pension to Hobart P. Sweet;
H. R. 7242. An act granting an increase of pension to Marcus Davis;
H. R. 7374. An act granting an increase of pension to Elijah C. Aydelotte;
H. R. 7554. An act granting an increase of pension to Andrew Cramer;
H. R. 7565. An act granting an increase of pension to Orville Dickinson;
H. R. 7578. An act granting an increase of pension to Levi Hoskins;
H. R. 7634. An act granting an increase of pension to Martha G. Matlack;
H. R. 8408. An act granting an increase of pension to Richard Prost;
H. R. 8503. An act granting an increase of pension to David C. May;
H. R. 8682. An act granting an increase of pension to James P. Bledsoe;
H. R. 8770. An act granting an increase of pension to Charles W. Burgess;
H. R. 8775. An act granting an increase of pension to Carrie Diefenbach;
H. R. 8785. An act granting an increase of pension to John Finch;
H. R. 9256. An act granting an increase of pension to Martha E. Sanford;
H. R. 9448. An act granting an increase of pension to Thomas B. Hockley;
H. R. 9664. An act granting an increase of pension to Edwin C. Durfey;
H. R. 9785. An act granting an increase of pension to William A. Lyon;
H. R. 9838. An act granting an increase of pension to Joseph Fergerson;
H. R. 9850. An act granting an increase of pension to Benjamin F. Williams;
H. R. 10212. An act granting an increase of pension to Charles M. Arnold;
H. R. 10241. An act granting an increase of pension to Joseph M. Parish;
H. R. 10301. An act granting an increase of pension to George N. Beymer;

H. R. 10431. An act granting an increase of pension to Charles W. Kenisston;
H. R. 10739. An act granting an increase of pension to N. Delmont McReynolds;
H. R. 10889. An act granting an increase of pension to William H. Garrison;
H. R. 10935. An act granting an increase of pension to Annie L. Boone;
H. R. 11198. An act granting an increase of pension to Emanuel Sandusky;
H. R. 11285. An act granting an increase of pension to William Kirkpatrick;
H. R. 11621. An act granting an increase of pension to Hollis Smith;
H. R. 11845. An act granting an increase of pension to William J. Clark;
H. R. 11848. An act granting an increase of pension to George E. York;
H. R. 11995. An act granting an increase of pension to Wesley Layton;
H. R. 12240. An act granting an increase of pension to Albert J. Ackerly;
H. R. 12344. An act granting an increase of pension to Andrew J. Sproul;
H. R. 12346. An act granting an increase of pension to Abraham D. Stouffer;
H. R. 12349. An act granting an increase of pension to Edgar M. Barber;
H. R. 12353. An act granting an increase of pension to Jacob Little;
H. R. 12563. An act granting an increase of pension to Andrew L. Hook;
H. R. 12580. An act granting an increase of pension to Charles E. Youtt;
H. R. 12631. An act granting an increase of pension to James E. Leslie;
H. R. 12969. An act granting an increase of pension to Alexander Buck;
H. R. 13012. An act granting an increase of pension to Charles L. Cole;
H. R. 13133. An act granting an increase of pension to Gilbert B. Clark;
H. R. 13334. An act granting an increase of pension to Erastus A. Doe;
H. R. 13810. An act granting an increase of pension to Abraham J. Simmons;
H. R. 13816. An act granting an increase of pension to Thomas McPeek;
H. R. 13963. An act granting an increase of pension to William H. Turner;
H. R. 14104. An act granting an increase of pension to Milton Brown;
H. R. 14228. An act granting an increase of pension to Abram Nussbaum;
H. R. 14244. An act granting an increase of pension to Edwin R. Phillips;
H. R. 14779. An act granting an increase of pension to Willard Wheeler;
H. R. 15241. An act granting an increase of pension to Samuel De Haven;
H. R. 15452. An act granting an increase of pension to Solomon Stanfield;
H. R. 15543. An act granting an increase of pension to George W. Maynard;
H. R. 15688. An act granting an increase of pension to Esther C. Keely;
H. R. 15879. An act granting an increase of pension to Jacob Salat;
H. R. 16192. An act granting an increase of pension to Charles Reed;
H. R. 16221. An act granting an increase of pension to Job Clark;
H. R. 16261. An act granting an increase of pension to John P. Bare;
H. R. 16343. An act granting an increase of pension to Francis D. Matheny;
H. R. 16439. An act granting an increase of pension to Patrick Bogan;
H. R. 16607. An act granting an increase of pension to Mary Denny;
H. R. 16608. An act granting an increase of pension to Catharine McNamee;
H. R. 16687. An act granting an increase of pension to Jefferson G. Turner;
H. R. 16718. An act granting an increase of pension to James Miltimore;
H. R. 16834. An act granting an increase of pension to Allan S. Rose;
H. R. 16839. An act granting an increase of pension to Benjamin F. Johnson;
H. R. 16939. An act granting an increase of pension to Patterson Reese;
H. R. 17002. An act granting an increase of pension to Levi Deater;
H. R. 17091. An act granting an increase of pension to George Myers;
H. R. 17245. An act granting an increase of pension to Joseph Bateman;
H. R. 17307. An act granting an increase of pension to John A. Baker;
H. R. 17394. An act granting an increase of pension to Albert W. Boggs;
H. R. 17655. An act granting an increase of pension to Fritz Dittman;
H. R. 18040. An act granting an increase of pension to Thomas Akin;
H. R. 18110. An act granting an increase of pension to Asail Brown;
H. R. 18396. An act granting an increase of pension to John Nix;
H. R. 18515. An act granting an increase of pension to Martin Johnson;
H. R. 18518. An act granting an increase of pension to William W. Wertman;
H. R. 18556. An act granting an increase of pension to William H. De Bruler;
H. R. 18571. An act granting an increase of pension to Ann O'Neil;
H. R. 18604. An act granting an increase of pension to Thomas M. Luman;
H. R. 18653. An act granting an increase of pension to Richard Limbird;
H. R. 18814. An act granting an increase of pension to Francis G. Knapp;
H. R. 18831. An act granting an increase of pension to James R. Wilson;
H. R. 18993. An act granting an increase of pension to James Shaw;
H. R. 19065. An act granting an increase of pension to William R. Rodenberger;
H. R. 19069. An act granting an increase of pension to Cornelius A. Willis;
H. R. 19106. An act granting an increase of pension to Margaret Epperson;
H. R. 19125. An act granting an increase of pension to Mary W. Humphreys;
H. R. 19291. An act granting an increase of pension to Charles Bachman;
H. R. 19421. An act granting an increase of pension to Ella A. Hodges;
H. R. 19580. An act granting an increase of pension to Jane Williamson;
H. R. 19594. An act granting an increase of pension to Hosea Hudson;
H. R. 19599. An act granting an increase of pension to William J. Large;
H. R. 19658. An act granting an increase of pension to Ary S. Bennett;
H. R. 19739. An act granting an increase of pension to Henry D. Miner;
H. R. 19794. An act granting an increase of pension to Henry C. Jewett;
H. R. 19937. An act granting an increase of pension to Mildred L. Allee;
H. R. 20003. An act granting an increase of pension to William Yahn;
H. R. 20004. An act granting an increase of pension to Isaiah Perkins;
H. R. 20057. An act granting an increase of pension to Cynthia Marsh;
H. R. 20062. An act granting an increase of pension to Philip Lape;
H. R. 20082. An act granting an increase of pension to William Van Alst;
H. R. 20155. An act granting an increase of pension to Frank L. Weiss, alias Louis Weiss;
H. R. 20170. An act granting an increase of pension to Mathias Mannes;

H. R. 20183. An act granting an increase of pension to Catherine Way;
H. R. 20217. An act granting an increase of pension to Ferdinand Kunkel;
H. R. 20270. An act granting an increase of pension to Michael Dunn;
H. R. 20299. An act granting an increase of pension to Lizzie E. Enright;
H. R. 20414. An act granting an increase of pension to Albert Launt;
H. R. 20588. An act granting an increase of pension to Nicholas S. Cantine;
H. R. 20590. An act granting an increase of pension to Hannah O. Reynolds;
H. R. 20622. An act granting an increase of pension to Samuel Shoener;
H. R. 20840. An act granting an increase of pension to Thomas M. Lord;
H. R. 20886. An act granting an increase of pension to William W. Bell;
H. R. 20890. An act granting an increase of pension to Lafayette Doughty;
H. R. 20952. An act granting an increase of pension to John W. Howe;
H. R. 20954. An act granting an increase of pension to Henry McDevitt;
H. R. 20956. An act granting an increase of pension to James Kenney;
H. R. 20959. An act granting an increase of pension to William G. Dickey;
H. R. 20961. An act granting an increase of pension to George F. Fogg;
H. R. 20963. An act granting an increase of pension to Rianzo N. Morton;
H. R. 20972. An act granting an increase of pension to George W. Rothrock;
H. R. 20999. An act granting an increase of pension to John H. Simmons;
H. R. 21040. An act granting an increase of pension to Ella C. Washburn;
H. R. 21052. An act granting an increase of pension to Edmund A. Locker;
H. R. 21055. An act granting an increase of pension to Archibald Bates;
H. R. 21073. An act granting an increase of pension to Michael Harman;
H. R. 21085. An act granting an increase of pension to Anthony Patterson;
H. R. 21131. An act granting an increase of pension to Cornelius Shea;
H. R. 21141. An act granting an increase of pension to George E. Castor, alias George E. Coster;
H. R. 21244. An act granting an increase of pension to Levi E. Eldred;
H. R. 21262. An act granting an increase of pension to Margaret Adams;
H. R. 21267. An act granting an increase of pension to Jerome B. Clark;
H. R. 21284. An act granting an increase of pension to William Earnest;
H. R. 21306. An act granting an increase of pension to James Pool;
H. R. 21336. An act granting an increase of pension to Hermann Hoffmeister;
H. R. 21337. An act granting an increase of pension to Henry J. Barrows;
H. R. 21342. An act granting an increase of pension to Charles A. Parker;
H. R. 21348. An act granting an increase of pension to William Seymour Alden;
H. R. 21430. An act granting an increase of pension to Alonzo Foster;
H. R. 21525. An act granting an increase of pension to John Short;
H. R. 21559. An act granting an increase of pension to William Ivers;
H. R. 21562. An act granting an increase of pension to Valentine Goebel;
H. R. 21608. An act granting an increase of pension to Louis Green;
H. R. 21659. An act granting an increase of pension to Rose Sevin;
H. R. 21711. An act granting an increase of pension to Thor Nelson;
H. R. 21734. An act granting an increase of pension to Stephen B. H. Shanks;
H. R. 21746. An act granting an increase of pension to William N. Carlisle;
H. R. 21784. An act granting an increase of pension to William Hall;
H. R. 23235. An act granting an increase of pension to James L. Barney; and
H. R. 24358. An act granting an increase of pension to John R. Cauley.

GENERAL DEFICIENCY BILL.

Mr. LITTAUER. I call up the general deficiency bill.
The SPEAKER. The Clerk will read.
Mr. MANN. Mr. Speaker, I think there is a point of order pending.
The SPEAKER. One moment. There seems to be a point of order pending upon the paragraph commencing with line 11, page 52. Is the point of order insisted upon?
Mr. MANN. I insist upon the point of order on the paragraph commencing on page 52, line 11, including line 20.
The SPEAKER. The gentleman will state his point of order.
Mr. MANN. Well, Mr. Speaker, there is no authorization of law for the provision at all. It is extra compensation. It is not an audited account; one that was not paid last year.
Mr. LITTAUER. It is service performed under a regular contract.
The SPEAKER. Is that authorized?
Mr. LITTAUER. The screen-wagon service is authorized by law.
Mr. OVERSTREET of Indiana. I can answer that question.
Mr. LITTAUER. I would like the gentleman from Indiana to be heard.
Mr. OVERSTREET of Indiana. Mr. Speaker, I would like to be heard upon the point of order for a minute. Under the law there is authority for contracts for screen-wagon service in cities.
The SPEAKER. Gentlemen will suspend. The Sergeant-at-Arms will see that Members are seated. [After a pause.] The gentleman from Indiana.
Mr. OVERSTREET of Indiana. I was stating, Mr. Speaker, that under the law the contracts for screen-wagon service in the mail department is paid for out of the regular appropriation; but in this particular case, as has happened repeatedly, where the contract has been in force, and in order to extend the service to an additional place or places which were not existing at the time of the original contract, the service was continued for that extension. In this one instance a new station was established in the city of Chicago, which must be served by the screen-wagon service not covered by the original contract. But under the general law they were obliged by the Department to extend the service and did extend it. This particular item was then adjusted between the Department and the contractor and approved by the postmaster of Chicago.
The SPEAKER. If the gentleman will allow the Chair. Under the law for a new station, was the Postmaster-General authorized to extend the service?
Mr. OVERSTREET of Indiana. Undoubtedly, and compelled——
The SPEAKER. Was he authorized to require this firm—Weish & Co.—to furnish that service?
Mr. OVERSTREET of Indiana. He not only authorized, but directed them; and this is to pay for it. It was authorized under the law, and that which they did perform was under the law.
Mr. LITTAUER. But they were not paid because the Department lacked the appropriation.
The SPEAKER. Precisely. But was the Postmaster-General authorized to extend the service without reference to the appropriation?
Mr. OVERSTREET of Indiana. That is my understanding.
Mr. MANN. There may be equity in the claim; but so far as the point of order is concerned, these are the facts: This company had a contract with the Government for this service.
Mr. OVERSTREET of Indiana. But this is additional.
Mr. MANN. But they had no contract for this service. Then under the law the postmaster could not direct these people to perform the service, because the law requires that before service is performed there must be an advertisement for bids, and the work must be done by contract. There is no authority of law. The law is quite to the contrary; and the postmaster contracted the work to be done without advertising. Now let me ask the gentleman from Indiana a question. I have examined the letter from the Postmaster-General and the superintendent in the case. Neither one gave any information in reference to this service. I would like to ask the gentleman

whether he knows if this service was for the purpose of doing work for what they call the Kinsey Street depot?

Mr. OVERSTREET of Indiana. That is right.

Mr. MANN. That is a new station inaugurated?

Mr. OVERSTREET of Indiana. I am not sure about the name, but it was a new station.

Mr. LITTAUER. And was extra service.

Mr. OVERSTREET of Indiana. My recollection is that it was the Kinsey Street station.

Mr. MANN. Is the gentleman sure that it is not to recoup a loss which this company incurred by reason of taking this contract?

Mr. OVERSTREET of Indiana. Oh, no.

Mr. LITTAUER. And the provision says it is to and from Kinsey Street station.

Mr. MANN. The Kinsey Street station is the Northwestern depot at Chicago, and calls for neither more nor less labor in transporting. The Northwestern depot and that are one and the same.

Mr. LITTAUER. But this was additional service outside of the contract.

Mr. OVERSTREET of Indiana. If the gentleman from Illinois will allow me to complete my answer——

Mr. MANN. Certainly.

Mr. OVERSTREET of Indiana (continuing). This was for service in addition to the other service which was imposed upon the company. It was performed by the company, and had nothing to do with any recoup of a loss. I assure the gentleman that that is the fact.

Mr. MANN. Well, I will withdraw the point of order.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

For additional compensation of the Secretary of Agriculture from March 4 to June 30, 1907, inclusive, $1,300.

Mr. BRUNDIDGE. Mr. Speaker, I desire to offer the following amendment.

The Clerk read as follows:

For printing and binding for the Bureau of Census, $10,000.

Mr. BRUNDIDGE. Mr. Speaker, I want to express the hope that this amendment will be adopted for these reasons——

Mr. LITTAUER. We are now considering matters with reference to the postal revenue. It does not seem to me that this amendment should be offered at this place or paragraph of the bill. If the gentleman will withhold his amendment until we reach page 61, it might be germane there.

Mr. BRUNDIDGE. What is that?

Mr. LITTAUER. It is not germane to the paragraph of the bill now being read.

Mr. TAWNEY. It is germane to page 61.

Mr. BRUNDIDGE. Well, I will withhold the amendment.

The Clerk read as follows:

LIGHT-HOUSE ESTABLISHMENT.

The accounting officers of the Treasury are authorized and directed to allow and credit in the accounts of officers of the Army and Navy detailed for service in connection with the Light-House Establishment for the fiscal years 1906 and 1907 such sums as were expended by said officers of the Army and Navy as reimbursements for actual expenses of travel on public business between points inaccessible by ordinary means of conveyance, the same not to involve the further payment of money from the Treasury.

Mr. MANN. Mr. Speaker, this morning I offered an amendment, which was inserted on page 6, in line 12, for a light and fog signal at the entrance to Huntington Harbor and Lloyd Harbor, New York. I ask unanimous consent now to vacate the action by which that amendment was adopted, in order that I may offer it here, where it is more appropriate, in the bill.

Mr. LITTAUER. I trust, Mr. Speaker, that the gentleman's request will be granted.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Now I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 55, after line 3, insert as a new item the following:

"For a light and fog signal station at the entrance to Huntington Harbor and Lloyd Harbor, New York, $40,000."

The amendment was agreed to.

The Clerk read as follows:

MISCELLANEOUS.

For two janitors at Government houses on St. George and St. Paul islands, Alaska, for services during the fiscal year ended June 30, 1906, $480.

Mr. BRUNDIDGE. Mr. Speaker, I desire to reoffer the amendment which I sent to the Clerk's desk.

Mr. LITTAUER. I call the gentleman's attention to the fact that we are now considering miscellaneous expenses of the Light-House Department, under the Bureau of Commerce and Labor.

Mr. BRUNDIDGE. Certainly; but the amendment that I have offered would not be germane on page 61, where we will be considering printing and binding for the House and Senate.

Mr. LITTAUER. But the general provisions for printing and binding are on page 61.

Mr. BRUNDIDGE. That is for the House and Senate.

Mr. LITTAUER. And also for the Navy Department.

Mr. MANN. For the War Department and Navy Department.

Mr. LITTAUER. Under the caption "Printing and binding" the gentleman's proposition would be germane.

Mr. BRUNDIDGE. Will the gentleman kindly refer me to the number of the line?

Mr. MANN. After line 12, on page 61.

Mr. LITTAUER. It is simply a question of deferring the consideration until we reach the proper paragraph.

The Clerk read as follows:

Legislative.

Mr. GROSVENOR. Mr. Speaker, in the performance of an annual duty, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 55, after line 11, insert:

"To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House borne on the annual and session rolls on the 1st day of January, 1907, including the Capitol police, the official reporters of the Senate and House, and W. A. Smith, CONGRESSIONAL RECORD clerk, for extra services during the second session of the Fifty-ninth Congress, a sum equal to one month's pay at the compensation then paid them by law, the same to be immediately available."

Mr. LITTAUER. Mr. Speaker, I do not make a point of order against this amendment. It has been the yearly custom of the House to pass it, and it has always been held proper for the House itself to consider it and not raise a point of order against it. Therefore I do not make the point of order.

Mr. KEIFER. I want to make an inquiry of the gentleman. As I understood the reading of the language, it would only apply to the annual employees.

Mr. GROSVENOR. The annual and session employees. It is in the usual form, copied from the law of last year.

The SPEAKER. If there be no objection, the amendment will be considered as agreed to.

There was no objection.

The SPEAKER. The Clerk will read.

Mr. DIXON of Montana. Mr. Speaker, I was on my feet to offer an amendment to that amendment. I merely wanted to make the date February 1, to cover the case of one very faithful servant who was not on the roll on January 1.

Mr. ROBERTS. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. An amendment to this amendment?

Mr. ROBERTS. No.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Line 11, page 55, after the word "legislative" insert:

"For additional compensation of clerks to Representatives and Delegates in Congress from March 4 to June 30, 1907, inclusive, $38,025."

Mr. LITTAUER. To that, Mr. Speaker, I make a point or order.

Mr. ROBERTS. Will the gentleman reserve it?

Mr. LITTAUER. I will reserve it.

Mr. ROBERTS. Mr. Speaker, I trust that the point of order will not be raised, although I concede that the amendment is subject to it. The facts are these, and I simply call the attention of the House to them: Some time ago by legislation we increased the compensation of the clerks to Members and Delegates, to take effect at the beginning of the next fiscal year. Since then the House has seen fit to increase the compensation of its Members and to increase the compensation to the Cabinet officers. That increase takes effect by legislation the 4th day of March. We have by unanimous consent adopted an amendment to give all the House employees except the private clerks to Members a gratuity of a month's pay, which will amount to more per man than the whole increase which is provided in the amendment which I have offered. Now, it seems to me nonsensical to provide for the increase of the pay of clerks on the 3d or the 4th of March after the clerks will be appointed. We all know that on the 4th of March there will be many new Members who are entitled to appoint clerks. These new Members will start in with increased pay. The clerks they appoint, unless my amendment is adopted, will not have any increase in their pay until the 1st of July.

I do not object, for one, to the gratuities that we give annually to the House employees who are on the rolls, but I do

say that, if for no other reason in the world than that, we should treat alike all classes of those in contact with Members of Congress, we should give this increase to our private clerks. Let their increase in pay begin with ours.

The SPEAKER. Does the gentleman insist on his point of order?

Mr. LITTAUER. I must insist, Mr. Speaker.

The SPEAKER. The point of order is sustained.

The Clerk read as follows:

In addition to the annual compensation fixed by law for Senators, Representatives in Congress, Delegates from Territories, and Resident Commissioner from Porto Rico, they shall on and after March 4, 1907, be entitled to receive in lieu of the mileage now provided by law, mileage at the rate of 8 cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular and special session of Congress.

Mr. ENGLEBRIGHT. Mr. Speaker, I make a point of order that that paragraph on line 20, page 55, and line 2, page 56, is new legislation and a change of existing law.

Mr. LITTAUER. Will the gentleman reserve his point of order?

Mr. ENGLEBRIGHT. I will reserve the point of order if the gentleman wishes to make some remarks.

Mr. JONES of Washington. Mr. Speaker, I insist on the point of order.

Mr. LITTAUER. Will the gentleman from Washington reserve it until I can explain it?

Mr. JONES of Washington. No; Mr. Speaker, I insist on the point of order.

The SPEAKER. The Chair sustains the point of order.

The Clerk read as follows:

To pay the widow of Rockwood Hoar, late a Representative in Congress from the State of Massachusetts, $5,000.

Mr. LITTAUER. Mr. Speaker, I move to strike out the last word. I desire simply at this time to comment upon the position of the Committee on Appropriations in the action on the submission of the paragraph for a change of mileage that has just gone out on a point of order. The law for the compensation of Members until the recent change declared that the compensation——

Mr. HUMPHREY of Washington. Mr. Speaker, I make the point of order that the gentleman is not talking to his amendment.

Mr. GAINES of Tennessee. He is doing the same thing that was being done the other day when he denounced the Democratic party. [Laughter.]

The Clerk read as follows:

For traveling expenses of the Resident Commissioner from Porto Rico, for attendance on the second session of the Fifty-ninth Congress, $130.

Mr. MANN. Mr. Speaker, I reserve a point of order on that paragraph just read for the purpose of getting an explanation of the law as to this matter of mileage.

Mr. LITTAUER. Mr. Speaker, there are three provisions in the statute in relation to mileage.

Mr. HUMPHREY of Washington. Mr. Speaker, I insist on my point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. HUMPHREY of Washington. That the gentleman is not discussing anything before the House.

Mr. LITTAUER. I am about to discuss the matter of mileage for the Resident Commissioner from Porto Rico.

The SPEAKER. The gentleman from New York will proceed in order.

Mr. LITTAUER. The Resident Commissioner from Porto Rico receives for mileage actual expenses, the Delegate from Alaska receives the stated sum of $1,500, and the Delegate from Hawaii, including all the Members, receive at this time 20 cents per mile.

Now, the law whereon the mileage now existing is based reads as follows:

That the compensation of each Senator or Representative and Delegate in Congress shall be $5,000 per annum, to be computed from the first day of the present Congress, and in addition thereto mileage at the rate of 20 cents per mile, to be estimated by the nearest routes usually traveled in going to and returning from each regular session.

That the compensation of each Senator shall be $5,000 and in addition thereto mileage, etc. It seemed that there might be a question whether or not the mileage as now provided by law was in addition to compensation or not, and many lawyers, many Members of this House and of the other, have suggested to me that there was a question whether or not any mileage to Members could hereafter be paid. In view of that doubt and, moreover, in view of the fact that the compensation for Members—and the new amendment covering our salaries declared that it was compensation—should be $7,500——

Mr. CLARK of Florida. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Will the gentleman yield?

Mr. LITTAUER. Yes.

Mr. CLARK of Florida. I would like to ask the gentleman from New York why the committee did not report a provision for the actual traveling expenses of Members?

Mr. LITTAUER. I will tell the gentleman in a moment. We reported a provision of 8 cents a mile, believing that 8 cents did properly, fully, and actually cover the expenses, and we based our opinion on the fact that the officers of the Navy traveling to and fro received, according to law, an allowance of 8 cents per mile. The officers of the Army now receive 7 cents, although the Army allowance has varied somewhat from 10 cents to 7 and 8 cents.

Mr. GOLDFOGLE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. I wish to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. LITTAUER. Yes.

Mr. GOLDFOGLE. Is it not a fact that the Army transportation the gentleman speaks of is figured upon each trip taken?

Mr. LITTAUER. Of course, and the only trip under consideration is the trip from a Member's home to the attendance on each regular and special session of Congress; and the Army officers receive such compensation only when traveling under orders on public business.

Mr. GOLDFOGLE. How about Members who leave during the holiday recess and return in time to attend the session on the reassembling of the Congress?

Mr. LITTAUER. They may leave or not, as they please. They frequently do leave, without there being a holiday recess. The provision of the committee would apply for mileage going to and returning from each regular and special session of Congress at 8 cents a mile, which we believed to be a fair and nearly actual proper expense.

Mr. MACON. Will the gentleman yield for a question?

Mr. LITTAUER. Yes.

Mr. MACON. Does not the gentleman think that the present salary of $7,500 per annum is a sufficient compensation for Members of this House without mileage?

Mr. LITTAUER. I think it is a proper compensation, and I think there should be nothing in the nature of a perquisite in addition thereto. I think that $7,500 is proper compensation, and that the mileage ought to be based on practically what is actually expended, and that the fairest and most decent way of reaching what the actual expense is, is to take the experience had in other Departments, and we believe that 8 cents represents that.

Mr. GAINES of Tennessee. Does not the gentleman use the word "compensation" there for the word "salary"—a $7,500 salary? That is what the law says.

Mr. LITTAUER. Well, salary stands for compensation.

Mr. GAINES of Tennessee. Well, it ought to be salary, for that is what it means. Mileage is not compensation. Mileage is mileage.

The SPEAKER. The gentleman reserves his point of order, and, under the five-minute rule, the five minutes have expired. Does the gentleman insist upon his point of order?

Mr. MANN. I withdraw the point of order.

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FITZGERALD. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FITZGERALD. Is it in order to move to suspend the rules and to offer as an amendment the provision for mileage which has just been taken out on a point of order?

The SPEAKER. The Chair is clearly of opinion that it is not in order.

Mr. GAINES of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GAINES of Tennessee. Would it be in order for the Committee on Rules to formulate a rule——

The SPEAKER. We are now considering the general deficiency bill under the five-minute rule in the House. That is not a parliamentary inquiry. The Clerk will read.

The Clerk read as follows:

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, $25,000.

Mr. LITTAUER. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 57, in line 8, strike out the word "twenty-five" and insert in lieu thereof the word "thirty-five."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, $25,000.

Mr. LITTAUER. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 57, after line 19, insert:
"To pay E. P. Walker for services as clerk to the Committee on Expenditures in the Department of Agriculture, $320."

The amendment was agreed to.

The Clerk read as follows:

For janitor to the file room, at $60 per month, $954; for two messengers to disbursing officers, at $900 each per annum, $2,385; for additional assistant enrolling clerk, at $1,800 per annum, $2,385; for additional compensation of the enrolling clerk, at $500 per annum, $662.50; for additional compensation of assistant doorkeeper, at $500 per annum, $662.50; for additional compensation of Department messenger, at $250 per annum, $331.26; for additional compensation of superintendent of the folding room, at $500 per annum, $662.50; for additional compensation of the deputy sergeant-at-arms, at $500 per annum, $662.50; for additional compensation of chief clerk of the folding room, at $200 per annum, $265; for additional compensation of the assistant Department messenger, at $200 per annum, $265; for additional compensation of four clerks in folding room, at $400 each per annum, $2,120.04; for additional compensation of the foreman of the folding room, at the rate of $300 per annum, $397.50; for stenographer to journal clerk, at $75 per month, $1,192.50; for assistant clerk to the Committee on Pensions from March 3, 1907, to June 30, 1908, inclusive, $1,600 per annum, $2,124.46; for additional compensation of the messenger to the Speaker, at $240 per annum, $318; for additional compensation to R. E. Fleharty, assistant stationery clerk, by detail, at the rate of $400 per annum, $530; for additional compensation of messenger to chief clerk, at $300 per annum, $397.50; in all, $16,315.36.

Mr. LITTAUER. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 59, in lines 21, 22, and 23, strike out "in all, $16,315.36," and insert "for additional compensation of the assistant in the clerk's office, at $200 per annum, $264.90; for additional compensation of the assistant in the disbursing office, at $200 per annum, $264.90; for additional compensation to two chief pages, at $300 each per annum, $795; for additional compensation for the two telegraph operators, at $200 each per annum, $530; for additional compensation of the superintendent, reporters' gallery, at $200 per annum, $265; for an annual clerk to the Committee on Enrolled Bills (in lieu of a session clerk), at $2,000 per annum, $2,649.90; for a janitor to the Committee on Expenditures in the Navy Department, index clerk's office, and guard room, at $720 per annum, $954; in all, $21,198.06."

And on page 58, in line 2, after the word "seventh," strike out the word "and", and after the word "sixteenth" insert the words "and February 28."

Mr. LITTAUER. Mr. Speaker, these appropriations are simply to take care of the resolutions passed by the House on yesterday.

Mr. BARTLETT. Is the gentleman sure they will take care of the resolutions passed on yesterday?

Mr. LITTAUER. The disbursing clerk so states.

The question was taken; and the amendments were agreed to.

Mr. ROBINSON of Arkansas. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

For additional compensation to the two special employees of the House of Representatives, John T. Chauncey and Paul D. Porter, $300 per annum, $600.

Mr. LITTAUER. Mr. Speaker, I suppose this is subject to a point of order, and it is for the benefit of the two special employees, Mr. Chauncey and Mr. Porter. Mr. Speaker, while I meant to make the point of order against any personal requests, I do not think I am called upon to make——

Mr. OLMSTED. I would like to ask if Mr. Chauncey is a new employee?

Mr. LITTAUER. No; he is one of the oldest.

Mr. OLMSTED. How old?

Mr. LITTAUER. I do not know; long before my time.

Mr. TAWNEY. Mr. Speaker, I desire to call attention that this resolution proposes to fix the annual salaries of the special employees of the House. Now, each House controls the compensation to be paid to the special employees who are employed by resolution of that House, and I do not think it belongs to this House to fix the salaries for the special employees for the next House.

Mr. ROBINSON of Arkansas. I ask unanimous consent to strike from the amendment the words "per annum."

The SPEAKER. The gentleman modifies his amendment.

Mr. MANN. I would like to inquire from the gentleman from Minnesota if it is not a fact that these two employees, certainly Captain Chauncey, are carried on an annual appropriation by name?

Mr. TAWNEY. Under the resolution.

Mr. MANN. No; by act of Congress in the annual appropriation.

Mr. TAWNEY. In the appropriation bill, but the resolution authorizing their employment at the beginning of each Congress is mentioned in the legislative appropriation bill.

Mr. MANN. Well, I think the gentleman is mistaken. Captain Chauncey draws pay after the 1st of July, although there is no Congress that will be in session then with authority to employ a special employee.

Mr. TAWNEY. That is true; but the gentleman from Illinois knows very well that this Congress can not bind the next House as to the compensation that will be paid to their special employees.

Mr. MANN. Why, we can bind the House by act of Congress, fixing by name, as we do in the case of Mr. Chauncey, Joel Grayson, and one or two others, fixing their salaries. I do not care further than that. But we do bind them.

The SPEAKER. The gentleman from Arkansas offers an amendment to his amendment by striking out the words "per annum." The question is on agreeing to the amendment as amended.

The question was taken; and the amendment as amended was agreed to.

Mr. McCLEARY of Minnesota. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 59, line 21, after the word "cents," add "for additional compensation to John J. Boobar, librarian, at $300 per annum, $397.50; to George W. Sabine, assistant librarian, at $300 per annum, $397.50; to R. F. Bishop, assistant librarian, at $300 per annum, $397.50; to J. F. Brownlow, assistant in library, at $200 per annum, $265."

Mr. LITTAUER. Mr. Speaker, I make the point of order against this amendment.

Mr. MANN. Mr. Speaker, I make the point of order against that.

Mr. BARTLETT. Will the gentleman reserve the point of order just for a minute?

Mr. LITTAUER. If the gentleman desires to make an explanation, I will reserve it.

Mr. BARTLETT. I know nothing particular about this amendment except in reference to Mr. Sabine, who serves us over in this library here, and I would like, and I think the House would like, to give him additional compensation. I want to know if the gentleman from New York, if I offered an amendment simply to pay Mr. Sabine an additional compensation of $200 for his services, would make a point of order on it?

Mr. LITTAUER. I am sure the gentleman probably ought to have additional compensation, but I think this is a very irregular way of getting it. The Committee on Accounts could have passed upon this matter and presented a resolution to the House.

Mr. BARTLETT. May I be permitted to reply to the gentleman just a moment? This gentleman has not sought by resolution, as many have, to increase his compensation by appealing to the Committee on Accounts. I apprehend there is no more faithful, efficient, and no more useful member of the force of this House than Mr. Sabine, who is an assistant librarian in this library; and if he ought to have it, let us give it to him.

Mr. LITTAUER. I agree with that entirely, but this is very irregular.

The SPEAKER. Does the gentleman from New York [Mr. LITTAUER] insist on his point of order?

Mr. LITTAUER. I do.

Mr. BARTLETT. Do I understand the gentleman to insist on his point of order?

Mr. SPARKMAN. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The gentleman from Florida desires to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Page 58, line 24, after word "dollars," insert:
"For additional compensation of the assistant clerk of the Committee on Rivers and Harbors at $300 per annum, $407.50."

Mr. LITTAUER. Mr. Speaker, I make the point of order against that.

Mr. SPARKMAN. I hope the gentleman will withhold it.

Mr. LITTAUER. I reserve the point of order.

Mr. SPARKMAN. Mr. Speaker, this is an amendment that ought really to be adopted. There is no more useful clerk than the assistant clerk to the Rivers and Harbors Committee. There is no one employed by a committee to do work here who does any more work in a year or any given time than the as-

sistant clerk of that committee. Any Member who has been around this House and has noticed the work that is being done by the Committee on Rivers and Harbors, especially by the chairman of that committee, will understand at once that the clerk or the assistant clerk who assists him in the performance of his numerous and burdensome duties is entitled to much more than he is now receiving—the sum of $1,400 a year, I believe. Mr. Speaker, I believe this amendment ought to prevail.

Mr. LITTAUER. Mr. Speaker, I can not enter upon the merits of this matter. The House has regular machinery to handle this work, and it ought to be handled regularly.

Mr. BURTON of Ohio. Mr. Speaker, I hope the gentleman will withhold his point of order for just a moment. The service of this clerk is of an exceptional nature. He has been here the whole year.

Mr. LITTAUER. I would suggest that it should have gone before the Committee on Accounts.

Mr. BURTON of Ohio. It seems that increases of salaries have been made in considerable numbers, and this is certainly as deserving as any one of them. I trust the gentleman will withdraw the point of order in this case and points of order against all such items.

The Clerk read as follows:

Hereafter no part of any money appropriated for contingent or miscellaneous expenses of the Senate or House of Representatives shall be used to pay additional compensation to any officer or employee of either House of Congress.

Mr. BARTLETT. Mr. Speaker, I raise the point of order against that provision.

The SPEAKER. What is the point of order?

Mr. BARTLETT. It is the provision on page 59, commencing with line 24 and ending on line 2, page 60, with the word "Congress."

Mr. LITTAUER. It is a necessary provision of law now.

Mr. BARTLETT. It is not. The gentleman is mistaken, and I desire to be heard upon it. Mr. Speaker, that never was the law until the last legislative appropriation bill. On page 9 of the printed bill, which I hold in my hand, the act approved June 22, 1906, carried this provision:

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, $50,000.

That statute provided for the appropriation known as the "contingent fund" of the House, and the Committee on Appropriations in 1906 undertook to limit by legislation the right of the House to control that provision in the matter.

The SPEAKER. Will the gentleman allow the Chair to ask him this question?

Mr. BARTLETT. Certainly.

The SPEAKER. Are these words now in this bill?

Mr. BARTLETT. These words?

The SPEAKER. Yes; "hereafter."

Mr. BARTLETT. Yes, sir.

The SPEAKER. They have not appeared heretofore in the bill?

Mr. BARTLETT. No, sir.

The SPEAKER. What does the gentleman from New York say?

Mr. LITTAUER. When the appropriation was made and that appropriation was exhausted, this one became available.

The SPEAKER. What the Chair desires to get at is whether this is the law now.

Mr. LITTAUER. The law, according to the interpretation of the Comptroller of the Treasury, is not as it stands here.

The SPEAKER. Then it is clearly legislation.

Mr. LITTAUER. It is new legislation, but most desirable legislation.

Mr. BARTLETT. May I be permitted, Mr. Speaker——

The SPEAKER. The gentleman claims this is legislation?

Mr. BARTLETT. Yes, sir.

The SPEAKER. And the gentleman from New York admits it. And this is a proposition to change the law?

Mr. TAWNEY. This is a proposition to change the law.

The SPEAKER. The Chair sustains the point of order.

Mr. TAWNEY. I trust the gentleman will not insist upon his point of order.

Mr. BARTLETT. But I do insist upon the point of order.

The SPEAKER. The Chair is with the gentleman, and sustains the point of order.

The Clerk read as follows:

To reimburse the Official Reporters of Debates and the official stenographers to committees for moneys actually paid out by them for clerical hire and extra clerical services from March 4, 1906, to March 4, 1907, $750 each, and to John J. Cameron, $240; in all $7,740.

Mr. WATSON. Mr. Speaker, I offer the amendment I send to the Clerk's desk.

The Clerk read as follows:

Insert after line 8, page 60, the following:
"And $25 per month for extra clerical services of the assistant committee stenographers from March 1, 1907, to March 1, 1908, inclusive, in regular monthly payments."

Mr. LITTAUER. I must make the point of order against that.

Mr. WATSON. I do not think it is subject to the point of order. In the first place, I think the entire paragraph, beginning with line 30, itself is out of order, and is legislation under the rules of the House. Even though this would be out of order, if sought to be appended to a proposition which was in order, inasmuch as we are seeking now to make an amendment to a proposition that in itself is out of order, this is not subject to the point of order. The amendment which I offer is germane to the pending paragraph, and the pending paragraph itself is out of order.

The SPEAKER. Ah, but the pending paragraph escapes the point of order, because it was not made.

Mr. WATSON. The mere fact that it was not made makes no difference; it is clearly legislation.

Mr. FITZGERALD. Is it germane?

Mr. WATSON. Yes; my amendment is clearly germane to the paragraph.

Mr. OLMSTED. What does the amendment apply to?

Mr. WATSON. It applies to the pay of the assistant stenographer to committees.

The SPEAKER. The Chair sustains the point of order.

The Clerk read as follows:

PRINTING AND BINDING.

Printing and binding for the Navy Department (Hydrographic Office), which sum is in addition to the $15,000 authorized to be expended for the work of the Hydrographic Office by the act of June 30, 1906, $2,200.

Mr. BRUNDIDGE. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 61, after line 12, insert:
"For printing and binding in the Bureau of the Census, $10,000."

Mr. LITTAUER. Mr. Speaker, I do not believe this item is subject to a point of order, but I trust the House will not vote to include this amendment.

Mr. BRUNDIDGE. I want to explain why I think this amendment ought to pass. It was apparent to the committee that the Government, through the Census Office and through its special agents, did obtain some very valuable reports. These reports relate to a variety of subjects. For instance, the Director of the Census has a report upon iron, one upon steel, one upon lumber, and these reports have already been made at the expense of the Government, but he has not a dollar to pay for their printing. This sum simply authorizes him to print and bind such reports as have already been made to the Office and for which he has stated he has a very great demand from all over this country. It does seem to me, Mr. Speaker, that when that condition of affairs exists, and is not controverted or denied, we at least ought to furnish him a sufficient sum to print and bind these reports, which are being demanded throughout the length and breadth of the country.

Mr. LITTAUER. I have no doubt that the reports in question are valuable to some people, but the committee refused to include this provision in the bill, because the committee felt that a full and ample appropriation had been made for this purpose, and it simply demanded that the bureau chiefs live within the appropriations that we make for them. If you should permit them to come back for such additional appropriations as this one, we would have a perfect flood from everyone, so that especially in the item of printing and binding there would be no end to it. We made a very ample allowance for printing to the Census Bureau, and we feel that they should live within that ample allowance and let these reports be printed after the 1st day of next July.

Mr. BRUNDIDGE. The gentleman certainly understands that after the 1st of July the facts will be useless to anybody.

Mr. LITTAUER. I think the facts may be six or seven years old now.

Mr. BRUNDIDGE. Not at all. My understanding is that these reports are reports that have been made recently.

Mr. LITTAUER. I know nothing to substantiate that idea.

Mr. BRUNDIDGE. I do not understand that they are old reports at all.

Mr. LITTAUER. My understanding is that they may be reports of the census of 1900.

Mr. BRUNDIDGE. Not at all.

Mr. BURLESON. Even if that were true, they would be valuable for purposes of comparison.

Mr. LITTAUER. That is true; but whether they are printed in the month of March or April or the month of July will not make very much difference with the progress of our business in general, and we felt that we made ample provision for the business of the Census Office, and that it was better to leave it in that way.

The question being taken, the amendment was rejected.

The Clerk read as follows:

LIBRARY OF CONGRESS.

To expedite the preparation of that part of the new index to the Statutes at Large, which is an index to the statutes enacted since the year 1873, and to provide for the additional service in the law library necessary to the printing of the said index, namely, for typewriting a printer's copy of the card index and for proof reading, $5,000, the same to be available until the close of the fiscal year 1908: *Provided*, That when the plan of the new index of the Statutes at Large shall have been approved by the Judiciary Committee of either House of Congress the preparation of the said index may be commenced, notwithstanding the provision to the contrary in any act of Congress heretofore enacted.

Mr. WILLIAMS. I move to strike out the last word.

Mr. MANN. I raise a point of order on the proviso at the bottom of page 61.

The SPEAKER. The gentleman will state his point of order.

Mr. MANN. I make the point of order on the proviso, which is plainly a matter of legislation. It undertakes to repeal an act of Congress.

Mr. LITTAUER. I am quite content to have the gentleman make the point of order.

The SPEAKER. The point of order is sustained as to the proviso.

Mr. WILLIAMS. Mr. Speaker, I move to strike out the last word. I do that for the purpose of saying something about the mileage question. It is evidently proper and right that one Representative should not be paid a greater salary than another. If there were no mileage and no allowance for traveling expenses at all, the result would be that a Representative in Congress from Maryland would receive a larger salary than one from Texas, and a Representative from Virginia a larger salary than one from California. While it is true, Mr. Speaker, I do not believe that the people of the United States will view with favor, perhaps not even with tolerance, the adjournment of this Congress without revising the mileage which is now being paid after our salaries have been increased.

Now, Mr. Speaker, it has been suggested that there should be an allowance for actual traveling expenses, the Representative to certify what those actual traveling expenses were. There is, in my opinion, a very grave objection to that, too. The man who was unscrupulous, if there be such in the House, would go as expensively as he well could and charge it all to the Government. Some few very unscrupulous persons might certify to something that had not been expended, and the man who was scrupulous and thoroughly honest would try when he was traveling at the expense of the Government to expend as little as he could. The upshot would be that there might be engendered a state of things which might cause scandal and criticism, so that it seems to me that there ought to be in some way a method that would enable the House to fix, perhaps, a rate per mile which would suit approximately, if not perfectly or mathematically accurate, the amount of money that a man traveling would reasonably expend. I understand that 8 cents a mile was fixed. Perhaps that is not enough, and that 10 cents would be better. If it is too much, then it might be fixed at 6 cents. But at any rate, we ought not to run the risk of having a certification or questions arising out of a certification—one man certifying, perhaps, to his claret and cigars and another man certifying to a meal less than he would be willing to pay for if he was traveling at the expense of his own pocket.

I wanted to say this much because I want to put my voice on record in protest against this Congress adjourning without a reduction of the mileage rate. I did hope that the point of order would not be made when this question came up. I hope yet that it will be withdrawn. After it is withdrawn, if the House thinks that the rate is too little, they can move to make it 10 cents, but at any rate the House can act upon it. I hope that the House will not adjourn without acting on the question.

Mr. MANN. Will the gentleman from Mississippi yield for a question?

Mr. WILLIAMS. Yes.

Mr. MANN. Does the gentleman think that Members of Congress with large families—for instance, a number of children—from the far West, that it is desirable for him to come to Congress at the long session and bring his family with him, or to come and leave his family at home?

Mr. WILLIAMS. I believe, for one, that it is desirable and that we should encourage him to bring his family with him; but I believe that 10 cents a mile would bring any average family to Washington—in other words, if we cut the present mileage in two. I would allow, it seems to me, when I was trying to approximate the actual traveling expenses not only the actual traveling expenses of the man, but for the average family, say, a wife and two children. Ten cents would more than cover that, by my calculation. I went into it with my own home in view, so that I could determine. I took the price of the tickets and then what it would amount to, and it would more than pay it.

Mr. MANN. Then the gentleman provided for half-fare tickets.

Mr. WILLIAMS. No; I did not.

The SPEAKER. The time of the gentleman has expired.

The Clerk concluded the reading of the bill.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to return to page 43, the second paragraph, for the purpose of making a correction in the bill.

Mr. SHEPPARD. Mr. Speaker, will that preclude the offering of an amendment as a new section now?

The SPEAKER. No. The gentleman from South Dakota asks unanimous consent to return to page 43 for the purpose of making a correction. Is there objection?

There was no objection.

Mr. MARTIN. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 43, line 11, strike out the word "Walter" and insert the word "Orville."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

Mr. LITTAUER. Mr. Speaker, I now offer the following amendment, which I send to the desk and ask to have read. I have several copies of that amendment here, which Members can obtain if they desire.

Mr. MANN. Mr. Speaker, to save time I will state that I propose to make a point of order against this amendment. I suppose it ought to be printed in the RECORD. I will reserve the right to make the point of order against it until I can ask unanimous consent that the amendment may be considered as read, and printed in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the amendment may be considered as read, and printed in the RECORD. Is there objection?

There was no objection.

The amendment is as follows:

Amendment intended to be proposed by Mr. LITTAUER to the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes, viz: Insert the following:

"SEC. 3. That the following schedule of classification of positions and gradation of employees of the Executive Departments and other Government establishments in Washington is hereby adopted, to take effect on and after July 1, 1908, to supersede the classifications heretofore recognized by law, namely:

"CLERICAL CLASSES.

"Senior clerks: Employees who are assigned to work largely supervisory, or requiring the highest order of clerical ability, involving much original thought, consideration, and investigation.

"Grade A, at $2,100.
"Grade B, at $1,920.
"Grade C, at $1,860.
"Grade D, at $1,800.
"Grade E, at $1,740.

"Clerks.—Employees who are assigned to work more or less routine, involving responsibility, special ability, and original thought, consideration, and investigation.

"Grade A, at $1,680.
"Grade B, at $1,560.
"Grade C, at $1,500.
"Grade D, at $1,440.
"Grade E, at $1,380.

"Junior clerks.—Employees who are assigned to clerical work of a routine character requiring but little original thought or consideration, but requiring judgment, responsibility, and special skill.

"Grade A, at $1,320.
"Grade B, at $1,260.
"Grade C, at $1,200.
"Grade D, at $1,140.
"Grade E, at $1,080.

"Under clerks: Employees who are assigned to clerical work of a simple routine character requiring care, accuracy, and skill.

"Grade A, at $1,000.
"Grade B, at $940.
"Grade C, at $880.
"Grade D, at $820.
"Grade E, at $760.

"SUBCLERICAL CLASS.

"Employees whose duties are not clerical or mechanical, but require some special skill, or involve personal responsibility, as messengers, watchmen, skilled laborers, sorters, and counters.

"Grade A, at $840.
"Grade B, at $780.

"Grade C, at $720.
"Grade D, at $660.
"Employees engaged in rough and unskilled work, as laborers generally:
"Grade A, at $660.
"Grade B, at $600.
"Employees who enter the service at an early age and are engaged in light work, as messenger boys:
"Grade A, at $480.
"Grade B, at $420.
"Grade C, at $360.
"Grade D, at $300.
"Employees whose work occupies only a part of the time each day, as charwomen and janitors:
"Grade A, at $360.
"Grade B, at $300.
"Grade C, at $240.
"Salaries of employees engaged in professional, technical, or scientific work shall conform as far as possible to the classes and grades of the above schedules.
"That as soon as practicable after the passage of this act a committee of not exceeding nine persons shall be appointed by the President, whose duty it shall be to consider the character of work performed by the clerks in the several bureaus and offices in the Executive Departments and other Government establishments in the city of Washington and the salaries now paid therefor. Said committee shall recommend to the President for each Department a readjustment and classification of the force of said Department in accordance with the foregoing schedules, so as to bring about a general uniformity of compensation in all offices for the same kind and amount of work; and for the fiscal year 1909, and annually thereafter, each Department shall prepare and submit its estimates for clerical and other services in the Departments in accordance with the classification herein provided for and shall apportion the clerks of the different classes according to the work they are actually performing.
"In no event shall any person whose principal duties are within a given class be paid more than the maximum salary for said class, and the number of employees specifically appropriated for in any branch of the service in any of the Executive Departments or other Government establishments in Washington shall not be increased, but may be diminished.
"Hereafter all promotions shall be based on efficiency, and it is specifically declared to be the duty of chiefs of divisions to make recommendations for demotion where the interests of the public service require it, and any chief of division who fails to comply with this requirement shall be summarily dismissed from the public service.
"Promotion in each class and subdivision thereof shall be made in each Executive Department or other Government establishment in Washington by a board composed of three officials of said Department appointed by the Secretary thereof."

The SPEAKER. The Chair understands now that the gentleman from Illinois makes the point of order against the amendment.

Mr. MANN. Mr. Speaker, I make the point of order against the amendment that it is entirely new legislation.

The SPEAKER. The Chair sustains the point of order.

Mr. TAWNEY. Mr. Speaker, the amendment offered by the gentleman from New York having been rejected on a point of order, I respectfully submit the same amendment in a different form. The amendment that I submit provides for a comprehensive reclassification of the public service in the Executive Departments and other governmental establishments here in Washington. This amendment, however, omits the salaries for these classes, and authorizes the committee to be appointed by the President to readjust the work in the Departments to also investigate and report its recommendations in regard to the salaries to be paid for the work done in the various classes proposed.

I offer the following amendment. I ask, however, unanimous consent that it may be considered as having been read and be printed in the RECORD.

Mr. MANN. I make the point of order against the amendment, Mr. Speaker.

Mr. TAWNEY. Mr. Speaker, there is no question that it is obnoxious to the rule against a change of existing law. I do not claim that it is in order.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that this amendment may be considered as read and be printed in the RECORD. Is there objection?

There was no objection.

The amendment is as follows:

SEC. 3. That the following schedule of classification of positions and gradation of employees of the Executive Departments and other Government establishments in Washington is hereby adopted, to take effect on and after July 1, 1898, to supersede the classifications heretofore recognized by law, namely:

"CLERICAL CLASSES.

"SENIOR CLERKS.—Employees who are assigned to work largely supervisory, or requiring the highest order of clerical ability, involving much original thought, consideration, and investigation:
"Grade A.
"Grade B.
"Grade C.
"Grade D.
"Grade E.
"CLERKS.—Employees who are assigned to work more or less routine, involving responsibility, special ability, and original thought, consideration, and investigation:
"Grade A.
"Grade B.
"Grade C.
"Grade D.
"Grade E.
"JUNIOR CLERKS.—Employees who are assigned to clerical work of a routine character requiring but little original thought or consideration, but requiring judgment, responsibility, and special skill:
"Grade A.
"Grade B.
"Grade C.
"Grade D.
"Grade E.
"UNDER CLERKS.—Employees who are assigned to clerical work of a simple or routine character requiring care, accuracy, and skill:
"Grade A.
"Grade B.
"Grade C.
"Grade D.
"Grade E.

"SUBCLERICAL CLASS.

"Employees whose duties are not clerical or mechanical, but require some special skill, or involve personal responsibility, as messengers, watchmen, skilled laborers, sorters, and counters:
"Grade A.
"Grade B.
"Grade C.
"Grade D.
"Employees engaged in rough and unskilled work, as laborers generally:
"Grade A.
"Grade B.
"Employees who enter the service at an early age and are engaged in light work, as messenger boys:
"Grade A.
"Grade B.
"Grade C.
"Grade D.
"Employees whose work occupies only a part of the time each day, as charwomen and janitors:
"Grade A.
"Grade B.
"Grade C.
"Salaries of employees engaged in professional, technical, or scientific work shall conform as far as possible to the classes and grades of the above schedules.
"That as soon as practicable after the passage of this act a committee of not exceeding nine persons shall be appointed by the President, whose duty it shall be to consider the character of work performed by the clerks in the several bureaus and offices in the Executive Departments and other Government establishments in the city of Washington and the salaries now paid therefor. Said committee shall recommend to the President for each Department a readjustment and classification of the force of said Department in accordance with the foregoing schedules, so as to bring about a general uniformity of compensation in all offices for the same kind and amount of work; and said committee shall also recommend the minimum and maximum compensation to the clerks of the several classes herein provided for; and for the fiscal year 1909, and annually thereafter, each Department shall prepare and submit its estimates for clerical and other services in the Departments in accordance with the classification herein provided for and shall apportion the clerks of the different classes according to the work they are actually performing.
"In no event shall any person whose principal duties are within a given class be paid more than the maximum salary for said class, and the number of employees specifically appropriated for in any branch of the service in any of the Executive Departments or other Government establishments in Washington shall not be increased, but may be diminished.
"Hereafter all promotions shall be based on efficiency, and it is specifically declared to be the duty of chiefs of divisions to make recommendations for demotion where the interests of the public service require it, and any chief of division who fails to comply with this requirement shall be summarily dismissed from the public service.
"Promotion in each class and subdivision thereof shall be made in each Executive Department or other Government establishment in Washington by a board composed of three officials of said Department appointed by the Secretary thereof.

The SPEAKER. And the Chair understands that to that the gentleman from Illinois makes the point of order. The Chair sustains the point of order.

Mr. MANN. If the gentleman from Minnesota desires to be heard——

The SPEAKER. But the gentleman from Minnesota confesses the point of order. The Chair does not understand that the gentleman desires to be heard. He no doubt can get unanimous consent if he does desire to be heard.

Mr. TAWNEY. Mr. Speaker, I simply want to make a statement, and ask unanimous consent that I may do so, concerning the amendment offered by the gentleman from New York and the amendment offered by myself.

Mr. MANN. If the gentleman from Minnesota will answer me one question: Does his amendment cover lines 7 to 12 on page 5 of this provision—"and the number of employees specifically appropriated for in any branch of the service in any of the Executive Departments or other governmental establishments in Washington shall not be increased, but may be diminished?"

Mr. TAWNEY. That provision was omitted from the amendment, I will say to the gentleman from Illinois.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to address the House—for what length of time?

Mr. TAWNEY. For five minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TAWNEY. Mr. Speaker, it is a well-known fact that

the service in the various Departments here at the seat of government is more or less in a demoralized condition so far as classification is concerned. Under the statute of 1856 we have four classes receiving compensation from $1,200 to $1,800. That is the only classification that we have to-day. But that classification is not fixed with reference to the character of work as much as it is with regard to the ability of the clerk to secure the favor of the bureau chief or the chief of division in securing promotion to higher salaried positions. Now, Mr. Speaker, I believe that it is the duty of Congress to thoroughly investigate this question and reclassify the service. At the beginning of this Congress, when the legislative bill was reported to the House, the Members of the House will recall the fact that it was almost impossible for us to proceed with the consideration of the legislative bill because so many positions were provided for in that bill for which there was no authority in law. That has resulted from the growth of the service. The present service has entirely outgrown that classification. The President of the United States almost two years ago appointed a commission, consisting of some administrative officers, for the purpose of investigating this question.

They have made a report, and the principle of the report made by the Keep Commission in respect to a reclassification of the service is embodied in the amendments offered by the gentleman from New York and myself. That principle is to divide the work in the Departments into four main heads or classes and then subdivide each of these four main classes into from three to four different grades, and then provide a minimum and a maximum salary, so that the clerks employed under one main head will all be doing the same kind of work, and there will be an opportunity for more rapid advancement or promotion until the clerk in the lower grade reaches the highest grade in each class. Then when he is promoted into another class he receives an additional compensation because of the different kind of work to be done in that class. Now, the necessity for this is apparent, and the Committee on Appropriations, after having carefully considered the Keep Commission report, evolved this plan whereby, if it were adopted by Congress now, the classification would be fixed—that is, there would be four main classes, each class subdivided into four different grades. Then when the estimates are submitted to Congress at the next session for the clerical service in the various Departments here in Washington, the estimates would follow this classification thus fixed, and Congress would then fix the compensation for each class. It was believed by the committee that the necessity for this was so urgent that the matter ought to be submitted to Congress for its consideration, and for that reason the committee authorized the gentleman in charge of the bill to report this amendment.

Mr. WILLIAMS. I understand the point of order has been made upon this matter.

The SPEAKER. Made and sustained.

Mr. WILLIAMS. And sustained; and I make the point of order we are considering nothing.

Mr. KEIFER. Mr. Speaker, you will recall, at your own suggestion, we passed over by unanimous consent an amendment, which was offered by myself, on page 26.

The SPEAKER. The Chair is prepared to rule on that amendment. This is an amendment to the text, on page 26. The Chair has examined with some care the various acts that have been passed touching the Jamestown Exposition, the appropriations that have been made and limitations upon the expenditures as to the Army and Navy and militia; the Chair has gone over it with much care, and without taking the time to state further about it, the Chair is satisfied that the amendment is subject to the point of order, and sustains the point of order.

Mr. SHEPPARD. Mr. Speaker, I offer an amendment as a new section.

Mr. LITTAUER. Mr. Speaker, I move the previous question on the bill and amendments.

Mr. SHEPPARD. Mr. Speaker, I offer an amendment as a new section.

Mr. WILLIAMS. The gentleman from Texas [Mr. SHEPPARD] asked the Speaker before the completion of the reading of the bill.

The SPEAKER. The Chair indicated that in the opinion of the Chair the gentleman would be recognized. The Clerk will report the amendment.

The Clerk read as follows:

For expenses constitutional convention of proposed State of Oklahoma until constitution is completed, $28,440, itemized as follows: Per diem of members, thirty days, $15,440; rent, light, fuel, committee rooms, stationery, and supplies, $3,000; employees of convention, $10,000.

For expenses second election, $84,550, itemized as follows:

"1. One thousand six hundred and seventy-eight election precincts, 5 men at each precinct, $2 per day, and two days, $20 for each precinct.

"2. Fifty-six election commissioners to perform the same duties at the second election as required of them at the first election, $11,200.

"3. One thousand six hundred and seventy-eight election inspectors, at an average of $5 each, $8,200.

"4. Printing bill, including ballots, poll books, sample ballots, affidavits, notices, vouchers, and stationery, $18,000.

"5. Ballot boxes, booths, and expenses of distributing, including drayage, freight, and express, $6,000.

"6. Rent of polling places, 800 at $3, estimated, $2,400.

"7. Clerical help, preparing tickets, distributing same, canvassing returns, preparing abstracts and copies to be transmitted to the President of the United States, $5,000."

For printing for said convention, under contracts of said convention, and printing not contracted for, $20,000.

Mr. LITTAUER. Mr. Speaker, I make the point of order against the amendment. It is new legislation.

Mr. SHEPPARD. Mr. Speaker, how can this be subject to a point of order when it is an existing project? Congress has admitted the State of Oklahoma, and it is simply a defrayment of the expense of making the new State. Congress appropriated money for the first sixty days of the convention and for the first election. Why would it be out of order to make an appropriation for the continuing thirty days and for the second election, which is just as necessary as the first?

The SPEAKER. The Chair, as a matter of fact, thinks that in the purview of legislation authorizing the constitutional convention, in connection with the rules of the House, that this is not a continuing project under the law so as to make it in order. It may be a continuing constitutional convention. The Chair sustains the point of order.

Mr. LITTAUER. Mr. Speaker, I move the previous question on the bill as amended.

The previous question was ordered.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LITTAUER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET of Indiana. Mr. Speaker, I present the following conference report on the post-office appropriation bill, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25483) "making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes," having met, after full and free conference have agreed to recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 14, 16, 21, 22, 23, 32, 35, 39, 40, and 41.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 24, 25, 26, 27, 28, 29, 30, 34, 36, 37, and 38, and agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out "one hundred and five" and insert "ninety-five;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Strike out "one hundred" and insert "eighty;" and the Senate agree to the same.

JESSE OVERSTREET,
J. J. GARDNER,
JOHN A. MOON,
*Managers on the part of the House.*
BOIES PENROSE,
REDFIELD PROCTOR,
A. S. CLAY,
*Managers on the part of the Senate.*

The statement was read, as follows:

### STATEMENT.

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, submit the following written statement

in explanation of the effect of the action agreed upon in the accompanying conference report on each of the Senate amendments, namely:

The Senate made forty-one amendments to the bill, involving an increase of $2,557,591.

By the action of the conferees, submitted in the accompanying report, the House recedes upon amendments involving an increase of $2,412,591.

The Senate receded on amendments involving $145,000.

The bill as passed by the House carried $209,716,802.

As agreed to by the conferees the bill carries $212,129,393.

Amendment No. 1: This amendment provides for livery hire for post-office inspectors in connection with the inspection and installation of rural routes.

Amendment No. 2: This amendment provides for the designation of some employee in the office of the Third Assistant Postmaster-General, above the grade of class E, to sign his name to warrants, collection and transfer drafts.

Amendments Nos. 3 and 4: These amendments are for classification of clerks in first and second class post-offices and letter carriers in the city-delivery service, as recommended by the House.

Amendments Nos. 5, 6, and 7: These amendments are for classification of clerks in post-offices of the first and second class and letter carriers in the city-delivery service, as agreed upon by the conferees.

Amendment No. 8: This amendment provides for the mutual transfer of clerks and carriers.

Amendment No. 9: This amendment makes the clause more specific by adding the words "of salary."

Amendment No. 10: This amendment provides that the classification of clerks and carriers shall take effect after June 30, 1907.

Amendment No. 11: This amendment provides that auxiliary employees may serve as substitutes.

Amendment No. 12: This amendment provides that the employment of substitutes in the classification of clerks and carriers shall take effect after June 30, 1907.

Amendment No. 13: This amendment provides for substitutes for clerks and employees absent without pay.

Amendment No. 14: This amendment increased the allowance to third-class post-offices to cover the cost of clerical services, but the agreement retains the provisions of the House bill.

Amendment No. 15: This amendment provides for the preparation of plans for a post-office building in the city of New York.

Amendment No. 16: This amendment increased the appropriation for necessary miscellaneous and incidental items directly connected with first and second class post-offices, but the agreement retains the provisions of the House bill.

Amendment No. 17: This amendment increases the amount appropriated for the pay of letter carriers at offices already established, including substitutes for carriers absent without pay.

Amendment No. 18: This amendment restores a provision in the bill as was reported to the House.

Amendment No. 19: This amendment restores a provision in the bill as was reported to the House.

Amendment No. 20: This amendment increased the appropriation for mail bags, cord fasteners, label cases, etc.

Amendment No. 21: This amendment provided that no part of the appropriation for inland transportation by railroad routes should be expended where the average daily weight of mails had been computed by a divisor less than the actual number of days such mails were weighed. The Senate receded upon this amendment, and the same was stricken from the bill.

Amendment No. 22: The action of the conferees upon this amendment restores the item as passed by the House relative to railway mail pay.

Amendment No. 23: This amendment provided that no part of the appropriation for railway post-office car service should be available after January 1, 1908, unless postal cars were equipped for electric lighting. The amendment was disagreed to.

Amendments Nos. 24, 25, 26, and 27: These amendments increase the compensation of officers of the Railway Mail Service.

Amendment No. 28: This amendment permits the leave of absence authorized by law to clerks in post-offices to be considered as not including Sundays and holidays.

Amendment No. 29: This amendment provides for paying acting or substitute city letter carriers for actual time employed.

Amendment No. 30: This amendment extends the provision for payment of indemnity for loss of registered articles in the mails to international mails.

Amendment No. 31: This amendment increases the amount of appropriation for stationery.

Amendment No. 32: This amendment restores to the bill the item as passed by the House.

Amendment No. 33: This amendment increases the appropriation for the purchase or exchange of typewriting machines, envelope-opening machines, computing machines, etc.

Amendment No. 34: This amendment provided for purchase of typewriting machines of standard make, offered at the lowest price under competitive bidding. This amendment was receded from by the Senate and was stricken from the bill.

Amendment No. 35: This amendment restores to the bill the item as passed by the House.

Amendments Nos. 36, 37, and 38: These amendments increase the salary of rural letter carriers to $900 per annum.

Amendment No. 39: This amendment related to admission to the mails of certain classes of publications as second-class mail matter. The Senate receded, and the amendment was stricken from the bill.

Amendment No. 40: This amendment related to the joint commission authorized by the act of June 26, 1906, and was stricken from the bill.

Amendment No. 41: This amendment provided for the creation of an additional division of Railway Mail Service, with headquarters at New Orleans, La., and was stricken from the bill.

Mr. OVERSTREET of Indiana. Mr. Speaker, I move the adoption of the conference report.

The question was taken; and the motion was agreed to.

On motion of Mr. OVERSTREET of Indiana, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

FELIX D. MORRISON.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Pensions, and ordered to be printed:

*To the House of Representatives:*

In compliance with the resolution of the House of Representatives (the Senate concurring) of the 28th ultimo, I return herewith House bill No. 21606 entitled "An act granting an increase of pension to Felix D. Morrison."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 1, 1907.*

THIRD ANNUAL CONFERENCE OF AMERICAN STATES.

The SPEAKER also laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of State, submitting the report, with accompanying papers, of the delegates of the United States to the Third International Conference of American States, held at the city of Rio Janeiro, Brazil, from July 21 to August 26, 1906.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 1, 1907.*

The SPEAKER. Without objection, the accompanying printed document will not be printed.

There was no objection.

DENATURED ALCOHOL.

The SPEAKER laid before the House the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by the mixture with suitable denaturing materials," approved June 7, 1906, with a Senate amendment, which was read.

Mr. HILL of Connecticut. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. HILL of Connecticut, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

RELIEF OF HENRY O. BASSETT.

The SPEAKER also laid before the House the bill (H. R. 3268) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased, with a Senate amendment, which was read.

Mr. UNDERWOOD. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

ASSIGNEE OF JOSEPH S. GAUTHIER.

The SPEAKER also laid before the House the bill (H. R. 19500) for the relief of Indian traders Marion Wescott, S. S. Green, and J. A. Leige, assignee of Joseph S. Gauthier, a Me-

nominee Indian trader, with the Menominee Indians of Wisconsin, with a Senate amendment, which was read.

Mr. SHERMAN. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. SHERMAN, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

TO QUIET TITLES ON JICARILLA RESERVATION.

The SPEAKER also laid before the House the bill (H. R. 23650) to quiet titles to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes, with Senate amendments, which were read.

Mr. SHERMAN. I move to nonconcur in the Senate amendments and to ask for a conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. MARSHALL, Mr. BURKE of South Dakota, and Mr. ZENOR as conferees on the part of the House.

LEASE WITH THE SENECA NATION OF INDIANS.

The SPEAKER also laid before the House the bill (S. 8540) to ratify a certain lease with the Seneca Nation of Indians, a similar House bill being on the Calendar.

The bill was read, as follows:

A bill (S. 8540) to ratify a certain lease with the Seneca Nation of Indians.

*Be it enacted, etc.*, That a lease bearing date September 21, 1906, between the Seneca Nation of Indians on the Cattaraugus and Allegany reservations, in the State of New York, and Charles M. L. Ashby, of Erie County, N. Y., is hereby ratified and confirmed.

Mr. SHERMAN. I ask that the bill be put upon its passage, an identical House bill being on the Calendar.

The bill was ordered to a third reading, read the third time, and passed.

The bill (H. R. 24125) on the same subject was ordered to be laid on the table.

On motion of Mr. SHERMAN, a motion to reconsider the vote by which the Senate bill was passed was laid on the table.

REQUESTS OF THE SENATE.

The following requests of the Senate were severally read, considered, and agreed to:

IN THE SENATE OF THE UNITED STATES,
*March 1, 1907.*

*Resolved*, That the Secretary be directed to request the House to return to the Senate the bill (H. R. 3518) for the relief of Copiah County, Miss.

IN THE SENATE OF THE UNITED STATES,
*March 1, 1907.*

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 8572) permitting the building of a dam across the Savannah River at Andersonville shoals; the bill (S. 8581) permitting the building of a dam across the Savannah River at Trotters shoals; the bill (S. 8583) permitting the building of a dam across the Savannah River at Calhoun Falls, and the bill (S. 8584) permitting the building of a dam across the Savannah River at Hattons ford.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Are these bills, passed yesterday, in the House? I think we passed House bills and sent them over there.

The SPEAKER. This is a request for the return of Senate bills. The Chair is under the impression that we passed similar House bills yesterday. If there be no objection, the request of the Senate will be granted.

There was no objection.

ADDITIONAL JUDGE, NORTHERN DISTRICT OF CALIFORNIA.

Mr. NEEDHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25692) to provide for an additional district judge for the northern district of California. The Committee on the Judiciary has reported a substitute, and I ask unanimous consent that the Clerk read the substitute.

The SPEAKER. The gentleman asks unanimous consent that the substitute be read. Is there objection?

There was no objection.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district courts of the United States for the northern and southern districts of California, who shall reside in said State of California, and who shall possess the same powers, perform the same duties, and receive the same salary as the present district judges of said districts.

"SEC. 2. That this act shall take effect immediately."

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Is this a House bill?

Mr. NEEDHAM. A House bill.

Mr. UNDERWOOD. Is it unanimously reported from the committee?

Mr. NEEDHAM. Unanimously reported from the Committee on the Judiciary.

Mr. PAYNE. How many additional judges does it give that district?

Mr. NEEDHAM. One.

Mr. PAYNE. How many Federal judges will there be altogether?

Mr. NEEDHAM. Three; one circuit judge and two district judges.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment in the nature of a substitute was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. NEEDHAM, a motion to reconsider the last vote was laid on the table.

CERTAIN HOMESTEAD SETTLERS, ALABAMA.

Mr. WILEY of Alabama. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6704) to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905, as amended.

The bill was read, as follows:

*Be it enacted, etc.*, That the act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905, be, and the same is hereby, amended so as to read as follows:

"That where any homestead entry heretofore allowed by the officers of the Land Department for lands within the limits of the grant made by act of Congress approved June 3, 1856 (11 Stats., p. 18), to the State of Alabama in aid of the construction of the railroad known as the "Mobile and Girard Railroad" has been canceled because of a superior claim to the land through purchase from the railroad company, which claim has been held to have been confirmed and a confirmatory patent issued for the land under the provisions of section 4 of the act of March 3, 1887 (24 Stats., p. 556), or where any homestead entry has been made on lands granted by the Congress of the United States to the State of Alabama, to aid in the construction of the Mobile and Girard Railroad, or the Tennessee and Coosa Railroad, which said lands lie opposite to and coterminous with those portions of either of said roads which were constructed prior to the passage of the forfeiture act of September 29, 1890 (25 Stats., p. 496), the title to which is asserted and claimed by the vendee, or successor in interest of either of said railroad companies, such homesteader is hereby accorded the privilege of transferring his claim thus initiated under the homestead laws to any other nonmineral unappropriated public land subject to homestead entry, with full credit for the period of residence and for improvements made upon his said homestead entry prior to the order of its cancellation, or prior to the passage of this act: *Provided*, That he has not forfeited or voluntarily abandoned his homestead claim and that his application for transfer is presented within one year from the date of the passage of this act.

"Should such homesteader elect, however, to retain the tract embraced in his homestead entry heretofore canceled, or the tract so entered by him, the title to which may be claimed by the vendee or successor in interest of either of said railroad companies, the holder of the patented title, through the railroad grant, or of the title so claimed and asserted by any person, association, or corporation under either of said railroad grants as aforesaid shall thereupon be invited to relinquish or reconvey to the United States of America the land included in such homestead entry, and upon filing such relinquishment or reconveyance the party making such relinquishment or reconveyance shall be entitled to select and receive patent for an equal quantity of nontimbered, nonmineral, and unappropriated surveyed public lands subject to homestead entry within three years after the passage of this act, and upon the filing of such relinquishment or reconveyance all right, title, and interest under and through either of the said railroad grants or the confirmatory patent hereinbefore referred to shall revert to the United States, and the tract thus relinquished or reconveyed shall be treated and disposed of as other public lands of the United States: *Provided, however*, That such previous homesteader shall be reinstated in his rights and permitted to complete title to the land previously entered as though no cancellation of his homestead entry had been made or the title to the land had not been claimed and asserted adversely to him as aforesaid.

SEC. 2. That the Secretary of the Interior shall prescribe rules and regulations for the administration of this act.

With the following committee amendment:

Add at the end of section 1 the following:

"*Provided*, That such homesteader or vendee or successor in interest of either of said railroad companies shall not be permitted to select more than 160 acres of land in one section, nor more than 320 acres of contiguous lands."

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I should like to have the gentleman explain the bill.

Mr. WILEY of Alabama. Mr. Speaker, the object of this bill is to give relief not to the holders of the railroad title, but to the homesteaders whose deeds have been set aside by the courts and who are in danger of being ejected from their lands at the suits of the holders of the railroad title. This is the essential and primary idea that must be borne in mind in the consideration of this bill.

The holders of the railroad title need no legislation and are

not seeking anything at the hands of Congress. The bill is not for their benefit. At the same time, Congress must recognize the fact that in order to get the holders of the railroad conveyance to give up lands to which the courts have held them to have a good and complete title some consideration must be shown to them and they must be given some rights which will be acceptable to them, else they will not relinquish the title they hold for the benefit of the homesteaders to whom patents were erroneously issued by the Interior Department under a misinterpretation of the statute. In other words, the situation is simply this: The homesteaders, in nearly all cases, relying upon the action of the Land Department in throwing these lands open to settlement and entry, in inviting them to make entry of these lands, believing that they were subject to entry under the homestead law (the Land Department having so decided), have gone upon the lands, made improvements thereon, lived there the requisite period required by the homestead law, made their final proof, and in most instances have secured each a patent of the United States for the lands so settled upon and improved by them. Now, after all this has been done, they are in the peculiar and distressing position of not possessing any valid titles that the courts will recognize. Instead, the supreme court of the State of Alabama, following the rule of the United States Supreme Court as announced in the Tennessee and Coosa case (176 U. S., 242), to the effect that lands opposite the constructed portion of the roads were not forfeited to the Government by the forfeiture act of 1890, have held that these lands passed to and were confirmed in the purchasers from the railroad company, and that they were never in fact subject to homestead entry.

"It is a condition and not a theory," therefore, that confronts us. If the homesteaders are to have any relief at all, if they are to be permitted to remain on their homesteads, which they have improved and for which they have received patents from the United States, then some such amicable and equitable arrangement must be made with the holders of the railroad title as will be satisfactory to them, in order to induce them to relinquish their own title in the interest and for the benefit of the homesteaders. In the common vernacular, those holders of the railroad title are "standing pat" on what the courts have given them, and, so far as their interests are concerned, as above stated, they need no remedial legislation and are not asking anything in that line at the hands of Congress. They are satisfied to stand upon the title they have under their purchase from the railroad company, which has already been confirmed to them by the highest tribunal in Alabama and the Supreme Court of the United States. The only persons who need relief, and who are seeking it by this bill, are the homesteaders whose claims have been canceled and annulled by the courts.

What is the equity of these homesteaders? As stated above, they made their entries upon the invitation of the United States Government. The Land Department of the United States restored these lands to the public domain and informed the people of Alabama that they were subject to homestead entry.

The Department said to these people that if they would make homestead entry of these lands and comply with the homestead law, they would receive a patent of the United States therefor, which patent would give them a good title as against the whole world, and especially against the holders of the railroad title, being purchasers from the Mobile and Girard Railroad Company and its grantees. The settlers, accepting as true the proposition of the Government, as voiced by the Land Department, made their entries in good faith, have complied with the law, and received their patents, only to be told by the courts that, although they have done and performed all the things required of them under the homestead law, they nevertheless have no title at all, because the lands were not, in fact, as a matter of law, subject to homestead entry, but were in truth already the property of the purchasers under the railroad grant. This is the lamentable condition of the homesteaders at the present time.

Now, what relief can be given to them? This bill proposes as one method of relief to permit them to transfer their claims to other nontimbered and nonmineral public lands subject to homestead entry, with full credit for their residence and improvements they have made upon their homestead entries. But this relief, as is readily perceived, will not be a complete relief. This will not give them the improvements already erected upon their homesteads, but if their rights of transfer shall be exercised by them, all they can receive in that event will be a tract of vacant land without improvements. The other measure of relief contained in the bill under consideration is to permit them to retain the lands upon which they have settled and which they have improved, the lands where they have lived and where their homes have been for many years, provided the holders under the railroad grant will relinquish their superior titles thereto. Hence, as a prerequisite to this relief, it will be necessary to get these holders of the titles under the railroad grant to relinquish such titles to the United States. Here arises the question as to what inducements can be offered to the holders of these railroad titles to secure such relinquishments.

These lands are quite valuable. They are in one of the oldest settled sections of the State of Alabama. It stands to reason, therefore, that these holders of the railroad title will not give up these lands simply for the privilege of taking other lands in the State of Alabama. That has been absolutely demonstrated by the results of the act of March 3, 1903, commonly known as the "Wiley Act." That act giving the holders of the titles held under the railroad grant the right to take other lands in Alabama upon the relinquishment of the titles so held by them has been on the statute books for nearly four years, and yet not an acre of the lands along the line of the completed portion of the road under the Mobile and Girard grant, held by the purchasers thereunder, has been relinquished and other lands selected in lieu thereof; and this for the very good reason that there are no lands in Alabama now subject to homestead entry of sufficient value to induce such relinquishment and selection. This is perfectly apparent and can be verified from the records of the General Land Office. Hence, as before stated, in order to secure relinquishments of these titles under the railroad grant, there must be some sufficient reciprocal inducement offered to the holders of these titles. They will have to be assured that they will secure by the exchange provided by the act some land of a value at least approximating somewhat the value of the lands they yield. Where can such lands be found? Not in Mississippi or Florida or Wisconsin, the only States east of the Mississippi River in which there are any public lands of any consequence at all, for the reason that in Mississippi and Florida the only remaining public lands of any value at all are timbered lands, and this bill will not permit the selection of timber lands in lieu of those relinquished by the holders of the railroad title.

The situation is even worse in Wisconsin, it being generally understood that there are practically no public lands excepting timber lands in that State. The same is especially true of that portion of Minnesota lying east of the Mississippi River, for that is one of the oldest settled portions of that State. Consequently the limitation at one time suggested by the subcommittee of the House Committee on the Public Lands, if it had been adopted, would absolutely have defeated the beneficent purpose of the measure.

The amount of land involved in this legislation is quite inconsiderable, being only about 8,000 acres, but represents the holdings of practically 100 families in Alabama, or, counting a family as consisting of five persons, about 500 people in my State will be affected by this relief legislation. The amount of 8,000 acres, scattered over the several public-land States, would be so inconsiderable in respect of any single State as to be hardly noticeable.

It is pertinent just here to inquire what are the precedents for this form of remedial legislation? The act of February 24, 1905, of which the present bill is amendatory, contained no restrictions upon the location of the exchange rights thereunder, and no evil consequences have resulted therefrom, even though the amount of land therein involved was greater in quantity by at least 2,000 acres than is affected by the present bill. The cases of four of the homesteaders under the present bill are identically similar to the cases provided for by the act of February 24, 1905.

I have taken the pains to examine somewhat into the various scrip acts that have been passed by Congress since the foundation of the public-land system with the result that in but very few of them has there been any restriction as to the place where the lieu scrip could be located.

The act of March 3, 1903, was one of these restrictive acts, and, as has been seen, this act has proven ineffective for the purposes for which it was intended.

The act of February 17, 1815, for the benefit of the sufferers from the New Madrid earthquake, in Missouri, gave them the right of lieu selection of any of the public lands in the then Territory of Missouri, which at that time embraced all of the Louisiana purchase north of the southern line of the present State of Missouri and extended to the western limits of the United States as then existent.

The scrip, known as "Chippewa scrip," issued under the provisions of the treaty with the Chippewas of October 2, 1863, which was only a very limited amount, was restricted in its location to lands within the district ceded by that treaty; but even that scrip might be located on both surveyed and unsur-

veyed lands, nor was there any restriction prohibiting the taking of timbered lands.

Lieu selections granted to the St. Paul, Minneapolis and Manitoba Railway Company under the act of August 5, 1892, were authorized to be made by the company of any lands in any State into or through which that company then had a line of road; and that embraced all the States from and including Wisconsin and Minnesota on the east to the Pacific coast, through which the Great Northern road runs, including Oregon and Washington. Moreover, these lieu selections could be made of both surveyed and unsurveyed lands, and there was no prohibition against their taking timbered lands.

Lieu selections authorized by the act of July 1, 1898, in favor of the Northern Pacific Railway Company were permitted to be made in any of the States in which that company had a grant of lands; that is, from and including Minnesota on the east to Washington and Oregon on the west. These selections could also be made of timbered lands, and both surveyed and unsurveyed lands could also be taken thereunder.

In all other scrip acts, so far as I have discovered, some sixteen in number, there were no restrictions whatever as to where the scrip might be located.

In some of the acts—for instance, in the case of Valentine scrip and Sioux half-breed scrip—locations may still be made of either surveyed or unsurveyed lands; and this was the case also in the forest lieu act of June 4, 1897, the provision permitting the location of unsurveyed lands having been changed by the subsequent act of June 6, 1900, so that only surveyed public lands might be selected. But under that act timber lands might be taken.

When it is remembered that at the time the lieu selection acts in favor of the St. Paul, Minneapolis and Manitoba Railway and the Northern Pacific Railway were passed there had not been any withdrawals for irrigation purposes or for forest reservations, and no withdrawals of extensive tracts supposed but not known to contain coal, as is the case at the present time, and that both of those companies were authorized to take not only surveyed but unsurveyed lands, as well as timbered lands, while under the present bill the exchange rights of selection can not be made of any but surveyed and nontimbered lands, and that in none of the other restrictive scrip acts referred to was there any limitation forbidding the selection of timbered lands, it will then be readily perceived that the present proposed restriction of exchange right selections as proposed by the Committee on Public Lands is not hardly fair.

The very fact that in none of the other restrictive scrip acts was there any prohibition against taking timbered lands, coupled with the additional fact that much more land was involved in all of them than is involved in the pending bill and the further fact that the area of country within which those selections were permitted to be made was even much greater than that embraced in the proposed bill, taking into consideration the small amount of land that can be selected under this bill as passed by the Senate, all these things being considered, it is apparent that the committee's restriction of these selections to lands not exceeding 160 acres in any one section nor more than 320 acres of contiguous lands is invidious; but as we are in the closing hours of an expiring Congress, I am constrained to accept the amendment proposed by the committee, and I accordingly move its adoption.

UNRESTRICTED SCRIP—LOCATABLE ANYWHERE.

*Military bounty land warrants.*—Acts of February 11, 1847 (9 Stat. L., 123), May 27, 1848 (id., 232), September 28, 1850 (id., 520), March 22, 1852 (10 Stat. L., 3), January 7, 1853 (id., 150), February 8, 1854 (id., 267), March 3, 1855 (id., 701). All collated in Copp's Public Land Laws, edition of 1882, Chapter XI, volume 1, pages 132 et seq., sections 307 to 339, inclusive. See particularly sections 333, 334, 337, 339, 350, and 351.

*Gerard scrip.*—Act of February 10, 1855 (10 Stat. L., 849). See decision of the Secretary of the Interior of July 19, 1888, in case of John P. S. Voght, 9 Land Decisions, 114.

*Wyandotte float, or scrip.*—Treaty of May 17, 1842 (11 Stat. L., 581, art. 14, vol. 2, Indian Affairs, Laws, and Treaties (Kappler), 534, 536). Treaty of January 31, 1855 (10 Stat. L., 1159, art. 9, vol. 2, Indian Affairs, Laws, and Treaties (Kappler), 677, 681). See decisions of the Secretary of the Interior in the case of H. C. Oden, 3 Land Decisions, 443, 444.

*Surveyor-general's scrip.*—Act of June 2, 1858 (11 Stat., 294). Copp's Public Land Laws, edition of 1882, volume 1, page 140, section 341.

*Supreme Court scrip.*—Acts of June 22, 1860 (12 Stat. L., 85), March 2, 1867 (14 Stat. L., 544), June 10, 1872 (17 Stat. L., 378), January 28, 1879 (20 Stat. L., 274). Copp's Public Land Laws, edition of 1882, volume 1, page 141, section 342.

*Dodge scrip.*—Act of June 21, 1860 (12 Stat. L., 866). See decision of the Commissioner of the General Land Office dated May 1, 1876, in case of Mackey Wherry et al., Copp's Public Land Laws, edition of 1882, volume 2, page 1191.

*Porterfield scrip.*—Act of April 11, 1860 (12 Stat., 836). Copp's Public Land Laws, edition of 1882, vol. 1, p. 142, sec. 344.

*Valentine scrip.*—Act of April 5, 1872 (17 Stat., 649). Copp's Public Land Laws, edition of 1882, vol. 1, p. 142, sec. 345. (This scrip was locatable on unsurveyed lands as well as surveyed lands.

*Robert Coles, swamp lands, Iowa, scrip.*—Act of June 1, 1878 (20 Stat., 536). Copp's Public Land Laws, edition of 1882, vol. 1, p. 142, sec. 346.

*Sioux half-breed scrip.*—Act of July 17, 1854 (10 Stat., 304). Copp's Public Land Laws, edition of 1882, vol. 1, p. 140, sec. 340. This scrip would take unsurveyed, as well as surveyed, lands, and is still so locatable.)

*Soldiers' additional homestead scrip.*—Revised Statutes of the United States, secs. 2304 to 2307, inclusive.

*Agricultural college scrip, locatable by purchasers.*—Act of July 2, 1862 (12 Stat., 503). Copp's Public Land Laws, edition of 1882, p. 149, secs. 361, 362.

*Alabama exchange rights.*—Act of February 24, 1905 (33 Stat., 813).

*Forest lieu scrip.*—Act of June 4, 1897 (30 Stat., 34). Act of June 6, 1900 (31 Stat., 614).

*Soldiers' additional homestead certificates validated.*—Act of March 3, 1906 (34 Stat., 49).

RESTRICTED SCRIP.

*New Madrid certificates.*—Act of February 17, 1815 (3 Stat., 211). Location of certificates restricted to "any of the public lands of the Territory" of Missouri, which at that time embraced practically all of the Louisiana Purchase north of the southern line of the present State of Missouri, extended west to the Rocky Mountains

*Chippewa scrip.*—Treaty of October 2, 1863, article 8 (13 Stat., 667, 669), Copp's Public Land Laws, edition of 1882, volume 1, page 143, sections 347, 348. Locations restricted to lands which had been ceded by that treaty, but included the right to take unsurveyed lands as well as timbered lands.

*St. Paul, Minneapolis and Manitoba Railway lieu selections.*—Act of August 5, 1892 (27 Stat., 390). Restricted to lands within "any State into or through which the railway owned by said company runs," which embraced all the States from and including Wisconsin and Minnesota on the east to the Pacific coast through which the line of the Great Northern road runs, including Oregon and Washington, but including surveyed and unsurveyed lands, timbered and nontimbered.

*Northern Pacific Railway lieu selections.*—Act of July 1, 1898 (30 Stat., 597, 620). Selections restricted to lands in any State or Territory into which the railway grant extended, which embraced the States and Territories from Duluth on the east to the Pacific coast, including Oregon and Washington, but including unsurveyed and timbered lands.

*Wiley act, Alabama.*—Act of March 3, 1903 (32 Stat., pt. 1, 1222). Selections restricted to public lands in the State of Alabama.

Mr. PAYNE. I understand that the title of these settlers to these lands failed.

Mr. WILEY of Alabama. The titled failed, and this simply gives them an opportunity to select some other lands.

Mr. PAYNE. Does the United States have anything to say about where they shall select them?

Mr. WILEY of Alabama. This bill is prepared by the Secretary of the Interior, and gives these people the right——

Mr. PAYNE. I have no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. WILEY of Alabama, a motion to reconsider the last vote was laid on the table.

ST. LOUIS, IRON MOUNTAIN AND SOUTHERN RAILWAY COMPANY.

Mr. MACON. Mr. Speaker, I ask unanimous consent to call up from the Speaker's table the bill (S. 8189) granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, upper White River, Arkansas.

The bill was read, as follows:

*Be it enacted, etc.*, That the St. Louis, Iron Mountain and Southern Railway Company, a corporation, created and existing under and by virtue of the laws of the State of Arkansas, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a single-track railway over and across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, upper White River, Arkansas, subject to such conditions as may be prescribed by the Secretary of War, who may require the said company to pay to the United States such sum of money as he may decide to be the value of the land so occupied. Said St. Louis, Iron Mountain and Southern Railway Company shall not use the river banks within a distance of 800 feet above and below the limits of the lock walls of said Lock No. 1, nor any area within the boundaries of the aforesaid lands, as a place for depositing spoil and waste, except under such conditions as may be approved by the Secretary of War.

SEC. 2. That the said St. Louis, Iron Mountain and Southern Railway shall not avail themselves of the privileges of this act until the Secretary of War shall have approved the location and plans of the single-track railway referred to in section 1 of this act: *Provided*, That the center line of said track shall be at least 75 feet from, and on the northerly side of, the lock tender's cottage now built on the aforesaid lands: *And provided further*, That if, in the construction of the said railway, it is necessary to remove any buildings, barns, water towers, or other structures now on the aforesaid lands, the St. Louis, Iron Mountain and Southern Railway Company shall replace them at points to be designated by the Secretary of War: *And provided further*, That in the construction, maintenance, and operation of said single-track railway, the St. Louis, Iron Mountain and Southern Railway Company shall not appropriate any land other than that needed for the roadway, and said construction, maintenance, and operation through

said lands shall at all times be under the supervision of the Secretary of War.

SEC. 3. That all railroad companies desiring the use of the single-track railway authorized by this act shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto, upon the payment of a reasonable compensation for such use; and in case the owners of the said single-track railway and the several railroad companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid, and upon the rules and conditions to which each shall conform, all matters at issue between them shall be decided by the Secretary of War.

SEC. 4. That this act shall be null and void if actual construction of said single-track railway herein authorized shall not be commenced in one year and completed within two years from the date of the approval hereof.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 7, strike out "who" and insert "and he."

Page 2, line 10, after "occupied," insert "and compensation for any other injury sustained by the United States."

Page 3, line 5, after "War," insert "and in like condition and repair as when taken."

The SPEAKER. Is there objection?

There was no objection.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. MACON, a motion to reconsider the last vote was laid on the table.

REPAYMENT OF CUSTOMS DUES.

The SPEAKER laid before the House the bill (H. R. 10305) to provide for the repayment of certain customs dues, with a Senate amendment.

The Senate amendment was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

WITHDRAWAL OF PAPERS.

Mr. ZENOR, by unanimous consent, was given leave to withdraw from the files of the House papers accompanying H. R. 25568, no adverse report having been made thereon.

Mr. DAWSON, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of Maj. George A. Smith, Fifty-sixth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. GRIGGS, by unanimous consent, was given leave of absence indefinitely, on account of sickness in family.

Mr. WILLIAM W. KITCHIN, by unanimous consent, was given leave of absence for three days, on account of sickness in family.

Mr. BROOCKS of Texas, by unanimous consent, was given leave of absence for the remainder of the session, on account of sickness.

LEWIS A. TOWNE.

Mr. CHANEY. Mr. Speaker, I call up the conference report on the bill S. 7840, an act granting an increase of pension to Lewis A. Towne.

The Clerk read the conference report, as follows:

That the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 7840, "An act granting an increase of pension to Lewis A. Towne," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

JOHN C. CHANEY,
E. S. HOLLIDAY,
*Managers on the part of the House.*

P. J. MCCUMBER,
N. B. SCOTT,
JAS. P. TALIAFERRO,
*Managers on the part of the Senate.*

The conference report was agreed to.

FOUNDATION FOR PROMOTION OF INDUSTRIAL PEACE.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to call up the bill (S. 8303) to establish the foundation for the promotion of industrial peace, and ask that it be substituted for a similar House bill on the House Calendar.

The Clerk read the bill, as follows:

Whereas Alfred Bernard Nobel, of the city of Stockholm, in the Kingdom of Sweden, having by his last will and testament provided that the residue of his estate shall constitute a fund the income from which shall be annually awarded in prizes to those persons who have during the year contributed most materially to benefit mankind, and having further provided that one share of said income shall be awarded to the person who shall have most or best promoted the fraternity of nations and the abolishment or diminution of standing armies and the formation and increase of peace congresses; and

Whereas the Norwegian Parliament having, under the terms of said foundation, elected a committee for the distribution of the peace prize, and this committee having in the year 1906 awarded the aforesaid prize to Theodore Roosevelt, President of the United States, for his services in behalf of the peace of the world; and

Whereas the President desiring that this award shall form the nucleus of a fund the income of which shall be expended for bringing together in conference at the city of Washington, especially during the sessions of Congress, representatives of labor and capital for the purpose of discussing industrial problems, with the view of arriving at a better understanding between employers and employees, and thus promoting industrial peace: Therefore,

*Be it enacted, etc.*, That the Chief Justice of the United States, the Secretary of Agriculture, and the Secretary of Commerce and Labor, and their successors in office, together with a representative of labor and a representative of capital and two persons to represent the general public, to be appointed by the President of the United States, are hereby created trustees of an establishment by the name of the Foundation for the Promotion of Industrial Peace, with authority to receive the Nobel peace prize awarded to the President and by him devoted to this foundation, and to administer it in accordance with the purposes herein defined. Any vacancies occurring in the number of trustees shall be filled in like manner by appointment by the President of the United States.

SEC. 2. That it shall be the duty of the trustees herein mentioned to invest and reinvest the principal of this foundation, to receive any additions which may come to it by gift, bequest, or devise, and to invest and reinvest the same; and to pay over the income from the foundation and its additions, or such part thereof as they may from time to time apportion, to a committee of nine persons, to be known as "The industrial peace committee," to be selected by the trustees, three members of which committee shall serve for the period of one year, three members for the period of two years, and three members for the period of three years; three members of this committee to be representatives of labor, three to be representatives of capital, each chosen for distinguished services in the industrial world in promoting righteous industrial peace, and three members to represent the general public. Any vacancies which may occur in this committee shall be filled by selection and appointment in the manner prescribed for the original appointment of the committee, and when the committee has first been fully selected and appointed each member thereafter appointed shall serve for a period of three years or the unexpired portion of such term.

SEC. 3. That the industrial peace committee herein constituted shall arrange for an annual conference in the city of Washington, D. C., of representatives of labor and capital for the purpose of discussing industrial problems, with the view of arriving at a better understanding between employers and employees; it shall call special conferences in case of great industrial crises and at such other times as may be deemed advisable, and take such other steps as in its discretion will promote the general purposes of the foundation; subject, however, to such rules and regulations as may be prescribed by the trustees. The committee shall receive suggestions for the subjects to be discussed at the annual or other conferences and be charged with the conduct of the proceedings at such conferences. The committee shall also arrange for the publication of the results of the annual and special conferences.

SEC. 4. That all expenditures authorized by the trustees shall be paid exclusively from the accrued income and not from the principal of the foundation.

SEC. 5. That the trustees herein named are authorized to hold real and personal estate in the District of Columbia to an amount not exceeding $3,000,000, and to use and dispose of the same for the purposes of this foundation.

SEC. 6. That the principal office of the foundation shall be located in the District of Columbia, but offices may be maintained and meetings of the trustees and committees may be held in other places, to be provided for in by-laws to be adopted from time to time by the trustees, for the proper execution of the purposes of the foundation.

SEC. 7. That the Foundation for the Promotion of Industrial Peace is hereby authorized and empowered, at its discretion, to cooperate with any institutions or societies having similar or like purposes.

SEC. 8. That this act shall take effect immediately on its passage.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I desire to ask if this bill contemplates any charge on the Treasury?

Mr. BARTHOLDT. None whatever.

Mr. UNDERWOOD. I have no objection.

Mr. MANN. Can the gentleman from Missouri see any way under this bill that will give a hole in which to stick a peg hereafter to ask the Government of the United States for money?

Mr. BARTHOLDT. If there is, I do not see it, Mr. Speaker. The foundation is to be created by a gift from the President of the United States, to which other philanthropists of the country may add at their pleasure from time to time, and the expense of the meetings between representatives of capital and labor are to be defrayed out of that private fund.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BARTHOLDT, a motion to reconsider the last vote was laid on the table.

A similar House bill (H. R. 25605) on the Calendar was laid on the table.

CLAIMS AGAINST THE GOVERNMENT ARISING UNDER THE NAVY DEPARTMENT.

Mr. MILLER. Mr. Speaker, I call up the bill (H. R. 13605) on the Speaker's table, an act to satisfy certain claims against

the Government arising under the Navy Department, with Senate amendments.

The Senate amendments were read.

Mr. MILLER. Mr. Speaker, I ask unanimous consent that the amendments of the Senate be disagreed to, and ask for a conference.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. As this bill was reported in the Senate it contained two items—one of Pearl Mullett, and one relating to claims arising out of pelagic sealing—which are very objectionable. I wish to ask the gentleman whether they are among the Senate amendments now before the House?

Mr. MILLER. Mr. Speaker, both of those items were stricken out in the Senate. Neither of them is in the bill.

Mr. MANN. And the items in the Senate all relate to matters in connection with the Navy?

Mr. MILLER. All relate to matters in connection with the Navy.

The SPEAKER. The Chair hears no objection, and announces the following conferees on the part of the House: Mr. MILLER, Mr. WALDO, and Mr. BEALL of Texas.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 24022. An act to correct the military record of Morris H. Walker;

H. R. 25190. An act to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906;

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906;

H. R. 7153. An act for the relief of David McClelland for loss sustained at Chickamauga Park, Georgia, January 29, 1904;

H. R. 9767. An act granting a pension to William J. Crane;

H. R. 8080. An act for the relief of S. Kate Fisher;

H. R. 9326. An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;

H. R. 16581. An act for the relief of George W. Schroyer;

H. R. 3462. An act for the relief of Franklin Patterson;

H. R. 21944. An act relating to the entry and disposition of certain lands in the State of Nebraska;

H. R. 25041. An act to provide for the creation of additional land districts in the district of Alaska;

H. R. 24046. An act to incorporate the Hungarian Reformed Federation of America;

H. R. 12840. An act for the relief of L. Biertempfel;

H. R. 9109. An act for the relief of J. H. Henry;

H. R. 23940. An act for the extension of Albemarle street NW., District of Columbia;

H. R. 23720. An act to aid the Council City and Solomon River Railroad Company;

H. R. 24118. An act granting to the Central Colorado Power Company a right of way over certain public lands for irrigation and electric-power plants in the State of Colorado;

H. R. 22599. An act to grant certain lands to the city of Boulder, Colo.;

H. R. 11279. An act to remove the charge of absence without leave from the military record of Oscar O. Bowen;

H. R. 4586. An act for the relief of Mrs. R. E. Miller;

H. R. 23391. An act to change the time of holding the United States district and circuit courts in the eastern district of North Carolina, and to provide for the appointment of a clerk of the courts at Washington, N. C.;

H. R. 5290. An act providing for the allotment and distribution of Indian tribal funds;

H. R. 15434. An act to regulate appeals in criminal prosecutions;

H. R. 4629. An act for the relief of William H. Gowdy;

H. R. 10703. An act authorizing the extension of Monroe street NE.;

H. R. 24537. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 25691. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company;

H. R. 25758. An act amending an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and for other purposes;

H. R. 25611. An act to authorize the Burnwell Coal and Coke Company to construct a bridge across the Tug Fork of Big Sandy River;

H. R. 24987. An act to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 21721. An act granting a pension to John R. Kissinger;

H. R. 25005. An act granting an increase of pension to Emeline H. Hardie;

H. R. 25440. An act granting an increase of pension to Catharine Lipes;

H. R. 25671. An act to authorize the construction of a bridge across the Grand Calumet River, State of Illinois;

H. R. 12188. An act for the relief of George T. Larkin;

H. R. 25627. An act to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.;

H. R. 16085. An act for the relief of Gordon, Ironsides & Fares Company (Limited);

H. R. 25184. An act to relieve the Tanana Mines Railroad in Alaska from taxation;

H. R. 12857. An act to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds;

H. R. 5. An act to provide for the refunding of certain money, etc.;

H. R. 24374. An act to fix the boundaries of lands of certain landowners and entrymen adjoining the Coeur d'Alene Indian Reservation;

H. R. 8. An act for the relief of the Harbison-Walker Company, of Pittsburg, Pa.; and

H. R. 24103. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1908, and for other purposes.

ADJOURNMENT.

Then, on motion of Mr. PAYNE (at 8 o'clock and 9 minutes p. m.), the House adjourned.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 25796) authorizing the Secretary of the Interior to segregate, survey, and schedule towns in that part of the Choctaw and Chickasaw nations heretofore segregated as coal and asphalt lands in accordance with act of Congress approved June 28, 1898, and to reappraise the town of Hartshorne, in the Indian Territory, and to provide the expenses incident thereto, reported the same with amendment, accompanied by a report (No. 8148); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURTON of Ohio, from the Committee on Rivers and Harbors, to which was referred the resolution of the House (H. J. Res. 253) relating to securing a channel of 6 feet depth over Foys Flats, in the Trent River, North Carolina, about 4 miles above Newbern, reported the same without amendment, accompanied by a report (No. 8149); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAWSON, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 8119) to readjust the boundaries of the naval reservations in Porto Rico established in pursuance of the act of July 1, 1902, reported the same without amendment, accompanied by a report (No. 8150); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLEFIELD, from the Committee on Expenditures in the Department of Agriculture, submitted a report (No. 8147) relative to expenditures in the Department of Agriculture; which report was referred to the House Calendar.

Mr. HINSHAW, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 25753) granting an extension of time to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Ne-

braska, reported the same without amendment, accompanied by a report (No. 8153); which said bill and report were referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MARTIN, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 360) to relinquish the interest of the United States in and to certain land in the city of Pensacola, Fla., to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., and his successors, in trust for the Catholic congregation of Pensacola, Fla., reported the same without amendment, accompanied by a report (No. 8151); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Montana, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 6165) granting to Beaver Lodge, Indepedent Order of Odd Fellows, of Ekalaka, Mont., certain land for public cemetery purposes, reported the same with amendment, accompanied by a report (No. 8152); which said bill and report were referred to the Private Calendar.

Mr. THOMAS of Ohio, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 2400) to correct the naval record of Peter H. Brodie, alias Patrick Torbett, reported the same without amendment, accompanied by a report (No. 8154); which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 2 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HEARST: A bill (H. R. 25860) to provide for national incorporation and control of corporations engaged in commerce among the several States—to the Committee on the Judiciary.

By Mr. CAMPBELL of Kansas: A bill (H. R. 25861) to provide a pension for survivors of the late war of the rebellion, and for other purposes—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 25862) to provide for the erection of a public building at Eldorado, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25863) to provide for the erection of a public building at Warren, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25864) to provide for the erection of a public building at Hope, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25865) to provide for the erection of a public building at Arkadelphia, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25866) to provide for the repair and improvement of the post-office building at Camden, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25867) to provide for the erection of a public building at Magnolia, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25868) to provide for the erection of a public building at Prescott, Ark.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25869) to provide for the erection of a public building at Hamburg, Ark.—to the Committee on Public Buildings and Grounds.

By Mr. SCHNEEBELI: A bill (H. R. 25870) for improving Otis street NE., in Brookland, Washington, D. C., and for other purposes—to the Committee on the District of Columbia.

By Mr. WILEY of Alabama: A bill (H. R. 25871) to provide for the improvement of public roads, and for other purposes—to the Committee on Ways and Means.

By Mr. BURTON of Ohio: A bill (H. R. 25872) creating a commission to consider and recommend legislation for the improvement of rivers and harbors of the United States, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. CRUMPACKER: A resolution (H. Res. 896) to place the janitor of the Committees on Census, Militia, and Ventilation and Acoustics on the annual employment roll—to the Committee on Accounts.

By Mr. BURTON of Ohio: A resolution (H. Res. 897) to pay the assistant clerk to the Committee on Rivers and Harbors extra compensation for additional services—to the Committee on Accounts.

By the SPEAKER: Memorial of the legislature of Oregon, praying for the enactment of legislation to establish the principle of reciprocal demurrage in interstate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. MARSHALL: Memorial of the legislature of North Dakota, relating to a proposed survey and drainage of the valley of the Red River of the North—to the Committee on Agriculture.

By Mr. GRONNA: Memorial relating to a proposed survey and drainage of the valley of the Red River of the North—to the Committee on Agriculture.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BRADLEY: A bill (H. R. 25873) granting an increase of pension to Annie M. Owen—to the Committee on Invalid Pensions.

By Mr. DICKSON of Illinois: A bill (H. R. 25874) granting an increase of pension to Isaac A. A. Sprouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25875) granting an increase of pension to W. C. Kesner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25876) granting an increase of pension to David Smith—to the Committee on Pensions.

Also, a bill (H. R. 25877) granting an increase of pension to W. L. V. Kite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25878) granting an increase of pension to Edward Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25879) granting an increase of pension to Clyde G. Applegate—to the Committee on Pensions.

Also, a bill (H. R. 25880) granting an increase of pension to David R. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25881) granting an increase of pension to James Hitchcock—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 25882) for the relief of the heirs of Benjamin Heath—to the Committee on War Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CALDER: Petition of the International Association of Master House Painters and Decorators of the United States and Canada, for enforcement of the Sherman antitrust law—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Trades League of Philadelphia, for bill S. 6923—to the Committee on the Post-Office and Post-Roads.

By Mr. DRAPER: Petition of the International Association of Master House Painters and Decorators of the United States and Canada, for district attorneys to investigate illegal acts of labor organizations—to the Committee on Labor.

By Mr. DUNWELL: Petition of the International Association of Master House Painters and Decorators, for legal investigation of illegal acts of organizations of labor—to the Committee on Labor.

Also, petition of the Watson-Stillman Company, for an appropriation to investigate the fuel propositions—to the Committee on Appropriations.

By Mr. ESCH: Petition of the general grievance committee of the Baltimore and Ohio Railway system, for the sixteen-hour bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the International Association of Master House Painters and Decorators of the United States and Canada, for United States district attorneys to investigate illegal acts of labor organizations—to the Committee on Labor.

By Mr. FITZGERALD: Petition of the Mission Promotion Association of San Francisco, recommending drawback of import duties on building material for San Francisco—to the Committee on Ways and Means.

By Mr. GRAHAM: Petition of Local Union No. 27, Journeymen Plumbers, of Pittsburg and Allegheny, for bill H. R. 12318, against illegal combinations of labor—to the Committee on Labor.

Also, petition of William E. Wall, of Somerville, Mass., for investigation by United States district attorneys of illegal acts of labor organizations in restraint of trade and interstate commerce, the same as they do of similar acts of organized capital—to the Committee on Labor.

By Mr. GRONNA: Petition of citizens of Cavalier County, N. Dak., against religious legislation for the District of Colum-

bia (H. R. 16482)—to the Committee on the District of Columbia.

By Mr. KNAPP: Petition of Mexico Legion, No. 445, against the passage of the bill to amend and codify the statutes relating to classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. LAFEAN: Petition of the American Federation of Trades Unions, of York, Pa., indorsing the copyright bill—to the Committee on Patents.

By Mr. LINDSAY: Petition of the Trades League of Philadelphia, for bill S. 6923 (1-cent letter postage)—to the Committee on the Post-Office and Post-Roads.

Also, petition of the International Association of Master House Painters and Decorators of the United States and Canada, for district attorneys to investigate illegal acts of labor organizations—to the Committee on Labor.

By Mr. LORIMER: Petition of E. M. Wright, favoring the Murphy bill limiting the hours of service of railway telegraph operators to eight hours—to the Committee on Interstate and Foreign Commerce.

Also, petition of G. Kunaupt, for the Murphy House bill limiting the hours of service of railway telegraph operators—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Papers to accompany bill for relief of James B. David—to the Committee on Invalid Pensions.

By Mr. MARSHALL: Petition of citizens of Oakes, Dickey County, N. Dak., and citizens of Hoffiund, Williams County, N. Dak., for the Littlefield bill—to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: Resolution of E. D. Baker Post, No. 8, Grand Army of Republic, appreciative of the passage of the service-pension law—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Petition of Frankfort Legion, No. 707, against the bill to amend and codify the statutes relating to the classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Petition of the Chamber of Commerce of New Haven, Conn., for uniform laws relating to bills of lading—to the Committee on the Judiciary.

By Mr. REYBURN: Petition of the Moyer, Haywood, and Pettibone Protest Conference of Philadelphia, against the injustice of the prosecution of Moyer, Haywood, and Pettibone—to the Committee on the Judiciary.

By Mr. RUCKER: Petition of citizens of Hale, Mo., against the injustice of legal procedure in cases of Haywood, Pettibone, et al.—to the Committee on the Judiciary.

Also, petition of citizens of Green City, Mo., for the Beveridge-Parsons bill—to the Committee on Interstate and Foreign Commerce.

## SENATE.

### SATURDAY, *March 2, 1907.*

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

#### SALARIES OF DISTRICT JUDGES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Acting Attorney-General submitting an estimate of appropriation for inclusion in the general deficiency appropriation bill for payment of salaries of district judges for the northern district of Alabama, the southern district of Ohio, and the district of Nebraska; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

#### FINDINGS BY THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in each of the following causes, which causes were referred to the court by the resolution of the Senate under the act of March 3, 1887, known as the "Tucker Act:"

In the cause of S. A. Bates, administrator of Walter Shirley, deceased, *v.* The United States;

In the cause of Sarah Jane Bellah, executrix of the estate of James W. Bellah, deceased, *v.* The United States;

In the cause of Samuel R. Barton, administrator of the estate of Stephen Barton, deceased, *v.* The United States;

In the cause of Samuel R. Barton, in his own right, *v.* The United States;

In the cause of J. R. Barclay, administrator of Henry Ingram, deceased, *v.* The United States;

In the cause of Adelaide Dillon, administratrix of William Dillon, deceased, *v.* The United States;

In the cause of Ernest Bragazzi, residuary legatee of Nicholas White, deceased, *v.* The United States;

In the cause of Jefferson Dickerson *v.* The United States;

In the cause of Anna M. Anderson and Charles L. G. Anderson, executors of George W. Anderson, deceased, *v.* The United States;

In the cause of William Stilman, administrator of George Denny, deceased, *v.* The United States;

In the cause of Margaret J. Gillespie, administratrix of the estate of John C. Gillespie, deceased, *v.* The United States; and

In the cause of Corning & Co. *v.* The United States.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims, and ordered to be printed.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a list of sundry cases referred to the court by resolution of the Senate under the act of March 3, 1887, which cases were dismissed for want of prosecution on the dates therein set out; which, with the accompanying papers, were referred to the Committee on Claims, and ordered to be printed.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a list of claims sent to the court by resolution of the Senate under the act of March 3, 1887, and dismissed on motion of the Assistant Attorney-General on the date set opposite the names of each of the claimants:

In the cause of Montgomery Patton *v.* The United States, February 6, 1906; and

In the cause of Thomas Smith *v.* The United States, January 16, 1905.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims, and ordered to be printed.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a list of sundry cases referred to the court by resolution of the Senate of March 3, 1887, which were dismissed for want of jurisdiction, on the dates therein set out; which, with the accompanying papers, were referred to the Committee on Claims, and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 8303. An act to establish the Foundation for the Promotion of Industrial Peace; and

S. 8540. An act to ratify a certain lease with the Seneca Nation of Indians.

The message also announced that the House had passed the following bills with amendments; in which it requested the concurrence of the Senate:

S. 529. An act to promote the national defense, to create a force of naval volunteers, to establish American ocean mail lines to foreign markets, to promote commerce, and to provide revenue from tonnage;

S. 6704. An act to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905; and

S. 8189. An act granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single-track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, upper White River, Arkansas.

The message further announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 3268. An act for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased;

H. R. 10305. An act to provide for the repayment of certain customs dues;

H. R. 19500. An act for the relief of Indian traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph S. Gauthier, a Menominee Indian trader, with the Menominee Indians of Wisconsin; and

H. R. 24816. An act to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by the mix-

ture with suitable denaturing materials," approved June 7, 1906.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 25692. An act to provide for an additional district judge for the northern district of California; and

H. R. 25851. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 7840) granting an increase of pension to Lewis A. Towne.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MILLER, Mr. WALDO, and Mr. BEALL of Texas managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 23650) to quiet titles to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARSHALL, Mr. BURKE of South Dakota, and Mr. ZENOR managers at the conference on the part of the House.

The message further returned to the Senate, in compliance with its request, the following bills:

S. 8572. An act permitting the building of a dam across the Savannah River at Andersonville shoals;

S. 8581. An act permitting the building of a dam across the Savannah River at Trotters shoals;

S. 8583. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

S. 8584. An act permitting the building of a dam across the Savannah River at Hattons Ford; and

H. R. 3518. An act for the relief of Copiah County, Miss.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

H. R. 6104. An act to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails;

H. R. 8984. An act to amend the laws governing labor or improvements upon mining claims in Alaska;

H. R. 11040. An act to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys;

H. R. 15909. An act for the relief of the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the U. S. Army transport *Meade;*

H. R. 19275. An act for the relief of T. E. Boyt;

H. R. 20128. An act to complete the naval record of Patrick Naddy;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army;

H. R. 24122. An act in reference to the expatriation of citizens and their protection abroad;

H. R. 24925. An act making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 24991. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 25630. An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906;

H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville shoals;

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters shoals;

H. J. Res. 31. Joint resolution authorizing the wearing of the distinctive badge adopted by the Army and Navy Union upon all occasions of ceremony; and

H. J. Res. 240. Joint resolution to create a joint committee to consider the revision and codification of the laws of the United States.

HOUSE BILLS REFERRED.

Mr. ALLISON. I ask that the general deficiency appropriation bill may be laid before the Senate and referred to the Committee on Appropriations.

The VICE-PRESIDENT. The Chair lays before the Senate bills from the House of Representatives for reference.

The bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The bill (H. R. 25692) to provide for an additional district judge for the northern district of California was read twice by its title.

Mr. PERKINS. I ask that the bill may lie on the table for the present.

The VICE-PRESIDENT. Without objection, the bill will lie on the table.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a joint resolution, in the nature of a telegram, of the legislature of the State of Washington; which was ordered to lie on the table and be printed in the RECORD, as follows:

OLYMPIA, WASH., *March 1, 1907.*

The PRESIDENT OF THE UNITED STATES SENATE,
*Washington, D. C.:*

I have the honor to transmit herewith copy of joint resolution adopted this date by the Washington State legislature, Washington State senate joint resolution No. 5, by Senator Piper:

Whereas an international exposition to be known as the "Alaskan-Yukon Pacific Exposition" will be held at the city of Seattle, Wash., from June 1 to October 15, 1909.

Whereas the primary purposes of said exposition are: (1) To demonstrate the vast and constantly increasing importance of the commerce of the Pacific Ocean countries in North America, South America, Asia, and Oceania. (2) To bring to the notice of the world the resources and potentialities of the Alaska and Yukon territories of the United States and the Dominion of Canada. (3) To demonstrate the marvelous progress of western America.

Whereas all lines of American manufacture and production would be vastly benefited by enlarged trade relations between the United States and the Pacific Ocean countries, as markets which now buy little or nothing from us would be opened to our commodities; our dealings with Pacific Ocean customers, particularly with those living in Asia and Oceania, would be facilitated if our operators possessed more intimate knowledge of economic conditions in the Pacific Ocean countries, the lack of which knowledge has been emphasized in the consular reports of the United States covering a long period of years;

Whereas the territory of Alaska, if supplied with adequate rail transportation and developed to the same degree that Finland is, would support through agriculture alone a population of 5,000,000;

Whereas no exposition has ever been held in the United States having for one of its main objects the promotion of Pacific commerce and the advancement of the trade of the United States with Pacific Ocean countries;

*Resolved*, That the Government of the United States be, and is hereby, invited to encourage the holding of said exposition by exhibiting from its Executive Departments, the Smithsonian Institution, the National Museum, and the Library of Congress such articles and material as illustrate the functions and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to the wants of the people; that the Government of the United States is also invited to aid the inhabitants of the Territory of Alaska, the Territory of Hawaii, and the Philippine Islands in providing and maintaining appropriate and creditable exhibits of their products and resources at said exposition.

*Resolved*, That the States and Territories of the United States of America be, and they are hereby, invited to participate in said exposition by making exhibits of their arts, sciences, and industries, and by the erection of State buildings.

*Resolved further*, That the secretary of the senate is hereby authorized and directed to transmit by telegraph a certified copy of this resolution to the Senate and House of Representatives of the Congress of the United States and to mail copy to the governors of each State and Territory of the Union. The foregoing is certified to be a true copy of senate joint resolution No. 5, adopted by the Washington state legislature March, 1907. (Signed by J. W. Lysons, secretary of the Washington State senate.

J. W. LYSONS,
*Secretary of the Washington State Senate.*

The VICE-PRESIDENT presented petitions, in the nature of telegrams, from sundry telegraph operators of Rivervale, Ind.; Watseka, Ill.; Quitman, Miss.; Riverton, Ala.; Middleton, Tenn., and Troy, Ohio, praying for the adoption of an amendment to the so-called "sixteen-hour bill," relating to railroad employees and telegraph operators; which were ordered to lie on the table.

Mr. FRYE presented a memorial of sundry citizens of Somerset County, Me., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

Mr. BURNHAM presented a petition of J. A. Reed and N. Bourque, of Windham Junction, and of W. H. Meserve and 28 other citizens of Penacock, all in the State of New Hampshire, praying for the enactment of legislation to limit the hours of employment of railroad employees and telegraph operators; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Claremont, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. WETMORE presented a memorial of Providence Legion, No. 1704, National Protective Legion, of Providence, R. I., remonstrating against any reclassification of second-class mail matter as will increase the postal charges for carrying the publications of benevolent and fraternal societies; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petitions of T. Ray, of East Greenwich; J. J. Callahan, of East Greenwich; W. Hall, M. C. Sipple, E. T. Gardner, J. R. Maxwell, and G. W. Brackett, of Providence; T. F. Fox, of Warren; George E. Joslin, of Providence; J. E. Dixon, S. E. Boardman, H. G. Buchanan, and J. W. Touhy, of Providence; E. M. Locke, of Bradford, and A. L. Kenyon, of East Greenwich, all in the State of Rhode Island, praying for the enactment of legislation to limit the hours of employment of railroad telegraphers to nine hours; which were ordered to lie on the table.

Mr. BURROWS. I present sundry telegrams of telegraph operators in the State of Michigan, relative to the eight-hour bill. I ask that the telegrams be noted in the RECORD and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From L. D. Bissell, H. Wilkins, M. Walton, and E. Taylor, of Mount Pleasant, Mich.; from O. M. Mullen, of Lansing, Mich.; from H. H. Bartlett and O. E. Gilbert, of Mackinaw City, Mich.; from Messrs. Rourke and Northrop, of Rives Junction, Mich.; from Messrs. Lewis and Wilson, of Middlesville, Mich.; from S. O. F. Foster, E. Vargason, and Oscar Pettit, of Otter Lake, Mich.; from Messrs. Marshall and Healy, of Nashville, Mich.; from Charles Rafferty and S. O. Flood, of Bay City, Mich.; from A. O. Bourassa and W. H. Crecine, of West Branch, Mich.; from S. W. C. Banfield, F. H. Lee, J. H. Taylor, of Wixom, Mich.; from E. E. Warner, of Irving, Mich.; from Messrs. Lewis and McIntyre, of Eaton Rapids, Mich.; from S. Laley and E. S. Woods, of West Branch, Mich.; from Messrs. Lueberhorst, Berry, and Berry, of Bay City, Mich.; from C. H. Kaiser and L. Ruppert, of Pinconning, Mich.; from L. V. Whitney and G. H. Robertson, of Bay City, Mich.; from D. C. and C. E. Honey, of Standish, Mich.; from C. I. Thompson and C. J. Deidrich, of Vassar, Mich.; from Albert Miller, M. Fohey, F. Hutchingan, F. Beatty, G. Grable, F. Jones, Clifford Marsh, F. Hanson, George Mitts, J. Wright, P. Townsend, Harry Marks, H. Quackenbush, J. Holiday, R. Smith, W. Young, John Ditton, and Fred. Novare, of Detroit, Mich.; from C. R. Cany and M. J. Granger, of Lansing, Mich.; from G. A. Needham, C. E. Carpenter, H. M. Sargent, W. A. McTaggart, of Owosso, Mich.; Judge Nelson Sharpe and B. Bennett, of West Branch, Mich.; from Frank B. Fangboner, Thomas R. Hodson, and Daniel Odea, of Rochester, Mich.; from J. C. Ryan, of Daily, Mich.; from G. C. Gillespie, G. W. Shoupe, J. C. Gessell, A. Hamilton, Claude Halfrisch, L. N. Burr, of Orien, Mich., and of G. W. Hagle, of Thomas, Mich.; from A. M. Beekman, of Charlotte, Mich.; from C. W. Pierce, of Marengo, Mich.; from F. F. Perry, J. W. McNamee, E. C. West, E. L. Bryant, and J. B. Ide, of Lakeland, Mich.; L. W. Kirkpatrick, A. S. Williams, E. E. Albertson, N. P. Morse, R. P. McDonald, D. W. Brown, C. A. Schoemaker, A. P. Mills, C. Calkins, Glenn Blackmore, and W. Rogers, of Unionville, Mich.; from Fred Stephenson and Mora Taylor, of Matamora, Mich., and C. A. Smith, of Hunters Creek, Mich.; from H. M. Garrison, of Holt, Mich.; from C. A. Campbell and M. K. Campbell, of Mason, Mich.; from C. H. Swan, H. W. Robinson, and S. E. Marsh, of Cheboygan, Mich.; from E. J. Bennett, F. G. Wicks, O. K. Benner, M. S. Hatch, V. C. Vise, F. A. Barrett, L. G. McMurray, G. H. Moulton, and G. E. Emerson, of Niles, Mich.; and from the chairman of the Calhoun County Republican committee, of Marshall, Mich.

Mr. BURROWS presented a memorial of sundry citizens of Rose City, Mich., and a petition of sundry citizens of Michigan, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a petition of the Shipmasters' Association of Detroit, Mich., praying for the enactment of legislation providing for a retired list of officers and men in the Life-Saving Service; which was referred to the Committee on Commerce.

He also presented a memorial of Detroit Camp, No. 10, United Spanish War Veterans, of Detroit, Mich., remonstrating against the discontinuance of the United States pension agency at that city; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Coldwater, Lawton, Garfield Township, Lansing, Van Buren, and Leslie, all in the State of Michigan, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Detroit, Midland, Chatham, Brooklyn, Marion City, and Birmingham, all in the State of Michigan, praying for the adoption of certain amendments to the service-pension law approved February 6, 1907; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Ludington, Detroit, Bay City, Grand Rapids, and Wyandotte, all in the State of Michigan, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

Mr. PERKINS presented petitions of sundry citizens of Upland, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PERKINS (for Mr. FLINT) presented petitions of sundry citizens of Highland, San Pedro, and Orange, all in the State of California, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FULTON. I present a concurrent resolution of the legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

The concurrent resolution was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

United States of America, State of Oregon, office of the secretary of state.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that the annexed page contains a full, true, and complete copy of senate concurrent resolution No. 22, adopted by the senate of the State of Oregon February 19, 1907, and by the house of representatives of the State of Oregon February 20, 1907, original of which resolution was filed in this office February 21, 1907.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 21st day of February, A. D. 1907.

[SEAL.]

F. W. BENSON,
*Secretary of State.*

Senate concurrent resolution No. 22, relating to national reciprocal demurrage.

Whereas the principle and practice of reciprocal demurrage have proven to be essentially fair in States that have enacted legislation requiring reciprocal demurrage on interstate business; and

Whereas the principle and practice of reciprocal demurrage should be incorporated in national legislation to cover interstate business; and

Whereas recommendations have been made by representatives of large commercial and shipping interests to the President of the United States, to Congress, and to the Interstate Commerce Commission that the Interstate Commerce Commission be given authority by an act of Congress to apply the principle and practice of reciprocal demurrage to transportation and shipping on interstate business: Therefore, be it

*Resolved by the senate (the house of representatives concurring)*, The legislative assembly of the State of Oregon hereby indorses the recommendation that Congress do enact at the pending session a law granting and conferring upon the Interstate Commerce Commission authority to make rules and regulations for reciprocal demurrage on interstate business; and be it further

*Resolved*, That the secretary of state be, and he hereby is, instructed to transmit to the President of the United States and to the clerks of the Senate and House of Representatives of the Congress of the United States a copy of this resolution.

Concurred in by the House February 20, 1907.

FRANK DAVEY, *Speaker.*

Adopted by the Senate February 19, 1907.

E. W. HAINES, *President.*

Senate concurrent resolution No. 22.

FRANK S. GRANT, *Chief Clerk.*

Filed February 21, 1907.

F. W. BENSON, *Secretary of State.*

Mr. CULLOM presented petitions of sundry citizens of Illinois, praying for the adoption of an amendment to the service-pension law, approved February 6, 1907, providing for an allowance of attorneys' fees; which were referred to the Committee on Pensions.

Mr. WARREN. I present sundry telegrams of telegraph operators in the State of Wyoming, relative to the eight-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows: From F. V. Marsh, of Wolton, Wyo.; from E. L. Stump, of Denver, Colo.; from Mr. and Mrs. McYantis, of Hanna, Wyo.; from Mr. and Mrs. T. R. Grimshaw and O. Selland, of Rock Springs, Wyo.; from J. W. Knightlinger, C. H. Carlson, Henry Didlake, J. M. Small, R. D. Handiboe, and H. H. Miles, of Rawlins, Wyo.; from W. B. Ross, C. L. Carlson, E. D. Gerrons, J. B. Dales, C. W. Foss, and S. D. Irwin, of Cheyenne, Wyo.; F. F. Tighe, of Rock River, Wyo.; W. H. Seibert, of Bosler, Wyo.; J. T. Brackley and L. E. Kein, of Dana, Wyo.; S. R. B. Stuart, A. E. Greyson, H. E. Brown, R. L. Beyer, E. G. Buck, and Charles Moore, of Cheyenne, Wyo.; from W. E. Fuller, of Medicine Bow, Wyo.; from Mr. and Mrs. H. H. Norton, of Lookout, Wyo.; from C. Z. Harriman, of Medicine Bow, Wyo.; from W. C. Simmons, C. A. Hansen, and O. O. Shields, of Walcott, Wyo.; from N. J. Welty, of Howell, Wyo.; from T. E. Alsup, of Norwood, Mo.; Cronberg Brothers, S. W. Johnson, Ed. Walters, of Medicine Bow, Wyo.; P. R. Thomas, of Grenville, Wyo.; W. J. Curtis, of Rock River, Wyo.; H. C. Kelsey and A. C. Canny, of Buford, Wyo.; from C. A. Mercer, of Gillette, Wyo.; from G. W. Stone, of Ridge, Wyo., and from Mr. and Mrs. S. E. Tolliver, of Medicine Bow. Wyo.

Mr. WARREN presented a petition of the Commercial Club of Wheatland, Wyo., praying for the enactment of legislation providing that the grazing lands in Wyoming shall be leased under proper regulations; which was referred to the Committee on Agriculture and Forestry.

Mr. BRANDEGEE presented a petition of the Chamber of Commerce of New Haven, Conn., praying for the enactment of legislation providing for a uniform system of bills of lading; which was referred to the Committee on Interstate Commerce.

Mr. CULBERSON presented petitions of sundry citizens of Texas City, Tex., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Menard and Kimball counties, in the State of Texas, praying for the enactment of legislation providing for the limitation of future speculation in farm products; which was referred to the Commitee on Agriculture and Forestry.

Mr. HOPKINS. I present sundry telegrams of telegraph operators in the State of Illinois, relative to the eight-hour bill. I ask that the telegrams be noted in the RECORD, and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows: From C. N. Miller, T. B. Welsh, M. H. Grorg, W. H. Adams, N. H. Burton, F. E. Anxier, and G. W. Mertz, of Ashley, Ill.; K. H. Donner, S. D. Rowe, A. R. Mead, and M. E. Wilcox, of Apple River, Ill.; C. W. Parkins, W. R. Birce, James Hansberry, and V. C. Conklin, of Council Hill, Ill.; G. R. Stewart, of Chicago, Ill.; from R. A. Bandy, of Deerfield, Ill.; E. V. Kinzy, C. R. Martin and J. E. Flack, of Colchester, Ill.; from George C. Cannon, of Ropalu, Ill.; from Charles Lund, F. K. Kline, and John Foster, of Abingdon, Ill.; from B. H. Waters, J. J. McAndrews, and James F. German, of Riverton, Ill.; from G. R. Hankins, of Stockdale, Ill.; from R. L. Shannon, of Anna, Ill.; from Rad. Burnett, F. G. Alexander, and J. F. Ormsby, of Anna, Ill.; from W. C. Webster, of Claremont, Ill.; from John Ostendorff, F. G. Handley, T. J. Fentress, J. W. Wells, J. R. Kane, M. P. Gallagher, J. Brown, A. E. Griffin, E. V. Estabrook, O. L. Groff, and M. F. Houlahan, of East Dubuque, Ill.; from E. B. Huntington, J. L. Phelps, J. C. Whitaker, L. Goding, M. G. Stout, S. J. Woodward, E. H. Roe, T. E. Davis, and J. H. McCualiffe, of Carbondale, Ill., and from John Chassells, of Salem, Ill.

Mr. HOPKINS presented memorials of 55 old soldiers of Chicago, Ill., remonstrating against the provision in the service-pension law approved February 6, 1907, prohibiting pension agents from collecting a fee for services rendered to old soldiers under that law; which were referred to the Committee on Pensions.

He also presented a petition from the Moline Plow Company, of Moline, Ill., praying for the establishment of an immigration station at New Orleans, La.; which was ordered to lie on the table.

Mr. McENERY. I present sundry telegrams from telegraph operators in the State of Louisiana. I ask that the telegrams be noted in the RECORD and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows: From Leopold De Jan, P. T. Blackshear, Jonas Roos, A. D. Hokell, J. L. Wilson, P. Hosslin, P. A. Sandoz, W. V. Larcade, D. Roos, A. M. Pratter, T. W. Childs, J. Hugh Walker, Louis Halpsen, K. S. Jacobs, A. R. Morhinvon, G. E. Sandos, Leon S. Haas, T. O. Toder, J. R. Robin, J. E. Pitre, M. L. Chachere, M. Winsberg, F. B. Richard, James J. Bailey, R. V. Miles, A. Iztet Stigg, M. P. Stagg, A. S. Jones, B. H. Pavy, Judge E. T. Lewis, H. H. Sandoz, W. J. Sandoz, Robert Chachert, L. Simon, A. D. Shotwell, Albert Clary, C. T. Bienva, H. K. Roumain, J. E. Shune, Aaron Jacobs, R. L. Wiggins, C. P. Richard, R. A. Guider, J. R. Pavy, Eugene L. Gerde, Allen Sandoz, C. P. Dunbar, Ira W. Sylvester, Beatty Smith, A. J. Isaacks, I. Isaac, F. G. Chachere, L. S. Isaacs, B. Bennett, J. O. Appel, L. J. Dossman, D. M. Fontenot, C. F. Bailey, R. Lee Garland, M. A. Fields, F. Cliff Allen, H. L. Estorge, A. S. Simpson, and Messrs. Borther and Crawford, of Opelousas, La.; from G. R. Pattison and B. A. Marshall, of Gloster, La.; from T. W. Powers, of Forest, La.; from Sam Wilkinson, W. L. Myers, A. W. Miller, W. Brown, Ed. Dunning, James Cranberry, P. Cameron, George Muller, C. J. Davis, S. Holt, C. W. Floyd, Charles Thompson, C. L. Fisher, Ed. Bordages, Walter Robertson, John Miller, F. Cummings, George Stewart, I. L. Cooper, T. Garth, and J. L. Youngblood, of New Orleans, La.; from F. B. Perkins, of Torras, La.; from Mr. Ashly, of White Castle, La.; from C. A. Douglas, of Lettsworth, La.; from H. J. Smith and G. Trichel, of Cypress, La.; from W. S. Rheams, C. W. Floy, and J. F. Brown, of Kenner, La.

Mr. KITTREDGE. I present sundry telegrams from telegraph operators in the State of South Dakota. I ask that the telegrams be noted in the RECORD and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows: From F. B. Dantry, H. C. Dunham, and C. H. Tinkham, of Desmet, S. Dak., and from Boylan, Scholes, Hoffman, Brown, Blanchard, Floete, Carlon, Beardsley, Schroeder, and McKinnon, of Armour, S. Dak.

Mr. LODGE presented a petition of the International Association of Master House Painters and Decorators of the United States and Canada, praying for an investigation of illegal organizations of labor in restraint of trade and interstate commerce; which was referred to the Committee on Interstate Commerce.

Mr. WARNER presented the petition of Mrs. Litha G. Sholley, of Missouri, praying that she be granted a pension of $12 a month because of her services as an army nurse in the civil war; which was referred to the Committee on Pensions.

Mr. DEPEW presented a memorial of sundry citizens of Lockport, N. Y., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Utica and Brooklyn, in the State of New York, praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York City, Oneonta, Franklin, Gaines, Hornell, Plattsburg, Watertown, and Seward, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ANKENY presented a petition of the Lumber Manufacturers' Joint Committee, of Seattle, Wash., praying for the enactment of a reciprocal-demurrage law; which was referred to the Committee on Interstate Commerce.

Mr. KNOX presented petitions of sundry citizens of South Abington and of the congregation of the East End Presbyterian Church, of Pittsburg, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of Local Division No. 108, Order of Railroad Telegraphers, of Elkland; Order of Railroad Telegraphers of Pittsburg; C. R. Carty, of Bristol; J. E. Shaver, of Erie; W. J. Jones, of Erie; sundry telegraphers of Titusville, Sunbury, and Priceburg; P. J. Doohr, of Spartansburg; P. J. Barrett, of Spartansburg; sundry telegraphers of Emporium;

Division No. 92, Order of Railroad Telegraphers, of Dubois; H. S. Palmer, of Centerville; M. A. Nach, of Centerville; C. H. Cook, of Erie; F. T. Conners, of Erie; Rev. W. H. Lesler, of West Alexander; C. F. Mann, of Coraopolis; C. W. McCauley, of McKees Rocks; H. M. Michael, of Quakake; A. F. Wallaner, of Quakake; J. G. Gurtner, of Sunbury; D. McDonnell, of Union City; F. B. Burt, of Union City; W. D. Hile, of Sunbury; Frank Bucher, of Sunbury; A. W. Yeager, of Sunbury; H. A. Schoffstall, of Sunbury; D. M. Campsey, of Claysville; C. H. Kimberling, of Taylorstown; J. A. Ives, of Ernest; M. J. Harrington, of Creekside; C. R. Caty, of Bristol; John L. Franks, of Altoona; T. H. Dougherty, of Driftwood; Frank Cipperly, of Pittston; F. D. Lyman, of Conneaut Lake; sundry telegraphers of Montgomery; H. W. Kach, of Milton; A. K. Ranck, of Milton; L. V. Thayer, of Atlantic; of sundry telegraphers, Punxsutawney; E. W. Hershy, of Homestead; D. C. Barman, of Pittsburg; A. P. Blair, of East Bradford; H. K. Klingensmith, of Pittsburg; Rev. Thomas Boyle, of Pittsburg; C. E. Tomlinson, of West Alexander; Will Carr, of West Alexander; J. W. Sampson, of Priceburg; L. Davis, of West Alexander; Harry Cope, of Northumberland; Homer Dauberman, of Northumberland; of sundry telegraphers of Elgin; L. D. Jacobs, of Elkland; H. C. Wigton, of Branchton; of sundry citizens of Pittston; Thomas Hefferman, of Wilkes-Barre; of sundry citizens of Greenville; P. L. McCrea, of Eagle Rock; H. G. Greer, of Eagle Rock; S. M. Bell, of West Alexander; J. F. Sullivan, of Driftwood; O. H. McKinney, of Coraopolis; G. W. Schnably, of Coraopolis, all in the State of Pennsylvania, praying for the enactment of legislation limiting the hours of service of railroad telegraphers; which were ordered to lie on the table.

He also presented petitions of Local Branch No. 45, Glass Bottle Blowers' Association, of Allentown; Branch 115, Glass Bottle Blowers' Association; of Point Marion; Lodge No. 46, Amalgamated Association of Iron, Steel, and Tin Workers, of Hyde; Branch No. 1, Glass Bottle Blowers' Association, of Pittsburg; Branch No. 72, Glass Bottle Blowers' Association, of Smethport; Local Union No. 93, United Garment Workers of America, of Erie; Local Union No. 51, United Garment Workers of America, of Pittsburg, and Local Union No. 28, Travelers' Goods and Leather Novelty Workers' International Union of America, of Philadelphia, all in the State of Pennsylvania, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and manufactures; which were referred to the Committee on Education and Labor.

Mr. DICK. I present sundry telegrams of telegraph operators in the State of Ohio, relative to the eight-hour bill. I ask that the telegrams be noted in the RECORD and that they may lie on the table.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From Davis, Winchell, Fletcher, Summers, Edson, Erskine, Brubaker, Slausburger, Scott, Hostetter, Baker, and Gage, operators, of Montpelier; from F. E. Everett, of Wellston; from W. W. Wires and Charles Middleton, of Cozaddale; from F. E. Dean, of Carthage; from J. F. McKenna, of Wren; from J. P. Rankin, of Ironton; from Lester Sims, of Wellston; from L. L. Crider and O. K. Cecil, of Middletown; from E. N. Vanetta, of Newark; from O. C. Borden and J. E. Cook, of Leesburg; from W. H. Husted, of Richwood; from A. R. Moore, secretary, of Chicago Junction; from R. A. Mason, of Chicago Junction; from F. B. Elliso, of Latty; from J. W. Redman and L. V. Stipp, of Fostoria; from Hazelton and Zimmerman, of Colby; from L. T. Agnew, of Oakwood; from Eugene F. Stenger, of Miamisburg; from H. R. Kist, of Euclid; from W. H. Owens, of Warren; from C. A. Hedeen, of Bellevue; from A. F. Hixon, of Bellevue; from F. W. Rumple, of Bellevue; from H. E. Girard, of Ohio City; from Kirkwood, of Kirkwood; from C. A. Shubert, of Mansfield; from C. F. Pickers and A. B. Hopping, of North Bend; from J. A. Jones, of McGuffey; from O. B. Shannon, C. P. Ellison, and P. F. Adams, of Akron; from C. N. Aldrich, of Erie Depot; from Myers, Anderson, Humphrey, and Hadley, of Plymouth; from Cahoon, Shiner, Taylor, Conderton, and Smith, of Silver Creek; from A. W. Morrow, of Muessellman; from F. L. Shoemaker, of Jackson; from H. N. Gowen, of Wellston; from John Tynan, John Smith, Walter Pfeifer, Harry Young, Walter Robins, Charles Sechrist, John Ickers, Charles Heinlen, Martin Burke, of Marion; from Hall, Christopher, Steele, and Dean, of Winston Place; from W. E. Swoveland, of Glenmore; from George Smith, of Lynchburg; from Joe Reed, of Miamisburg; from O. A. Faust, of Plymouth; from J. R. Elliott, P. D. Way, E. B. Mushrush, J. H. Shanly, H. Haines, and R. E. Hoard, of Kent; from F. E. Wise and A. J. Oxender, of Polk; from C. W. McCoppin and E. Bartram, of Owega; from J. J. Dorshem, of Kemp; from J. B. Taft and Fred Sprague, of Braceville; from J. Oglesbee and C. F. Vermillion, of Foraker; from W. Dedgar and C. O. Roberts, of Nankin; from W. S. Burton, of Martel; from J. E. Cyphers, of Martel; from I. S. Jones, of Saybrook; from George Apel, Charles Brown, and Denver Young, of Franklin Furnace; from F. H. Bolhagen, F. J. Kelley, O. H. Drewett, G. Robinett, C. H. Stedwell, J. J. Brown, R. D. Waddell, F. P. Marshall, C. J. Stedwell, H. O. Wiltz, R. A. Sinclair, C. E. Benjamin, J. N. Curtiss, C. D. Teffingwell, E. J. Parrish, J. B. Conners, and A. E. Giddins; from O. C. Knight, of Peebles; from B. E. Miller, A. E. Drennen, and E. D. Curtis, of Medina County; from C. E. Burton, J. C. Woodruff, R. W. Wight, G. A. Zahnke, J. R. Woodring, H. A. Niswanger, P. H. Keane, J. T. Beares, and C. R. Curran, of Oak Harbor; from P. G. Dowler, of Vigo; from A. R. Moore, of Chicago Junction; from P. E. Jackson, Z. Volk, and H. J. McElroy, of Cincinnati; from J. E. Purney, of Huron; from J. A. Anderson, of Old Fort Station; from F. C. Hanes, of Euclid; from R. H. Fields, W. E. Cecil, M. W. Hoag, J. B. Devinney, Marvin, and Dennis, of Lodi; from Elmer Reny, of Sherwood; from C. H. Russell, of Oakwood; from C. W. Hudson, of Payne; from Charles Woolport, of Green Springs; from O. G. Jump and B. W. Sarr, of Shinrock; from H. E. Fling, of Payne; from J. H. Bell, of New Concord; from Yeager, Grace, Ferree, and Martel, of Ucasville; from W. H. McCurdy, sr., W. H. McCurdy, jr., R. W. Bell, A. C. Wilson, J. D. Mackey, and Robert Chults, of Wheelersburg; from J. M. Johnston, J. E. Rickey, L. B. Funk, J. T. Welch, W. G. Simonton, L. E. Plymale, L. N. Scott, F. Staker, L. Perry, H. Serey, H. B. Stratton, W. M. Hunt, H. C. Calhoun, and L. S. Welch, of Ironton; from C. A. Truitt, of Siam; from T. G. Beatty, of Cecil; from Pat McCarthy, of Cecil; from S. W. McCormick and R. D. Erwin, of Chillicothe; from Humphrey and Anderson, of Plymouth; from C. R. Weane, of Cecil; from O. A. Faust, of Plymouth; from W. E. Fleckner and O. F. Fleckner, of Lacarne; from R. C. Burns, of Sherradsville; from D. S. Donovan, of Cincinnati; from F. N. Bartlett, J. C. Plato, M. D. Fleckner, Walter Bell, W. F. Burrer, Otis Altford, and M. W. Durand, of Elyria; from E. B. Seiple, J. E. Baker, and D. W. Gikbert, of Bellevue; from C. W. Brown, of Constitution; from J. E. Killen, J. W. Burkam, and O. R. Granger, of Columbus; from L. S. Browning, of Middlefield; from F. E. Klinchans and M. H. Flerce, of Lacarne; from R. B. Willis, F. S. Parkers, B. D. Lewis, and W. A. Butler, of Leipsic; from Eldon Ickes, Leroy Anderson, and Delbert N. Brewer, of Maple Grove; from F. F. Cowley, of Mertiner; and from W. J. Howey, G. H. Sariff, J. J. Dieter, L. G. Van Verankin, A. M. Yant, C. E. Marshall, G. G. Steinmetz, F. H. Elson, A. L. Brennan, P. W. Adams, A. Gilletty, W. H. Saltsman, T. C. Cahill, W. C. Gealson, C. C. Robertson, C. H. McGhee, and J. W. Burho, of Homer, all in the State of Ohio.

Mr. DICK presented petitions of 148 ex-Union soldiers of the State of Ohio, praying for a modification of the present service-pension law permitting the employment of an attorney in filing pension claims; which were referred to the Committee on Pensions.

Mr. DANIEL presented the memorial of W. D. Hemingway, B. P. Miles, and Lewis Feuerstein, executive committee of the oyster packers and planters of tidewater Virginia, remonstrating against the enactment of any legislation to restrict the interstate commerce in opened oysters; which was referred to the Committee on Interstate Commerce.

Mr. DRYDEN presented the petition of Theodore H. Smith, of New York City, N. Y., praying for the enactment of legislation providing for a currency reform; which was ordered to lie on the table.

He also presented a petition of the Woman's Club of Camden, N. J., praying for the enactment of legislation to regulate the employment of child labor; which was ordered to lie on the table.

He also presented petitions of sundry citizens of New York City, N. Y., praying for the passage of the so-called "Kittredge copyright bill;" which were ordered to lie on the table.

He also presented the petition of John H. Kelling, of Jersey City, N. J., and the petition of F. W. Coleman, of Paterson, N. J., praying for the passage of the so-called "sixteen-hour bill," relating to railroad employees and telegraph operators; which were ordered to lie on the table.

He also presented sundry memorials of citizens of Trenton, N. J., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Trenton, N. J., praying for the enactment of

legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. LONG presented sundry petitions of the Wichita Produce Company, of Wichita, Kans., praying for the enactment of legislation providing for an investigation into the legality of the business done by the various express companies in the United States; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the International Association of Master House Painters and Decorators of the United States and Canada, praying for the enactment of legislation providing for an investigation of the illegal acts of labor organizations in restraint of trade and interstate commerce, as is done in similar acts of organized capital; which was referred to the Committee on the Judiciary.

He also presented memorials of Subordinate Orders Nos. 47, 89, 108, 109, 234, 305, 387, 415, 206, 340, 1, 18, and 326, of Altamont, Savonburg, Hallowell, Syracuse, Wayside, Independence, Augusta, Wauneta, Parker, St. Paul, Erie, and Chanute, all of the Anti-Horse Thief Association, and of the Olathe Court, No. 27, Tribe of Ben Hur, of Olathe, all in the State of Kansas, remonstrating against the enactment of legislation to amend the laws relating to the classification of second-class mail matter and the rates of postage thereon; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. RAYNER presented a memorial of sundry citizens of Takoma Park, Md., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

Mr. PROCTOR presented a petition of the O. L. Hinds Company, of St. Albans, Vt., praying for the enactment of legislation for the protection of labor and industries from the competition of convict labor and manufactures; which was referred to the Committee on Education and Labor.

Mr. DEPEW presented a memorial of sundry citizens of Fernwood, N. Y., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented a memorial of Swift Post, No. 94, Department of New York, Grand Army of the Republic, of Geneva, N. Y., remonstrating against the enactment of legislation to abolish pension agencies throughout the country; which was ordered to lie on the table.

He also presented a petition of the Central Republican Club of the thirty-first assembly district of New York City, N. Y., praying for the enactment of legislation to increase the salaries of Government clerks; which was referred to the Committee on Appropriations.

He also presented petitions of sundry citizens of Dunkirk and Pulaski, and of the Woman's Christian Temperance Union of Kendall, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALDRICH presented petitions of sundry citizens of Woonsocket, East Greenwich, Providence, Cumberland, Cranston, South Kingston, Wakefield, Warwick, and Westerly, all in the State of Rhode Island, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Westerly, R. I., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

Mr. SPOONER. I present a joint resolution of the legislature of the State of Wisconsin, which I ask may be printed in the RECORD and referred to the Committee on Finance.

The joint resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Joint resolution (No. 60, A) relating to the revision of the tariff.

Whereas the present Dingley law has been on the statute books of the United States for a period of nearly ten years without material change; and

Whereas this period has been one of greatest industrial and financial development and owing to the unprecedented development of the nation, resulting from this protective policy, economic conditions have so changed that many of the schedules in said law are acknowledged to be detrimental to the best interests of the country: Be it

*Resolved by the assembly (the senate concurring)*, That we memorialize the President of the United States that he call a special session of Congress as soon as possible after March 4, 1907, to revise the existing tariff law to harmonize with the present industrial and economic conditions: And be it further

*Resolved*, That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and each of the Senators and Representatives from this State.

H. L. EKERN,
*Speaker of the Assembly.*
W. D. CONNOR,
*President of the Senate.*
C. E. SHAFFER,
*Chief Clerk of the Assembly.*
A. R. EMERSON,
*Chief Clerk of the Senate.*

Joint resolution (No. 52, A) relating to revision of the tariff.

*Resolved by the assembly (the senate concurring)*, That there should be an immediate revision of the tariff, and that copies of this resolution, properly authenticated, be transmitted without delay to each Member of the Wisconsin delegation in Congress.

H. L. EKERN,
*Speaker of the Assembly.*
W. D. CONNOR,
*President of the Senate.*
C. E. SHAFFER,
*Chief Clerk of the Assembly.*
A. R. EMERSON,
*Chief Clerk of the Senate.*

## RIGHT OF ASYLUM IN ANOTHER STATE.

Mr. CARMACK. Mr. President, in behalf of a number of labor organizations of the country, including some in my own State, representing, I understand, 2,000,000 citizens, I present sundry petitions praying that an investigation be made by Congress into the alleged kidnaping of three citizens of Colorado and their transfer to the State of Idaho.

The VICE-PRESIDENT. The petitions will be referred to the Committee on the Judiciary.

Mr. CARMACK. If it be in order in this connection, I should like to ask unanimous consent to have printed in the RECORD the dissenting opinion of Associate Justice McKenna in that case.

Mr. HEYBURN. I should like to ask the Senator if he would object to having both the opinion of the court and the dissenting opinion printed in the RECORD.

Mr. CARMACK. I have none. I do not make that request. The Senator can make it.

Mr. HEYBURN. If the dissenting opinion be printed, I suggest, in fairness to the court, that the court's opinion should be printed with it.

Mr. CARMACK. I have no objection to it in the world.

The VICE-PRESIDENT. Without objection, the opinion of the court and the dissenting opinion will be printed in the RECORD.

Mr. FRYE. The request was made that the opinion of the court should also be printed.

The VICE-PRESIDENT. The Chair so put the question.

The matter referred to is as follows:

[Supreme Court of the United States. No. 249. October term, 1906. George A. Pettibone, appellant, *v.* Jasper C. Nichols, sheriff. Appeal from the circuit court of the United States for the district of Idaho. December 3, 1906.]

Mr. Justice Harlan delivered the opinion of the court:

This is an appeal from a judgment of the circuit court of the United States for the district of Idaho refusing, upon habeas corpus, to discharge the appellant who alleged that he was held in custody by the sheriff of Canyon County, in that State, in violation of the Constitution and laws of the United States.

It appears that on the 12th day of February, 1906, a criminal complaint verified by the oath of the prosecuting attorney of that county and charging Pettibone with having murdered Frank Steunenberg at Caldwell, Idaho, on the 30th day of December, 1905, was filed in the office of the probate judge. Thereupon, a warrant of arrest based upon that complaint having been issued, application was made to the governor of Idaho for a requisition upon the governor of Colorado (in which State the accused was alleged then to be) for the arrest of Pettibone and his delivery to the agent of Idaho, to be conveyed to the latter State and there dealt with in accordance with law. The papers on which the governor of Idaho based his requisition distinctly charged that Pettibone was in that State at the time Steunenberg was murdered and was a fugitive from its justice.

A requisition by the governor of Idaho was accordingly issued and was duly honored by the governor of Colorado, who issued a warrant commanding the arrest of Pettibone and his delivery to the authorized agent of Idaho, to be conveyed to the latter State. Pettibone was arrested under that warrant and carried to Idaho by its agent and was there delivered by order of the probate judge into the custody of the warden of the State penitentiary, the jail of the county being deemed at that time an unfit place.

On the 23d day of February, 1906, Pettibone sued out a writ of habeas corpus from the supreme court of Idaho. The warden made a return, stating the circumstances under which the accused came into his custody and also that the charge against Pettibone was then under investigation by the grand jury. To this return the accused made an answer embodying the same matters as were alleged in the application for the writ of habeas corpus and charging, in substance, that his presence in Idaho had been procured by connivance, conspiracy, and fraud on the part of the executive officers of Idaho and that his detention was in violation of the provisions of the Constitution of the United States and of the act of Congress relating to fugitives from justice.

Subsequently, March 7, 1906, the grand jury returned an indictment against Pettibone, William D. Haywood, Charles H. Moyer, and John L. Simpkins, charging them with the murder of Steunenberg on the 30th of December, 1905, at Caldwell, Idaho. Having been arrested and being in custody under that indictment, the officer holding Pettibone

made an amended return stating the fact of the above indictment and that he was then held under a bench warrant based thereon.

At the hearing before the supreme court of the State the officers having Pettibone in custody moved to strike from the answer of the accused all allegations relating to the manner and method of obtaining his presence within the State. That motion was sustained March 12, 1906, and the prisoner was remanded to await his trial under the above indictment. The supreme court of Idaho held the action of the governor of Colorado to be at least quasi judicial and in effect a determination that Pettibone was charged with the commission of a crime in the latter State and was a fugitive from its justice; that after the prisoner came within the jurisdiction of the demanding State he could not raise in its courts the question whether he was or had been as a matter of fact a fugitive from the justice of that State; that the courts of Idaho had no jurisdiction to inquire into the acts or motives of the executive of the State delivering the prisoner; that "one who commits a crime against the laws of a State, whether committed by him while in person on its soil or absent in a foreign jurisdiction and acting through some other agency or medium, has no vested right of asylum in a sister State," and the fact "that a wrong is committed against him in the manner or method pursued in subjecting his person to the jurisdiction of the complaining State and that such wrong is redressible either in the civil or criminal courts can constitute no legal or just reason why he himself should not answer the charge against him when brought before the proper tribunal." (Ex parte Pettibone, 85 Pac., 902; Ex parte Moyer, 85 ib., 897.)

From the judgment of the supreme court of Idaho a writ of error was prosecuted to this court. That case is No. 265 on the docket of the present term, but the record has not been printed. But the parties agree that the same questions are presented on this appeal as arise in that case, and as this case is one of urgency in the affairs of a State we have acceded to the request that they may be argued and determined on this appeal.

On the 15th of March, 1906, after the final judgment in the supreme court of Idaho, Pettibone made application to the circuit court of the United States sitting in Idaho for a writ of habeas corpus, alleging that he was restrained of his liberty by the sheriff of Canyon County in violation of the Constitution and laws of the United States. As was done in the supreme court of Idaho, the accused set out numerous facts and circumstances which, he contended, showed that his personal presence in Idaho was secured by fraud and connivance on the part of the executive officers and agents of both Idaho and Colorado, in violation of the constitutional and statutory provisions relating to fugitives from justice. Consequently, it was argued, the court in Idaho did not acquire jurisdiction over his person. The officer having Pettibone in custody made return to the writ that he then held the accused under the bench warrant issued against him. It was stipulated that the application for the writ of habeas corpus might be taken as his answer to the return. Subsequently, on motion, that answer was stricken out by the circuit court as immaterial, the writ of habeas corpus was quashed, and Pettibone was remanded to the custody of the State.

As the application for the writ of habeas corpus was, by stipulation of the parties, taken as the answer of the accused to the return of the officer holding him in custody, and as that answer was stricken out by the court below as immaterial, we must, on this appeal, regard as true all the facts sufficiently alleged in the application which, in a legal sense, bear upon the question whether the detention of the accused by the State authorities was in violation of the Constitution or laws of the United States.

That application is too lengthy to be incorporated at large in this opinion. It is sufficient to say that its allegations present the case of a conspiracy between the governors of Idaho and Colorado and the respective officers and agents of those States to have the accused taken from Colorado to Idaho under such circumstances and in such way as would deprive him, while in Colorado, of the privilege of invoking the jurisdiction of the courts there for his protection against wrongful deportation from the State—it being alleged that the governor of Idaho, the prosecuting attorney of Canyon County, and the private counsel who advised them well knew all the time that "he was not in the State of Idaho on the 30th day of December, 1905, nor at any time near that date." The application also alleged that the accused "is not and was not a fugitive from justice; that he was not present in the State of Idaho when the alleged crime was alleged to have been committed, nor for months prior thereto, nor thereafter, until brought into the State as aforesaid."

In the forefront of this case is the fact that the appellant is held in actual custody for trial under an indictment in one of the courts of Idaho for the crime of murder charged to have been committed in that State against its laws, and it is the purpose of the State to try the question of his guilt or innocence of that charge.

Undoubtedly, the circuit court had jurisdiction to discharge the appellant from the custody of the State authorities if their exercise of jurisdiction over his person would be in violation of any rights secured to him by the Constitution or laws of the United States. But that court had a discretion as to the time and mode in which, by the exercise of such power, it would by its process obstruct or delay a criminal prosecution in the State court. The duty of a Federal court to interfere on habeas corpus for the protection of one alleged to be restrained of his liberty in violation of the Constitution or laws of the United States must often be controlled by the special circumstances of the case, and unless in some emergency demanding prompt action, the party held in custody by a State and seeking to be enlarged will be left to stand his trial in the State court, which, it will be assumed, will enforce—as it has the power to do equally with a court of the United States (Robb *v.* Connolly, 111 U. S., 624, 637)—any right secured by the supreme law of the land. "When the State court," this court has said, "shall have finally acted upon the case, the circuit court has still a discretion whether, under all the circumstances then existing, the accused if convicted shall be put to his writ of error from the highest court of the State, or whether it will proceed, by writ of habeas corpus, summarily to determine whether the petitioner is restrained of his liberty in violation of the Constitution of the United States." (Ex parte Royall, 117 U. S., 241, 251–253.) To the same effect are numerous cases in this court, among which may be named Ex parte Fonda, 117 United States, 516; New York *v.* Eno, 155 United States, 89, 93; Cook *v.* Hart, 146 United States, 183, 192; Minnesota *v.* Brundage, 180 United States, 499, 501; Reid *v.* Jones, 187 United States, 153; Riggins *v.* United States, 199 United States 547, 549. This rule firmly established for the guidance of the courts of the United States is applicable here, although it appears that the supreme court of Idaho has already decided some of the questions now raised. But the question of Pettibone's guilt of the crime of having murdered Steunenberg has not, however, been finally determined and can not be except by a trial under the laws and in the courts of Idaho. If he should be acquitted by the jury, then no question will remain as to a violation of the Constitution and laws of the United States by the methods adopted to secure his personal presence within the State of Idaho.

The appellant, however, contends that the principle settled in Ex parte Royall and other like cases can have application only where the State has legally acquired jurisdiction over the person of the accused, and can not apply when, as is alleged to be the case here, his presence in Idaho was obtained by fraud and by a violation of rights guaranteed by the Constitution and laws of the United States. Under such circumstances, it is contended, no jurisdiction could legally attach for the purpose of trying the accused under the indictment for murder.

In support of this view we have been referred to that clause of the Constitution of the United States providing that if "a person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime." (Article IV, section 2.) Also to section 5278 of the Revised Statutes, in which it is provided that "whenever the executive authority of any State or Territory demands any person as a fugitive from justice of the executive authority of any State or Territory to which such person has fled, and produces a copy of an indictment found or an affidavit made before a magistrate of any State or Territory, charging the person demanded with having committed treason, felony, or other crime, certified as authentic by the governor or chief magistrate of the State or Territory from whence the person so charged has fled, it shall be the duty of the executive authority of the State or Territory to which such person has fled to cause him to be arrested and secured, and to cause notice of the arrest to be given to the executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within six months from the time of the arrest the prisoner may be discharged. All costs or expenses incurred in the apprehending, securing, and transmitting such fugitive to the State or Territory making such demand shall be paid by such State or Territory."

Looking, first, at what was alleged to have occurred in the State of Colorado touching the arrest of the petitioner and his deportation from that State, we do not perceive that anything done there, however, hastily or inconsiderately done, can be adjudged to be in violation of the Constitution or laws of the United States. We pass by both as immaterial and inappropriate any consideration of the motives that induced the action of the governor of Colorado. This court will not inquire as to the motives which guided the chief magistrate of a State when executing the functions of his office. Manifestly, whatever authority may have been conferred upon the governor of Colorado by the constitution or laws of his State, he was not required, indeed, was not authorized, by the Constitution or laws of the United States to have the petitioner arrested unless within the meaning of such Constitution and laws he was a fugitive from the justice of Idaho. Therefore he would not have violated his duty if it had been made a condition of surrendering the petitioner that evidence be furnished that he was a fugitive from justice within the meaning of the Constitution of the United States. Upon the governor of Colorado rested the responsibility of determining, in some proper mode, what the fact was. But he was not obliged to demand proof of such fact by evidence apart from the requisition papers. As those papers showed that the accused was regularly charged by indictment with the crime of murder committed in Idaho and was a fugitive from its justice, the governor of Colorado was entitled to accept such papers, coming as they did from the governor of another State, as prima facie sufficient for a warrant of arrest. His failure to require independent proof of the fact that petitioner was a fugitive from justice can not be regarded as an infringement of any right of the petitioner under the Constitution or laws of the United States. (Ex parte Reggel, 114 U. S., 642, 652, 653.) In Munsey *v.* Clough (196 U. S., 364, 372) this court said that the issuing of a warrant of arrest by the governor of the surrendering State, "with or without a recital therein that the person demanded is a fugitive from justice, must be regarded as sufficient to justify the removal, until the presumption in favor of the legality and regularity of the warrant in overthrown by contrary proof in a legal proceeding to review the action of the governor. (Roberts *v.* Reilly, supra; Hyatt *v.* Cockran, 188 U. S., 691. See also In re Keller, 28 Fed. Rep., 681, 686.)

But the petitioner contends that his arrest and deportation from Colorado was, by fraud and connivance, so arranged and carried out as to deprive him of an opportunity to prove before the governor of that State that he was not a fugitive from justice, as well as opportunity to appeal to some court in Colorado to prevent his illegal deportation from its territory. If we should assume upon the present record that the facts are as alleged, it is not perceived that they make a case of the violation of the Constitution or laws of the United States. It is true, as contended by the petitioner, that if he was not a fugitive from justice within the meaning of the Constitution no warrant for his arrest could have been properly or legally issued by the governor of Colorado. It is equally true that, even after the issuing of such a warrant, before his deportation from Colorado, it was competent for a court, Federal or State, sitting in that State to inquire whether he was in fact a fugitive from justice, and if found not to be to discharge him from the custody of the Idaho agent and prevent his deportation from Colorado. (Robb *v.* Connolly, 111 U. S., 624, 639; Ex parte Reggel, supra; Hyatt *v.* Cockran, 188 U. S., 691, 719; Munsey *v.* Clough, 196 U. S., 364, 374.) But it was not shown by proof before the governor of Colorado that the petitioner, alleged in the requisition papers to be a fugitive from justice, was not one, nor was the jurisdiction of any court sitting in that State invoked to prevent his being taken out of the State and carried to Idaho. That he had no reasonable opportunity to present these facts before being taken from Colorado constitutes no legal reason why he should be discharged from the custody of the Idaho authorities. No obligation was imposed by the Constitution or laws of the United States upon the agent of Idaho to so time the arrest of the petitioner and so conduct his deportation from Colorado as to afford him a convenient opportunity before some judicial tribunal sitting in Colorado to test the question whether he was a fugitive from justice and as such liable, under the act of Congress, to be conveyed to Idaho for trial there. In England, in the case of one arrested for the purpose of deporting him to another country, it is provided that there shall be no surrender of the accused to the demanding country until after the expiration of a specified time from the arrest, during which period the prisoner has an opportunity to institute habeas corpus proceedings. (Extradition act of 1870, 33 and 34 Vict., ch. 52, sec. 11; 2 Butler on the Treaty-Making Power, sec. 436; 1 Moore on Extradition, 741, 742.) There is no similar act of Congress in respect of a person arrested in one of the

States of the Union as a fugitive from the justice of another State. The speediness, therefore, with which the Idaho agent removed the accused from Colorado can not be urged as a violation of a constitutional right and constitutes no legal reason for discharging him from the custody of the State of Idaho.

We come now to inquire whether the petitioner was entitled to his discharge upon making proof in the circuit court of the United States, sitting in Idaho, that he was brought into that State as a fugitive from justice when he was not, in fact, such a fugitive. Of course it can not be contended that the circuit court, sitting in Idaho, could rightfully discharge the petitioner upon proof simply that he did not commit the crime of murder charged against him. His guilt or innocence of that charge is within the exclusive jurisdiction of the Idaho State court. The constitutional and statutory provisions referred to were based upon the theory that, as between the States, the proper place for the inquiry into the question of the guilt or innocence of an alleged fugitive from justice is in the courts of the State where the offense is charged to have been committed. The question therefore in the court below was not whether the accused was guilty or innocent, but whether the Idaho court could properly be prevented from proceeding in the trial of that issue, upon proof being made in the circuit court of the United States, sitting in that State, that the petitioner was not a fugitive from justice and not liable, in virtue of the Constitution and laws of the United States, to arrest in Colorado under the warrant of its governor and carried into Idaho. As the petitioner is within the jurisdiction of Idaho, and is held by its authorities for trial, are the particular methods by which he was brought within her limits at all material in the proceeding by habeas corpus?

It is contended by the State that this question was determined in its favor by the former decisions of this court. This is controverted by the petitioner, and we must therefore, and particularly because of the unusual character of this case and the importance of the questions involved, see what this court has heretofore adjudged.

In Ker *v.* Illinois (119 U. S., 436), it appeared that at the trial in an Illinois court of a person charged with having committed a crime against the laws of that State, the accused sought by plea in abatement to defeat the jurisdiction of the court upon the ground that, in violation of law, he had been seized in Peru and forcibly brought against his will into the United States and delivered to the authorities of Illinois; all of which the accused contended was in violation not only of due process of law as guaranteed by the fourteenth amendment, but of the treaty between the United States and Peru negotiated in 1870 and proclaimed in 1874. One of the articles of that treaty bound the contracting countries, upon a requisition by either country, to deliver up to justice persons who, being accused or convicted of certain named crimes committed within the jurisdiction of the requiring party, should seek an asylum or should be found within the territories of the other, the fact of the commission being so established "as that the laws of the country in which the fugitive or the person so accused shall be found would justify his or her apprehension and commitment for trial if the crime had been there committed." (18 Stat., 719, 720.) The plea stated, among other things, that the defendant protested against his arrest and was refused opportunity from the time of his being seized in Peru until he was delivered to the authorities of Illinois of communicating with any person or seeking any advice or assistance in regard to procuring his release by legal process or otherwise.

The court overruled the plea of abatement, and the trial in the State court proceeded, resulting in a verdict of guilty. The judgment was affirmed by the supreme court of Illinois, and this court affirmed, upon writ of error, the judgment of the latter court. It was held by the unanimous judgment of this court that, so far as any question of Federal right was involved, no error was committed by the State court, and that, notwithstanding the illegal methods pursued in bringing the accused within the jurisdiction of Illinois, his trial in the State court did not involve a violation of the due process clause of the Constitution nor any article in the treaty with Peru, although the case was a clear one "of kidnaping within the dominion of Peru, without any pretense of authority under the treaty or from the Government of the United States." The principle upon which the judgment rested was that, when a criminal is brought or is in fact within the jurisdiction and custody of a State, charged with a crime against its laws, the State may, so far as the Constitution and laws of the United States are concerned, proceed against him for that crime, and need not inquire as to the particular methods employed to bring him into the State. The case, the court said, "does not stand, when the party is in court and required to plead to an indictment, as it would have stood upon a writ of habeas corpus in California, or in any State through which he was carried in the progress of the extradition, to test the authority by which he was held." In meeting the contention that the accused, Ker, by virtue of the treaty with Peru, acquired by his residence a right of asylum, this court said: "There is no language in this treaty, or in any other treaty made by this country on the subject of extradition, of which we are aware, which says in terms that a party fleeing from the United States to escape punishment for crime becomes thereby entitled to an asylum in the country to which he has fled; indeed, the absurdity of such a proposition would at once prevent the making of a treaty of that kind. * * * It is idle, therefore, to claim that, either by express terms or by implication, there is given to a fugitive from justice in one of these countries any right to remain and reside in the other; and if the right of asylum means anything, it must mean this. The right of the Government of Peru voluntarily to give a party in Ker's condition an asylum in that country is quite a different thing from the right in him to demand and insist upon security in such an asylum. The treaty, so far as it regulates the right of asylum at all, is intended to limit this right in the case of one who is proved to be a criminal fleeing from justice, so that, on proper demand and proceedings had therein, the government of the country of the asylum shall deliver him up to the country where the crime was committed. And to this extent, and to this alone, the treaty does regulate or impose a restriction upon the right of the government of the country of the asylum to protect the criminal from removal therefrom. * * * We think it very clear, therefore, that, in invoking the jurisdiction of this court upon the ground that the prisoner was denied a right conferred upon him by a treaty of the United States, he has failed to establish the existence of any such right."

If Ker, by virtue of the treaty with Peru, and because of his forcible and illegal abduction from that country, did not acquire an exemption from the criminal process of the courts of Illinois, whose laws he had violated, it is difficult to see how Pettibone acquired, by virtue of the Constitution and laws of the United States, an exemption from prosecution by the State of Idaho, which has custody of his person.

An instructive case on this subject is Mahon *v.* Justice (127 U. S., 700). The governor of Kentucky made a requisition upon the governor of West Virginia for Mahon, who was charged with the crime of murder in Kentucky, and was alleged to have fled from its jurisdiction and taken refuge in West Virginia. While the two governors were in correspondence on the subject a body of armed men, without warrant or other legal process, arrested Mahon in West Virginia, and by force and against his will conveyed him out of West Virginia and delivered him to the jailor of Pike County, Ky., in the courts of which he stood indicted for murder. Thereupon the governor of West Virginia, on behalf of that State, applied to the district court of the United States for the Kentucky district for a writ of habeas corpus and his return to the jurisdiction of West Virginia. This court, after observing that the States of the Union were not absolutely sovereign and could not declare war or authorize reprisals on other States, and that their ability to prevent the forcible abduction of persons from their territory consists solely in their power to punish all violations of their criminal laws committed within it, whether by their own citizens or by citizens of other States, said: "If such violators have escaped from the jurisdiction of the State invaded, their surrender can be secured upon proper demand on the executive of the State to which they have fled. The surrender of the fugitives in such cases to the State whose laws have been violated is the only aid provided by the laws of the United States for the punishment of depredations and violence committed in one State by intruders and lawless bands from another State. The offenses committed by such parties are against the State; and the laws of the United States merely provide the means by which their presence can be secured in case they have fled from its justice. No mode is provided by which a person unlawfully abducted from one State to another can be restored to the State from which he was taken if held upon any process of law for offenses against the State to which he has been carried. If not thus held, he can, like any other person wrongfully deprived of his liberty, obtain his release on habeas corpus.

"Whether Congress might not provide for the compulsory restoration to the State of parties wrongfully abducted from its territory upon application of the parties, or of the State, and whether such provision would not greatly tend to the public peace along the borders of the several States, are not matters for present consideration. It is sufficient now that no means for such redress through the courts of the United States have as yet been provided. The abduction of Mahon by Phillips and his aids was made, as appears from the return of the respondent to the writ, and from the findings of the court below, without any warrant or authority from the governor of West Virginia. It is true that Phillips was appointed by the governor of Kentucky as agent of the State to receive Mahon upon his surrender on the requisition; but no surrender having been made, the arrest of Mahon and his abduction from the State were lawless and indefensible acts, for which Phillips and his aids may justly be punished under the laws of West Virginia. The process emanating from the governor of Kentucky furnished no ground for charging any complicity on the part of that State in the wrong done to the State of West Virginia." Again: "It is true, also, that the accused had the right while in West Virginia of insisting that he should not be surrendered to the governor of Kentucky by the governor of West Virginia, except in pursuance of the acts of Congress, and that he was entitled to release from any arrest in that State not made in accordance with them; but having been subsequently arrested in Kentucky under the writs issued on the indictments against him, the question is not as to the validity of the proceeding in West Virginia, but as to the legality of his detention in Kentucky. There is no comity between the States by which a person held upon an indictment for a criminal offense in one State can be turned over to the authorities of another, though abducted from the latter. If there were any such comity, its enforcement would not be a matter within the jurisdiction of the courts of the United States. By comity nothing more is meant than that courtesy on the part of one State by which within her territory the laws of another State are recognized and enforced, or another State is assisted in the execution of her laws. From its nature the courts of the United States can not compel its exercise when it is refused; it is admissible only upon the consent of the State and when consistent with her own interests and policy. (Bank of Augusta *v.* Earle, 13 Pet. 519, 589; Story's Conflict of Law, § 30.) The only question, therefore, presented for our determination is whether a person indicted for a felony in one State, forcibly abducted from another State and brought to the State where he was indicted by parties acting without warrant or authority of law, is entitled under the Constitution or laws of the United States to release from detention under the indictment by reason of such forcible and unlawful abduction."

After a review of the authorities, including the case of Ker *v.* Illinois, above cited, the court concluded: "So in this case it is contended that, because under the Constitution and laws of the United States a fugitive from justice from one State to another can be surrendered to the State where the crime was committed, upon proper proceedings taken, he has the right of asylum in the State to which he has fled unless removed in conformity with such proceedings, and that this right can be enforced in the courts of the United States. But the plain answer to this contention is that the laws of the United States do not recognize any such right of asylum as is here claimed on the part of a fugitive from justice in any State to which he has fled; nor have they, as already stated, made any provision for the return of parties who by violence and without lawful authority have been abducted from a State. There is, therefore, no authority in the courts of the United States to act upon any such alleged right. In Ker *v.* Illinois the court said that the question of how far the forcible seizure of the defendant in another country and his conveyance by violence, force, or fraud to this country could be made available to resist trial in the State court for the offense charged upon him was one which it did not feel called upon to decide, for in that transaction it did not see that the Constitution or laws or treaties of the United States guaranteed to him any protection. So in his case we say that, whatever effect may be given by the State court to the illegal mode in which the defendant was brought from another State, no right secured under the Constitution or laws of the United States was violated by his arrest in Kentucky, and imprisonment there, upon the indictments found against him for murder in that State."

These principles determine the present case and require an affirmance of the judgment of the circuit court. It is true the decision in the Mahon case was by a divided court, but its authority is none the less controlling. The principle upon which it rests has been several times recognized and reaffirmed by this court and is no longer to be questioned. It was held in Cook *v.* Hart, 146 United States, 183, 192, that the cases of Ker *v.* Illinois and Mahon *v.* Justice established these propositions: "1. That this court will not interfere to relieve persons who have been arrested and taken by violence from the territory of one State to that of another, where they are held under process legally issued from the courts of the latter State. 2. That the question of the applicability of this doctrine to a particular case is as much within the province of a State court as a question of common law or of the law of nations, as it is of the courts of the United States;" in Lascelles *v.*

Georgia, 148 United States, 537, 543, that it was settled in the Ker and Mahon cases that, "except in the case of a fugitive surrended by a foreign government, there is nothing in the Constitution, treaties, or laws of the United States which exempts an offender, brought before the courts of a State for an offense against its laws, from trial and punishment, even though brought from another State by unlawful violence or by abuse of legal process;" and in Adams *v.* New York, 192 United States, 585, 596 (the same cases being referred to), that "if a person is brought within the jurisdiction of one State from another or from a foreign country by the unlawful use of force, which would render the officer liable to a civil action or in a criminal proceeding because of the forcible abduction, such fact would not prevent the trial of the person thus abducted in the State wherein he had committed an offense." See also In re Johnson, 167 United States, 120, 127, in which the court recognized the principle that when a party in a civil suit has, by some trick or device, been brought within the jurisdiction of a court, he may have the process served upon him set aside, but that a different rule prevails in criminal cases involving the public interests.

To the above citations we may add In re Moore (75 Fed. Rep., 821), in which it appeared or was alleged that one accused of crime against the laws of a State and in the custody of its authorities for trial was brought back from another State as a fugitive from justice by means of an extradition warrant procured by false affidavits. In his application to the circuit court of the United States for a writ of habeas corpus the petition stated facts and circumstances tending to show that he was not a fugitive from justice. The application was dismissed. After stating that the executive warrant issued by the surrendering State had performed its office and that the petitioner was not held in virtue of it, the court said: "His imprisonment is not illegal unless his extradition makes it so, and an illegal extradition is no greater violation of his rights of person than his forcible abduction. If a forcible abduction from another State and conveyance within the jurisdiction of the court holding him is no objection to his detention and trial for the offense charged, as held in Mahon *v.* Justice (127 U. S., 712) and in Ker *v.* Illinois (119 U. S., 437), no more is the objection allowed if the abduction has been accomplished under the forms of law. The conclusion is the same in each case. The act complained of does not relate to the restraint from which the petitioner seeks to be relieved, but to the means by which he was brought within the jurisdiction of the court under whose process he is held. It is settled that a party is not excused from answering to the State whose laws he has violated because violence has been done him in bringing him within the State. Moreover, if any injury was done in this case in issuing the requisition upon the State of Washington without grounds therefor, the injury was not to the petitioner, but to that State whose jurisdiction was imposed upon by what was done. The United States do not recognize any right of asylum in the State where a party charged with a crime committed in another State is found, nor have they made any provision for the return of parties who, by violence and without lawful authority, have been abducted from a State, and whatever effect may be given by a State court to the illegal mode in which a defendant is brought from another State no right secured under the Constitution and laws of the United States is violated by his arrest and imprisonment for crimes committed in the State into which he is brought. (Mahon *v.* Justice, 127 U. S., 715.)"

The principle announced in the Mahon and other cases above cited was not a new one. It has been distinctly recognized in the courts of England and in many States of the Union. In Ex parte Scott (9 B. & C., 446; 17 E. C. L., 204; 1829) one accused of crime against the laws of England, and who was in custody for trial, sought to be discharged upon habeas corpus because she had been improperly apprehended in a foreign country. Lord Tenterden, C. J., said: "The question, therefore, is this, whether if a person charged with a crime is found in this country it is the duty of the court to take care that such a party shall be amenable to justice or whether we are to consider the circumstances under which she was brought here. I thought, and still continue to think, that we can not inquire into them. If the act complained of were done against the law of a foreign country that country might have vindicated its own law. If it gave her a right of action, she may sue upon it." Some of the American cases, to the same general effect, are cited in Mahon *v.* Justice, namely, State *v.* Smith, 1 Bailey, South Carolina, 283; State *v.* Brewster, 7 Vermont, 118; State *v.* Ross, 21 Iowa, 467. See also Dow's case, 18 Pennsylvania State, 37; State *v.* Kealy, 89 Iowa, 94, 97; Ex parte Barker, 87 Alabama, 4, 8; People *v.* Pratt, 78 California, 345, 349; Church on Habeas Corpus, section 483, and authorities cited in notes, and note to Fetter's case, 57 American Decisions, 389, 400.

It is said that the present case is distinguishable from the Mahon case in the fact that the illegal abduction complained of in the latter was by persons who neither acted nor assumed to act under the authority of the State into the custody of whose authorities they delivered Mahon; whereas in this case it is alleged that Idaho secured the presence of Pettibone within its limits through a conspiracy on the part of its governor and other officers. This difference in the cases is not, we think, of any consequence as to the principle involved; for the question now is—and such was the fundamental question in Mahon's case—whether a circuit court of the United States, when asked upon habeas corpus to discharge a person held in actual custody by a State for trial in one of its courts under an indictment charging a crime against its laws, can properly take into account the methods whereby the State obtained such custody. That question was determined in the negative in the Ker and Mahon cases. It was there adjudged that in such a case neither the Constitution nor laws of the United States entitled the person so held to be discharged from custody and allowed to depart from the State. If, as suggested, the application of these principles may be attended by mischievious consequences, involving the personal safety of individuals within the limits of the respective States, the remedy is with the lawmaking department of the Government. Congress has long been informed by judicial decisions as to the state of the law upon this general subject.

In this connection it may be well to say that we have not overlooked the allegation that the governor and other officers of Idaho well knew at the time the requisition was made upon the governor of Colorado that Pettibone was not in Idaho on December 30, 1905, nor at any time near that date, and had the purpose in all they did to evade the constitutional and statutory provisions relating to fugitives from justice. To say nothing of the impropriety of any such facts being made the subject of judicial inquiry in a Federal court, the issue thus attempted to be presented was wholly immaterial. Even were it conceded, for the purposes of this case, that the governor of Idaho wrongfully issued his requisition, and that the governor of Colorado erred in honoring it and in issuing his warrant of arrest, the vital fact remains that Pettibone is held by Idaho in actual custody for trial under an indictment charging him with crime against its laws, and he seeks the aid of the circuit court to relieve him from custody, so that he may leave that State, and thereby defeat the prosecution against him without a trial. In the present case it is not necessary to go behind the indictment and inquire as to how it happened that he came within reach of the process of the Idaho court in which the indictment is pending. And any investigation as to the motives which induced the action taken by the governors of Idaho and Colorado would, as already suggested, be improper as well as irrelevant to the real question to be now determined. It must be conclusively presumed that those officers proceeded throughout this affair with no evil purpose and with no other motive than to enforce the law.

We perceive no error in the action of the circuit court, and its final order is affirmed.

[Supreme Court of the United States. No. 249.—October term, 1906. George A. Pettibone, appellant, *v.* Jasper C. Nichols, sheriff. Appeal from the circuit court of the United States for the district of Idaho. December 3, 1906.]

Mr. Justice McKenna dissenting.

I am constrained to dissent from the opinion and judgment of the court. The principle announced, as I understand it, is that "a circuit court of the United States, when asked upon habeas corpus to discharge a person held in actual custody by a State for trial in one of its courts under an indictment charging a crime against its laws, can not properly take into account the methods whereby the State obtained such custody." In other words, and to illuminate the principle by the light of the facts in this case—facts, I mean, as alleged, and which we must assume to be true for the purpose of our discussion—that the officers of one State may falsely represent that a person was personally present in the State and committed a crime there, and had fled from its justice, may arrest such person and take him from another State, the officers of the latter knowing of the false accusation and conniving in and aiding its purpose, thereby depriving him of an opportunity to appeal to the courts, and that such person can not invoke the rights guaranteed to him by the Constitution and statutes of the United States in the State to which he is taken. And this, it is said, is supported by the cases of Ker *v.* Illinois (119 U. S., 436), and Mahon *v.* Justice (127 U. S., 700). These cases, extreme as they are, do not justify, in my judgment, the conclusion deduced from them. In neither case was the State the actor in the wrongs that brought within its confines the accused person. In the case at bar, the States, through their officers, are the offenders. They, by an illegal exertion of power, deprived the accused of a constitutional right. The distinction is important to be observed. It finds expression in Mahon *v.* Justice. But it does not need emphasizing. Kidnaping is a crime, pure and simple. It is difficult to accomplish, hazardous at every step. All the officers of the law are supposed to be on guard against it. All of the officers of the law may be invoked against it. But how is it when the law becomes the kidnaper, when the officers of the law, using the forms and exerting its power, become abductors? This is not a distinction without a difference—another form of the crime of kidnaping distinguished only from that committed by an individual by circumstances. If a State may say to one within her borders and upon whom her process is served, "I will not inquire how you came here; I must execute my laws and remit you to proceedings against those who have wronged you," may she so plead against her own offenses? May she claim that by mere physical presence within her borders an accused person is within her jurisdiction denuded of his constitutional rights, though he has been brought there by her violence? And constitutional rights the accused in this case certainly did have, and valuable ones.

The foundation of extradition between the States is that the accused should be a fugitive from justice from the demanding State, and he may challenge the fact by habeas corpus immediately upon his arrest. If he refute the fact he can not be removed. (Hyatt *v.* Corkran, 198 U. S., 691.) And the right to resist removal is not a right of asylum. To call it so in the State where the accused is is misleading. It is the right to be free from molestation. It is the right of personal liberty in its most complete sense. And this right was vindicated in Hyatt *v.* Corkran, and the fiction of a constructive presence in a State and a constructive flight from a constructive presence rejected. This decision illustrates at once the value of the right and the value of the means to enforce the right. It is to be hoped that our criminal jurisprudence will not need for its efficient administration the destruction of either the right or the means to enforce it. The decision in the case at bar, as I view it, brings us perilously near both results. Is this exaggeration? What are the facts in the case at bar as alleged in the petition, and which it is conceded must be assumed to be true? The complaint, which was the foundation of the extradition proceedings, charged against the accused the crime of murder on the 30th of December, 1905, at Caldwell, in the county of Canyon, State of Idaho, by killing one Frank Steunenberg, by throwing an explosive bomb at and against his person. The accused avers in his petition that he had not been "in the State of Idaho, in any way, shape, or form, for a period of more than ten years" prior to the acts of which he complained, and that the governor of Idaho knew accused had not been in the State the day the murder was committed, "nor at any time near that day." A conspiracy is alleged between the governor of the State of Idaho and his advisers, and that the governor of the State of Colorado took part in the conspiracy, the purpose of which was "to avoid the Constitution of the United States and the act of Congress made in pursuance thereof, and to prevent the accused from asserting his constitutional right under clause 2, section 2, of Article IV of the Constitution of the United States and the act made pursuant thereof." The manner in which the alleged conspiracy had been executed was set out in detail. It was in effect that the agent of the State of Idaho arrived in Denver Thursday, February 15, 1906, but it was agreed between him and the officers of Colorado that the arrest of the accused should not be made until some time in the night of Saturday, after business hours—after the courts had closed and judges and lawyers had departed to their homes; that the arrest should be kept a secret and the body of the accused should be clandestinely hurried out of the State of Colorado with all possible speed, without the knowledge of his friends or his counsel; that he was at the usual place of business during Thursday, Friday, and Saturday, but no attempt was made to arrest him until 11.30 o'clock p. m. Saturday, when his house was surrounded and he arrested. Moyer was arrested under the same circumstances at 8.45, and he and accused "thrown into the county jail of the city and county of Denver."

It is further alleged that, in pursuance of the conspiracy, between the hours of 5 and 6 o'clock on Sunday morning, February 18, the officers of the State and "certain armed guards, being a part of the forces of the militia of the State of Colorado," provided a special train for the purpose of forcibly removing him from the State of Colorado, and between said hours he was forcibly placed on said train and re-

moved with all possible speed to the State of Idaho; that prior to his removal, and at all times after his incarceration in the jail at Denver he requested to be allowed to communicate with his friends and his counsel and his family and the privilege was absolutely denied him. The train, it is alleged, made no stop at any considerable station, but proceeded at great and unusual speed, and that he was accompanied by and surrounded with armed guards, members of the State militia of Colorado, under the orders and directions of the adjutant-general of the State.

I submit that the facts in this case are different in kind and transcend in consequences those in the cases of Ker *v.* Illinois and Mahon *v.* Justice, and differ from and transcend them as the power of a State transcends the power of an individual. No individual or individuals could have accomplished what the power of the two States accomplished; no individual or individuals could have commanded the means and success; could have made two arrests of prominent citizens by invading their homes; could have commanded the resources of jails, armed guards, and special trains; could have successfully timed all acts to prevent inquiry and judicial interference.

The accused, as soon as he could have done so, submitted his rights to the consideration of the courts. He could not have done so in Colorado; he could not have done so on the way from Colorado. At the first instant that the State of Idaho relaxed its restraining power he invoked the aid of habeas corpus successively of the supreme court of the State and of the circuit court of the United States. He should not have been dismissed from court, and the action of the circuit court in so doing should be reversed.

I also dissent in Nos. 250, 251, 265, 266, and 267.

## REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 7677) to appoint Warren C. Beach a captain in the Army and place him on the retired list, reported it without amendment, and submitted a report thereon.

Mr. FULTON, from the Committee on Claims, to whom was referred the bill (H. R. 20490) for the relief of Frank J. Ladner, asked to be discharged from the further consideration of the bill, and that it be referred to the Committee on Public Lands; which was agreed to.

Mr. LATIMER, from the Committee on Immigration, to whom was referred the bill (S. 8565) to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection of a public building in said city, on a site to be selected for said station, reported it with an amendment, and submitted a report thereon.

Mr. McLAURIN, from the Committee on Public Lands, to whom was referred the bill (H. R. 20490) for the relief of Frank J. Ladner, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 22182) to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs, reported it with an amendment, and submitted a report thereon.

## BRIDGES IN LOUISIANA.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25811) to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana, to report it favorably without amendment.

Mr. McENERY. I ask for the immediate consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HEZEKIAH DAVIS.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 21091) authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis, to report it favorably without amendment, and I submit a report thereon. It is a short bill to correct a military record, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## TOBE HOLT.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 16659) to correct the military record of Tobe Holt, to report it with an amendment, and I submit a report thereon. I ask that the bill be put on its passage.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the committee was, to add at the end of the bill the following proviso:

*Provided*, That no pay, bounty, or other emoluments shall become due or payable to any person by virtue of the passage of this act.

So as to make the bill read:

That Tobe Holt, alias Lewis Holt, be held and considered to have been honorably discharged from Company K, One hundred and tenth United States Colored Infantry, on May 6, 1864: *Provided*, That no pay, bounty, or other emoluments shall become due or payable to any person by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

## NATCHEZ ELECTRIC STREET RAILWAY AND POWER COMPANY.

Mr. WARREN. I report back without amendment from the Committee on Military Affairs the bill (H. R. 19751) to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss. I call the attention of the Senator from Mississippi [Mr. McLAURIN] to the bill.

Mr. McLAURIN. I ask unanimous consent for the present consideration of the bill just reported.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SAVANNAH RIVER DAM.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25849) permitting the building of a dam across the Savannah River at Cherokee Shoals, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## REPAYMENT TO CERTAIN ENTRYMEN.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 22588) for the relief of homestead entrymen who have paid more than the lawful purchase money, to report it favorably without amendment. It is a short bill, and I ask for its present consideration.

The Secretary read the bill.

Mr. KEAN. Is there a report accompanying the bill?

Mr. HANSBROUGH. I do not think a report is necessary.

Mr. KEAN. Then an explanation is necessary.

Mr. HANSBROUGH. Of course I know the deep interest the Senator from New Jersey has in all public-land questions, having once been a member of the Committee on Public Lands and having resigned from the committee. The bill has passed the House. It provides for the repayment to certain entrymen of the amount they paid in excess of what they were entitled to pay. There are probably not over a dozen instances in the country where three or four dollars or $10 is due to individuals. I do not think the bill is of sufficient importance to go over the cases, and certainly the committee did not think it of sufficient importance to present a written report.

The VICE-PRESIDENT. Objection is made to the consideration of the bill.

Mr. KEAN. I beg pardon; I do not object. I understand from the Senator from North Dakota that the bill covers only nine or ten cases.

Mr. HANSBROUGH. And it is recommended by the Commissioner of the General Land Office.

Mr. KEAN. I do not object to its consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## COLORADO STATE AGRICULTURAL COLLEGE.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 15859) ceding certain lands to Colorado State Agricultural College, to report it favorably without amendment, and I submit a report thereon. I call the attention of the Senator from Colorado to the bill.

Mr. TELLER. I ask for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUNDRY CIVIL APPROPRIATION BILL—PANAMA RAILROAD.

Mr. ALLISON. Mr. President, I desire to call the attention of the Senator from Texas [Mr. CULBERSON] to what occurred on yesterday in the consideration of the conference report on the sundry civil appropriation bill.

The Senator asked me a question with reference to a particular amendment, and in the haste of the moment I answered him that it was still in disagreement. That amendment was modified by the conferees and agreed to. So I made a mistake in my answer to the Senator from Texas. The modification is, I think, such as to be satisfactory to the Senator from Alabama [Mr. MORGAN], or, if not, it seemed satisfactory to the conferees at least. It is amendment No. 125, which provides for the transfer of certain balances so that the balances may be paid to the Panama Railroad Company.

Mr. CULBERSON. From what page of the RECORD does the Senator read?

Mr. ALLISON. It is on page 214 of the bill. It relates to an appropriation last year.

Mr. CULBERSON. On what page?

Mr. ALLISON. Page 214 of the last print. It is amendment No. 125.

Mr. CULBERSON. The copy of the bill that I have has only 198 pages.

Mr. ALLISON. I will hand the Senator a copy of the last print.

The appropriation last year was for $1,000,000, and it is found in the sundry civil act of that year. It reads as follows:

To continue the reequipment of the Panama Railroad, to be disbursed directly under the Isthmian Canal Commission, $1,000,000; no part of said sum shall have been so expended until the obligation of the Panama Railroad Company for the full amount thereof and drawing 4 per cent interest payable to the United States shall have been delivered to the Secretary of the Treasury of the United States and by him accepted.

It is the transfer of the unexpended balance of this appropriation that is provided for in the sundry civil bill of this year, and it is amendment No. 125. The amendment provides that whatever balance there is of this sum may be paid to the Panama Railway Company on account of any indebtedness the Panama Canal Company may owe to the railway company. The whole question is a matter of bookkeeping, as the Government of the United States owns the railroad and of course the canal itself; but we have provided that this sum, whatever it is, shall receive the approval of the Canal Commission, and that the amounts on account of the reimbursement shall be audited as all other accounts of the Commission are audited. So it seems that the appropriation is protected by the provision that is in the bill as finally agreed to in conference.

Mr. CULBERSON. Did I understand the Senator correctly as saying that the change provided by the conferees is agreeable to the Senator from Alabama?

Mr. ALLISON. No; I did not say that, because I did not have an opportunity of communicating with the Senator from Alabama on the subject, nor did the conferees have an opportunity.

Mr. CULBERSON. I understood the Senator to say it was thought to be acceptable to the Senator from Alabama, or at least to the conferees.

Mr. ALLISON. I did not say that it was acceptable to the Senator from Alabama.

Mr. CULBERSON. Of course I accept the explanation of the Senator as to what he said.

Mr. ALLISON. At the moment yesterday I misapprehended the situation, as we had really first agreed to disagree upon that amendment, and then returned to it and one or two other amendments, and finally, with a modification, we agreed to it.

Mr. CULBERSON. Mr. President, there is nothing that I can say just now, nor until I have had an opportunity to confer with the Senator from Alabama about the matter, as he proposed the amendment and wrote a letter to the Committee on Appropriations with reference to it. I will endeavor, if it be practicable, to see him this morning or to communicate with him in some way so that if I think it proper to take any action in the matter it can be taken. I suppose nothing can be done except to move a reconsideration of the vote, which was taken under a misapprehension, at least so far as I am concerned. Necessarily the explanation of the Senator from Iowa is entirely satisfactory as to how the mistake occurred.

Mr. ALLISON. I do not know whether the conference report can be reconsidered, it having been agreed to also by the House; but the amendment as now amended by the conferees can not be criticised by the Senator from Alabama, I think.

BELL FOR JAMESTOWN EXPOSITION.

Mr. PERKINS. I am directed by the Committee on Naval Affairs, to whom was referred the joint resolution (H. J. Res. 236) authorizing the Secretary of the Navy to furnish metal for a bell, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the joint resolution, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of the Navy to deliver to the Pocahontas Bell Association, if the same can be done without detriment to the public service, such condemned historic metal as he may deem proper, not to exceed 2,000 pounds in weight, to be used in casting a bell to be placed on the Virginia building at the Jamestown Exposition; but the Government shall be at no expense in connection with this gift.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SETH DAVIS.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 25801) granting an honorable discharge to Seth Davis to report it favorably without amendment. It is a short bill, and I ask for its present consideration. I submit a report to accompany the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that Seth Davis shall hereafter be held and considered to have been honorably discharged from the military service of the United States as first lieutenant Company E, Fourth Regiment Michigan Volunteer Infantry, on April 23, 1866, and that the Secretary of War shall issue to him an honorable discharge as of that date; but no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of the act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISIANA MOLASSES COMPANY, ETC.

Mr. ALDRICH. From the Committee on Finance I report back favorably without amendment the bill (H. R. 24833) for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that the vinegar factory of the Louisiana Molasses Company (Limited) and the distillery of the Louisiana Distilling Company, both situated in New Orleans, La., and having their respective premises separated from each other by a distance of only 425 feet in a direct line, may, to avoid special hardship to the proprietors of said premises, both continue to be operated as now situated and in like manner as they have been operated for seven and one-half years past in the belief that the premises were duly separated according to law, notwithstanding that the said premises are not distant from each other full 600 feet in a direct line, as required by the general statutes in that respect.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PENSION APPROPRIATION BILL.

Mr. McCUMBER. I submit a conference report on the disagreeing votes upon the pension appropriation bill. I should like to call the attention of Senators to this report, as many of them seem to be considerably interested in the subject of which the report treats. I will explain it after it has been read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have been unable to agree.

P. J. McCUMBER,
N. B. SCOTT,
*Managers on the part of the Senate.*

WASHINGTON GARDNER,
W. P. BROWNLOW,
JOHN A. SULLIVAN,
*Managers on the part of the House.*

Mr. McCUMBER. Mr. President, the committee of conference has met several times. There has been no disagreement

with reference to any amendment of the Senate except the amendment which reestablished the several pension agencies. Senators will remember that the House struck out all of the pension agencies from the bill except one—in other words, they abolished seventeen out of the eighteen pension agencies. The Senate amended the bill by reinstating all the pension agencies. In order to conform the bill to what was required, if we kept the other seventeen agencies, other amendments became necessary, all of which were adopted by the Senate. The amendment of the Senate reestablishing the seventeen agencies and amendments that bear directly upon that and perfect the legislation are the only amendments that are in controversy at present between the two Houses.

The report which the Committee on Pensions sent to the Senate some time ago clearly indicated, though in a very brief form, the reasons for reestablishing the several agencies. It may be said that the principal reason which governed in reestablishing them was that it was deemed practically for the best interest of the service that the disbursements should be made as near as possible to the place where the claimant under pension legislation resided, and in addition we deemed it wise that all branches of the Government, so far as practicable, might be conducted not necessarily at the capital, but at several points throughout the country, so that the people might thereby become acquainted with and be brought in closer relation to Government business.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. McCUMBER. Certainly.

Mr. CARTER. The Senator has stated that the pension agencies were to be reestablished. May I not inquire of him if he does not mean "continued" instead of "reestablished?"

Mr. McCUMBER. Well, I mean that, so far as the bill is concerned, the bill as it came from the House abolished seventeen agencies.

Mr. CARTER. Under existing law, should that provision of the bill be not enacted, the pension agencies would continue.

Mr. McCUMBER. If the provision placed in the bill by the House should not be adopted, the present pension agencies would continue.

Mr. BERRY. Will the Senator yield to me for a question?

Mr. McCUMBER. Certainly.

Mr. BERRY. It is about another matter. I was informed by some one that the general pension law, as recently passed, in some way did not provide for certain Mexican-war pensioners, or rather that it was intended to cut out those of a certain class. The Senator from North Dakota told me, I think, that he expected to correct it in this bill. I wish to know if that was done.

Mr. McCUMBER. It was done. It is in the second amendment, on page 2 of the bill.

Mr. BERRY. There is no objection to that on the part of the House?

Mr. McCUMBER. There is no objection whatever to that. The only question is upon the continuance of the appropriation for seventeen agencies, and we have agreed upon every matter but that one single proposition and those which are directly related to that proposition.

It has been estimated, Mr. President, that there will be a saving of from $100,000 to $150,000 by abolishing all of these agencies except one, and continuing that one in the city of Washington. I must say, after reading the testimony that has been given in this case and after receiving communication from the Department, taking into consideration the fact that we have greatly increased the labor of the Pension Bureau for the ensuing year, there will be no saving whatever in clerkships, and there will be simply the saving of $4,000 a year for each one of the seventeen agencies and $4,500 per year for rent necessary for the New York agency. I believe that the inconvenience to the veterans of the civil war will much more than balance the saving that will be attained by reason of abolishing the agencies.

Mr. President, if we were to have but a single disbursing agency, in my candid opinion we ought to place it as near the center of the soldier population in the United States as possible. It ought not to be in Washington. Chicago would certainly be a much better place for the convenience of all the ex-soldiers throughout the United States than the city of Washington.

It was suggested by the Commissioner of Pensions that we might cut the agencies down to nine. That was brought into the House with a favorable report. It was, however, amended in the House whereby all the agencies were abolished but one, with the idea that that agency would be continued at the city of Washington. There is no reason I know of why it should be continued at the city of Washington more than New York or Boston or Chicago or Knoxville or any other place near the center of the United States.

Now, Mr. President, that is all I have to say on the subject.

Mr. LONG. I wish to ask the Senator from North Dakota a question.

Mr. McCUMBER. Certainly.

Mr. LONG. The agency in the United States paying the largest amount in pensions is one at Topeka, Kans.

Mr. McCUMBER. The Senator is correct.

Mr. LONG. Is that one of the agencies discontinued by the House bill?

Mr. McCUMBER. Certainly. Every one of the agencies is abolished by the House provision, with the exception of one, and that is to be at the city of Washington.

Mr. LONG. I understand the Commissioner of Pensions recommended the discontinuance of nine of these agencies.

Mr. McCUMBER. He did.

Mr. LONG. I do not wish to take the time of the Senate to discuss the question except to say that I believe the Senate should insist upon its amendment and continue these agencies. The agency at Topeka, Kans., pays out the largest amount of any agency in the United States and should be continued. It is one of the nine agencies that the Commissioner of Pensions recommends should be continued. This agency should be continued for the convenience of the ex-soldiers of Kansas and adjoining States. The Senate should insist upon its amendment and thus continue all these agencies.

Mr. HOPKINS. Mr. President, I heartily concur in the opinion just expressed by the Senator from Kansas [Mr. LONG] as to the propriety of the conferees on the part of the Senate insisting that these agencies shall not be abolished or consolidated in one office in Washington. I have made some little investigation of what took place in the other branch of Congress at the time these amendments were adopted on the pension appropriation bill, and I confess that I fail to find any valid reason for the action that was taken to abolish all of the eighteen agencies except one.

Senators must remember that the establishment of these agencies was made a part of the law of the land after mature deliberation not only on the part of the Senate, but the House as well, and it was approved by the President many years ago. Under the law it is so arranged that the agencies are not fixed in any definite place, but they are arranged by the order of the Department so as to best subserve the interests of the ex-soldiers of the country who are pensioners under the law. It has been found during all the period we have had these agencies that they have worked well; and, as has just been stated by the Senator from Kansas, in order to facilitate the payment of pensions at Topeka, Kans., one was established there which has grown to be one of the largest in the United States. It is of great benefit to the old soldiers of the Middle West.

In my own State, at Chicago, we have a very large pension agency, which serves the interests, I should say, of from one hundred and fifty to two hundred thousand soldiers, and it will be a great hardship upon all those pensioners, in my judgment, if that agency shall be abolished.

Mr. President, the Commissioner of Pensions did not recommend the provision that was adopted by the House. No authority in any of the Departments that has anything to do with the administration of this law has recommended any such provision as that which has been adopted by the House. It was one of those impulsive actions upon the part of that body which, it seems to me, has neither rhyme nor reason in its favor.

I certainly hope that the conferees on the part of the Senate, in the interest of the old soldiers of the country, will insist that this provision proposed by the other House shall go out of the bill.

Mr. CURTIS. Mr. President, I hope the Senate will insist upon its amendment. I am satisfied, upon a careful investigation of this question that it will be found that no saving to the Government can be made by agreeing to the House proposition. In the city of Washington there are now paid 54,000 pensioners, which payment requires the services of twenty-four clerks. At Topeka are paid 115,000 pensioners, and thirty-nine clerks do the work. At Topeka as many as 13,000 vouchers have been paid in one day, while in the city of Washington, I am informed, that 3,000 per day is the record. If you consolidate these pension agencies, it will be necessary to have all the rolls at every agency of the United States copied and brought to Washington. The copying of those rolls will cost the Government at least $500,000.

At the present time rent is paid only in the city of New York; but if you bring the rolls here, you must rent buildings, and

this alone, with the additional room required for the clerks to be hired to do the work will vastly increase the expense. To remove all the agencies from among the soldiers, will also cause a delay in the delivery of the pension checks to the pensioners, in some cases seven or eight days. That would be very undesirable to the old soldiers, and I hope the Senate will insist on its disagreement to the House proposition.

Mr. PERKINS. Mr. President, I want to emphasize what has just been so well said by the Senator from Kansas [Mr. CURTIS]. We have a pension agency in San Francisco, where there are a large number of clerks employed. We are 3,000 miles from the capital, and it would be imposing a great hardship and a great injustice upon those who are entitled to pensions to require them to wait until they can communicate with the Government here at Washington.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Indiana?

Mr. PERKINS. I do.

Mr. BEVERIDGE. I should like to know, and I think other Senators would like to know, what excuse was given for this extraordinary and almost revolutionary provision of the other House for the wiping out of the pension agencies.

Mr. PERKINS. I presume the chairman of the Committee on Pensions [Mr. MCCUMBER] can answer that question better than I, but it seems to me it is the result of a desire to centralize all authority here at the national capital. Certainly it is not in the interest of economy and it is not in the interest of the convenience of the old soldiers. Our pension agency is now in the public building in San Francisco, and the people of that great State and the soldiers there are thereby accommodated. To transfer that agency to Washington would impose an additional expense upon the Government without saving—taking it in an economical point of view—one dollar of the expense now required for the conduct of the business of that agency.

Mr. MCCUMBER. Mr. President, answering the question of the Senator from Indiana [Mr. BEVERIDGE], I desire to say that the claim of the other House, as shown by the arguments there, was that there would be some economy in the matter of disbursement as to these seventeen agencies, affording, of course, some economy in the matter of a few clerkships that would be saved by reason of this transfer of the work to the city of Washington.

Right here I want to call attention to one fact, and that is that under the present law the President of the United States may discontinue any of these agencies if he considers that the service will be benefited either from an economical standpoint or from any other standpoint by reason of diminishing their number.

Mr. HOPKINS. Mr. President, I want to ask the chairman of the Committee on Pensions is it not a fact that no tabulated statement has been made as to what the expenses would be here as compared with the present expenses, where the eighteen pension agencies are operated, and that the contention that there will be an economy in that direction is simply a statement that is made without any facts being shown to sustain it?

Mr. MCCUMBER. The conferees on the part of the House based their claim for economy on these propositions: First, that there will be a saving of the salaries of seventeen agents, which amount to $4,000 a year each; and then they assume that it will reduce the clerkships to a certain extent. It is shown by the evidence that the pension agencies that disburse the larger amounts cost less per capita of soldiers to whom the disbursements are made, and therefore, by still further concentrating, it is contended we could make the cost of such disbursement still less.

Mr. CULLOM. Mr. President, I desire to ask the chairman of the Committee on Pensions whether he favors this scheme of consolidation?

Mr. MCCUMBER. I do not.

Mr. CULLOM. I am glad of that.

Mr. MCCUMBER. I reported against it.

Mr. CULLOM. I hope the chairman of the committee will continue to insist on the Senate amendment.

Mr. ALLISON. I ask the chairman of the committee when these pension agencies are proposed to be abolished by this House proposition?

Mr. MCCUMBER. Immediately.

Mr. ALLISON. Mr. President, I hope that that will not be done. I think, in view of the legislation we have passed at this session, granting additional service pensions, that it is not wise to so change the method of paying pensions as to entirely revolutionize the system. While it may be easy to show on paper that the situation is such that a single agency could be managed more economically than seventeen different agencies, I think it will be found that, if the agencies are all concentrated in the city of Washington, with the additional charges for rental, clerk hire, and all the surroundings of a great bureau here at Washington to pay pensions, it will in the end increase rather than diminish the cost.

Mr. MCCUMBER. I call the Senator's attention to the fact that in the outlying agencies the salaries of clerks will average, I think, less than $900 a year, while the cost of clerk hire in the city of Washington for the same service will average more than $1,200 a year.

Mr. ALLISON. That is true. I am sure there is no economy in the proposed change.

Mr. SCOTT. Mr. President, the conferees on the part of the Senate on the pension appropriation bill have taken a very firm stand for sustaining the law as it now exists. I have given this matter considerable thought and I am satisfied that if the proposition of the House should prevail no economy would be brought about by the abolition of the various pension agencies outside of Washington. There might possibly be a very small saving, but certainly it would throw everything into confusion, and especially at this time when the new pension law we passed here a few weeks ago is just going into effect.

The Commissioner of Pensions told me that there were already between 75,000 and 100,000 applications for pensions under the law we have recently passed. We should not, therefore, change the places of paying the pensions and disarrange the business at this time. I have insisted with the conferees of the House that the matter should at least go over for a year, until we can see what will be the effect of the new law and how much additional work will be thrown on the different agencies in the payment of pensions in consequence of it.

I hope the Senate will stand by the conferees in the position they have taken on this question.

Mr. CULLOM. The Senate will do so, of course.

Mr. BEVERIDGE. Mr. President, I have listened with more than common interest to the statements which have been made in the last few minutes in reference to the proposition of the other House; which seems to be not only extraordinary, but absurd. One statement, it seems to me, is sufficient to demolish the whole contention, and that is, Mr. President, that there are still nearly 1,000,000 of the old soldiers and their widows on the pension rolls of the Republic, scattered from ocean to ocean and from Mexico to the Dominion. The gentlemen who want to change the system and direct the whole administration of this department from Washington alone need not be in such great haste. It will not be very long until the years shall have completed this work; but there are still a million of these recipients of the Government's bounty and the Government's justice. So it appears that the proposition to take the pension agencies from their midst, where the pensions are paid to them directly, is not only an extraordinary act, but an absurd one, without the shadow of a reasonable excuse for it.

I hope that the Senate will unanimously stand by its conferees persistently in the position they have taken against the proposition which the House has advanced.

Mr. HANSBROUGH. Mr. President, I earnestly hope that the Senate will sustain its conferees in the position they have taken respecting this matter. The Senator from Iowa [Mr. ALLISON] sounded the keynote of the situation when he said that to concentrate these agencies in the city of Washington would eventually result in greater expense than that which is now incurred by the various agencies scattered throughout the country.

We all know what it means to establish a bureau in the city of Washington. At first it may involve an insignificant sum, but it only requires a few years, Mr. President, for it to become a very elaborate and expensive affair. That is precisely, in my judgment, what would happen in this case if we should concentrate the various pension agencies here in the city of Washington.

Mr. FRYE. Mr. President, I sincerely hope the conferees on the part of the Senate will adhere to their present position. The attempt has been made to consolidate these pension agencies again and again, and after careful investigation every time the proposition has been decided against. I do not believe there is a pensioner in the United States of America who is in favor of the consolidation of these pension agencies and locating a bureau for the transaction of the business in the city of Washington. I hope the conferees will adhere to their position.

Mr. CARMACK. Mr. President, I believe I am as much in favor of economy as any Senator on this floor, but I do not believe that economy should be the only consideration in judging the merits of any measure that may be proposed. I agree with the Senator from North Dakota [Mr. MCCUMBER], the chairman of the Committee on Pensions, that we ought not to concentrate

too much of administration in the city of Washington, and that wherever it can be performed elsewhere without injury to the public service it ought to be done.

I wish to express my opinion, furthermore, that if this measure were passed and the pension agencies were abolished, it would not result in any economy to the Government. The very moment these agencies were all concentrated in the city of Washington there would be a demand for increased salaries of clerks, and they would inevitably be increased by 33⅓ per cent, to put them on a level with the salaries of other clerks now in the city of Washington. I believe it would be best for the administration of our pension laws that the pension agencies should be retained.

Mr. GALLINGER. Mr. President, I have necessarily been absent from the Chamber and confess to not having a very correct idea of what has been going on this morning, but I assume from what I have heard that this is a discussion as to the desirability of abolishing the pension agencies in the country and putting the matter in the hands of one agent in the city of Washington. I want simply to say in reference to that that when the present agencies were established there were less than one-half as many pensioners in the country as there are to-day. So that, if there ever was need for these agencies, there is a greater need now for these agencies than there has been in the past, at least a much greater need than there was when they were established.

Again, Mr. President, our recent legislation is going to bring a very great amount of additional work for the pension agents of the country. I think 100,000 applications have come in under the act we recently passed, and it does seem to me that this is an inopportune time to make this proposed consolidation, whether it be claimed that it is in the interests of economy or for any other purpose.

I know that the old soldiers do not want this thing done, and I think we ought to take that matter into very serious consideration. I have here, Mr. President, a letter from the War Veterans and Sons' Association, with headquarters at Brooklyn, N. Y., which is a very strong presentation of the matter, and I will ask permission to place it in the RECORD.

The VICE-PRESIDENT. In the absence of objection, the letter referred to by the Senator from New Hampshire will be printed in the RECORD.

The letter referred to is as follows:

WAR VETERANS AND SONS' ASSOCIATION,
ROOM 2, BOROUGH HALL,
*Brooklyn, N. Y., February 6, 1907.*

DEAR SIR AND COMRADE: At a regular meeting of the War Veterans and Sons' Association of the United States of America (Incorporated), held on February 6, 1907, at their headquarters, room 2, Borough Hall, the following resolutions were adopted and ordered sent to all Members of Congress and United States Senators, and all kindred organizations which have the interests of the veterans and their widows at heart, urging them to use their best endeavors to prevent the enacting of a bill presented in Congress having in view the abolition of the seventeen pension agencies, located in convenient sections of the United States, and centralizing the payment of pensions from one agency at Washington, D. C.; and

Whereas the sole reason for this proposed sweeping change is the possibility of an insignificant saving in the cost of disbursing the amount paid to pensioners which has been reduced to a minimum, being now less than 3½ mills per dollar; Therefore, be it

*Resolved*, That the War Veterans and Sons of the United States of America hereby most earnestly protest against the abolishment of the pension agencies as now established. The present system is most satisfactory to the pensioners residing, as they do, within a radius of two or three hundred miles of the agency making the payment; enabling them to receive their payments within a few days after date on which they become due. Should the contemplated change occur, there must result delay in payments, causing unnecessary hardships and inconvenience to all pensioners, especially that type of men who may be classed the saviors of our glorious country, who defended the Government and the Constitution in the darkest days of its history, the veterans of the civil war; and be it further

*Resolved*, That we leave no stone unturned that will help to annul this injustice to our comrades who are on the pension roll.

P. S. M. MUNRO, *President.*
WILLIAM H. FAINTER, *Secretary.*

Mr. GALLINGER. I trust, Mr. President, that the conferees on the part of the Senate may stand firm in this matter, and that we may be permitted to continue this work as we have been doing in the past. If in the future, as this vanishing army of men who saved the country diminishes, it is deemed desirable to do this thing, then let it be done, but let it be done with greater deliberation and more consideration than the matter has received up to the present moment.

Mr. LODGE. Mr. President, I desire merely to add a word to what has been said by the Senator from New Hampshire [Mr. GALLINGER]. I know that in my State and in all the region thereabouts the abolition of pension agencies would be a cause of great inconvenience and would be a real misfortune to the veterans who receive pensions. I see no good reason for abolishing the agencies at this time. The pensioners are growing old; they are accustomed to going to the agencies which are within easy reach of their homes, and to compel them to collect their pensions from Washington would put them not only to trouble, but to some expense. I do not believe any money would be saved in the long run by adopting the proposed change, and I am sure the old soldiers would suffer from it.

I only say this, Mr. President, because I hope the conferees will realize that the feeling of the Senate, or of many Senators at least, is very strong on this point, and that they are anxious that the conferees should stand firm on the Senate amendment, which I believe to be a thoroughly proper one.

Mr. DICK. Mr. President, all the reasons advanced are good in themselves, but the one which I think more strongly emphasizes the importance of not changing this arrangement at this time is the fact that recently we have passed legislation which adds perhaps 100,000 pensioners to the pension roll. Already the Department is overwhelmed with applications. The men now engaged in the work at the established agencies are better able to care for it expeditiously and satisfactorily than new men in a new bureau could possibly do.

In order that the sentiment of the Senate may be properly tested, Mr. President, upon the matter, I move that the Senate recede from its amendment and that a vote be taken upon that motion. I shall vote against the motion, because I am for the proposition as represented in the Senate amendment, but, in order that the sentiment of the Senate may be tested, I make that motion.

Mr. BEVERIDGE. Should not the motion be that the Senate insist on its amendment?

Mr. DICK. My reply to that is that it seems to me that a vote on this motion would more thoroughly sound the sentiment of the Senate than would a motion put in any other form.

Mr. HEMENWAY obtained the floor.

Mr. FRYE. Will the Senator allow me a word?

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Maine?

Mr. HEMENWAY. Certainly.

Mr. FRYE. A motion to adhere would not do; if the Senate voted to adhere that would kill the bill.

Mr. FORAKER. I want to have a motion that will mean what we want to do. I believe in making such a motion as we want to see carried. I want to adhere to the position that the Senate has taken in regard to the matter, and I want to support the conferees. I do not care about the form of the motion, if it means what we want to vote to do. I want to add a word, Mr. President, of hearty sympathy——

Mr. SPOONER. Will the Senator from Ohio change his motion——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Wisconsin?

Mr. HEMENWAY. I intended to discuss the motion made by the Senator from Ohio [Mr. DICK], but I yielded to the Senator from Ohio [Mr. FORAKER].

Mr. FORAKER. I only wanted to say what I had almost concluded saying when I was interrupted, that I am in hearty sympathy with all that has been said here in favor of retaining these agencies as they are now established. I am opposed to this everlasting concentration of everything in Washington. Let us have something as it has been heretofore, especially that which is popular and which the public demand seems to require. I hope the Senate conferees will maintain their position.

Mr. HEMENWAY. Mr. President, the Senator from Ohio [Mr. FORAKER] has expressed my thought. I see no reason why all of this work should be concentrated in Washington. The fact is, that salaries paid at the various agencies in the States are not as high as the salaries paid in Washington; living is not as high, and, from the standpoint of economy, there is nothing to be gained by the proposed change; but it will result in great detriment to those who are receiving pensions, delay in transmitting their checks, etc.

Mr. GALLINGER. If the Senator will permit me, on just that point, I wish to say that out of ten clerks in the pension agency in New Hampshire seven are only receiving $60 a month. If this work were transferred to Washington, we know what would happen so far as expenditures are concerned.

Mr. HEMENWAY. I am obliged to the Senator for calling attention to that fact. If the work were done in Washington, the salaries of the clerks would be at least $1,200 a year.

Mr. KNOX. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Pennsylvania?

Mr. HEMENWAY. Certainly.

Mr. KNOX. I should like to have the Senator from Indiana state the exact question and the parliamentary form that it is in. Some of us upon this side have not been able to hear.

Mr. HEMENWAY. The motion made by the Senator from Ohio [Mr. DICK] was that the Senate recede from its amendment. That would simply take the sense of the Senate on that proposition.

Mr. KNOX. What is the exact proposition? That is what we want to know.

Mr. HEMENWAY. To recede from the amendment of the Senate. The House, as I understand, in the appropriation bill provided that all local pension agencies should be discontinued and that the business should be transacted in the city of Washington. The Senate amended that by striking out the provision. I will ask the chairman of the Committee on Pensions if that is not correct?

Mr. McCUMBER. Yes.

Mr. HEMENWAY. The Senate amended that by striking out the provision and leaving the agencies as they now exist. The motion of the Senator from Ohio would simply take the sense of the Senate on that proposition, and those believing that the agencies should be continued as they now exist would vote against his motion. A motion to further insist might be the proper motion.

Mr. CULLOM. In my judgment that would be the proper motion.

Mr. HEMENWAY. I do not know but that it would be the proper motion.

Mr. CULLOM. The proper motion is to further insist upon the Senate amendment.

Mr. HEMENWAY. The proper motion would be to further insist upon the Senate amendment; and, with the permission of the Senator from Ohio [Mr. DICK], I would move to amend his motion so that it will be that the Senate further insist on its amendment disagreed to by the House of Representatives to the bill.

Mr. DICK. Mr. President, since it is my purpose to get the strongest possible expression of the Senate favorable to the contention of the Senate conferees, I accept the suggestion of the Senator from Indiana [Mr. HEMENWAY] and will change the form of the motion so as to make it that the Senate further insist upon its amendment, instead of receding.

Mr. HEMENWAY. I suggest that we have a yea-and-nay vote on that motion.

Mr. HEYBURN. Mr. President, I think it has not been developed that other States than those having agencies within their borders are particularly interested in this matter. My State is in the California district, and so are Montana and Washington and the entire line of States on the Pacific coast.

Mr. PERKINS. And Oregon and Nevada.

Mr. HEYBURN. Yes; and Oregon and Nevada. It is a very great convenience to pensioners within that Pacific coast district to have an agency in San Francisco, which is the center of the pension business in that region, and our pensioners receive their checks from that office. It is an agency that is not established upon such an expensive basis as that on which the Departments are run in Washington. If it is transferred to Washington, it would be placed upon the expensive basis upon which business of that kind is done in Washington, whereas if transacted at any agency it is comparatively an inexpensive proposition. Senators from the Pacific coast will undoubtedly join in resisting a change that would result in the abolition of our central agency for the distribution of pensions on the Pacific coast.

Mr. FRYE. Let us have a vote.

The VICE-PRESIDENT. The question is on the motion of the Senator from Ohio that the Senate further insist upon its amendment.

Mr. GALLINGER. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. OVERMAN. I ask that the question be stated.

The VICE-PRESIDENT. The question is on the motion of the Senator from Ohio [Mr. DICK] that the Senate further insist upon its amendment disagreed to by the House of Representatives. Upon that motion the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I am sure he would vote "yea" if present. I would vote the same way. So I will vote. I vote "yea."

Mr. ELKINS (when his name was called). Although paired, I will vote on this question. I vote "yea."

The roll call was concluded.

Mr. DEPEW. I wish to announce that my colleague [Mr. PLATT] is unavoidably absent. He sends me word that if he were present he would vote "yea."

Mr. WARNER. My colleague [Mr. STONE] is unavoidably detained from the Chamber.

Mr. CLAPP. I desire to say in this connection—and I wish the announcement to stand for any other vote that may be taken to-day—that my colleague [Mr. NELSON] is detained at his home by sickness.

Mr. BRANDEGEE. I wish to announce that the junior Senator from Wisconsin [Mr. LA FOLLETTE] is detained from the Senate by illness.

Mr. BURROWS. My colleague [Mr. SMITH] is temporarily absent from the Chamber. If present he would vote "yea."

The result was announced—yeas 62, nays 1, as follows:

YEAS—62.

| | | | |
|---|---|---|---|
| Aldrich | Culberson | Hansbrough | Newlands |
| Allee | Cullom | Hemenway | Nixon |
| Allison | Curtis | Heyburn | Overman |
| Ankeny | Depew | Hopkins | Perkins |
| Bacon | Dick | Kean | Pettus |
| Berry | Dillingham | Kittredge | Piles |
| Beveridge | Du Pont | Knox | Proctor |
| Blackburn | Elkins | Latimer | Rayner |
| Brandegee | Flint | Lodge | Scott |
| Burnham | Foraker | Long | Sutherland |
| Burrows | Frazier | McCreary | Teller |
| Carmack | Frye | McCumber | Tillman |
| Carter | Fulton | McEnery | Warner |
| Clapp | Gallinger | McLaurin | Whyte |
| Clark, Mont. | Gamble | Mallory | |
| Clay | Hale | Millard | |

NAY—1.

Burkett

NOT VOTING—27.

| | | | |
|---|---|---|---|
| Bailey | Dryden | Mulkey | Smoot |
| Bulkeley | Dubois | Nelson | Spooner |
| Clark, Wyo. | Foster | Patterson | Stone |
| Clarke, Ark. | La Follette | Penrose | Taliaferro |
| Crane | Martin | Platt | Warren |
| Daniel | Money | Simmons | Wetmore |
| Dolliver | Morgan | Smith | |

So the motion of Mr. DICK was agreed to.

Mr. McCUMBER. The Senate having expressed itself upon this question, I move that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed as the conferees on the part of the Senate Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO.

MEXICAN KICKAPOOS.

Mr. GALLINGER. I ask that the message from the House of Representatives in reference to the shipping bill be laid before the Senate.

Mr. TELLER. I desire to call up a joint resolution.

Mr. GALLINGER. I yield to the Senator from Colorado.

Mr. TELLER. I ask leave, on behalf of the Committee on Indian Affairs, to call up the joint resolution (S. R. 95) relating to proceedings to set aside deeds alleged to have been made by Mexican Kickapoos. It has been on the table some days. I should like to have it passed, if possible. There are certain amendments.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. CARMACK. Who presented the joint resolution, may I ask?

Mr. TELLER. The Committee on Indian Affairs.

Mr. CARMACK. All right.

Mr. TELLER. I presented it for the committee. There are some modifications.

The VICE-PRESIDENT. The amendments proposed by the Senator from Colorado will be stated.

The amendments were, on page 1, line 5, after the word "of," to insert "all of;" in line 12, after the word "Mexico," to insert "or elsewhere;" in line 3, on page 2, to strike out the words "specially employed;" in line 5 to strike out "and their trustees;" in line 6, before the word "aside," to strike out "to;" in line 7, after the word "Indians," to strike out "and their trustees;" and in line 9 to strike out "and he is further directed to prosecute, in the proper courts, any and all parties to said frauds; and he is authorized to employ for said purposes suitable attorney or attorneys as his assistant or assistants who has or have the confidence of said Indians;" so as to make the joint resolution read:

*Resolved, etc.*, That the Committee on Indian Affairs of the Senate be, and it hereby is, directed to file with the Attorney-General of the United States a copy of all of the testimony taken by it under Senate resolutions Nos. 220 and 261, Fifty-ninth Congress, second session, and that upon the filing of such testimony the Attorney-General be, and he hereby is, authorized, in his discretion, to investigate any and all conveyances purporting to have been executed and acknowledged in the Republic of Mexico or elsewhere, of lands situated in Oklahoma and heretofore allotted to Mexican Kickapoo Indians now nonresident in the United States, and if the said conveyances, or any of them, appear to have been procured by fraud or fraudulently executed, he shall, by his assistant or assistants, appear in and defray the costs of and prosecute proceedings in the proper courts on behalf of said Indians and their trustees, to cancel and set aside said conveyances, and

to clear the title of said Indians to said land from any and all cloud thereon, the result of such fraudulent conveyances; and for said purpose and the payment of costs in suits to set aside said fraudulent conveyances there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000, the same to be immediately available.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. BURKETT introduced a bill (S. 8621) referring to the Court of Claims the claim of the heirs and legal representatives of John P. Maxwell and Hugh H. Maxwell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 8623) to confer jurisdiction upon the Court of Claims to determine in equity the rights of American citizens under the award of the Bering Sea arbitration of Paris and to render judgment thereon; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 8624) to restore Leonard Martin Cox to the Corps of Civil Engineers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. WETMORE introduced a bill (S. 8625) granting an increase of pension to Henry E. Wells; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULBERSON introduced a bill (S. 8626) to purchase a site for the postal service in the city of Austin, Tex., and to construct thereon a suitable building; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. FRYE submitted an amendment proposing to appropriate $5,000 to reimburse officers and enlisted men of the United States Revenue-Cutter Service who were on duty under orders at San Francisco during the earthquake and fire, April 18, 1906, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. BURNHAM submitted an amendment proposing to appropriate $15,000 to pay the State of New Hampshire for certain tracts of land forming the site of Fort Constitution, Portsmouth Harbor, New Hampshire, intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations.

WITHDRAWAL OF PAPERS.

On motion of Mr. McENERY, it was

*Ordered*, That the papers in the case of the bill S. 1221, first session, Fifty-ninth Congress, for the relief of J. de L. Lafitte, be withdrawn from the files of the Senate, there being no adverse report thereon.

THE MERCHANT MARINE.

Mr. GALLINGER. I have asked a privileged question, that a message from the House be laid before the Senate, but if Senators have morning business to present I have no disposition to shut it out, and I will yield to such Senators.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon rise to morning business?

Mr. FULTON. I do.

Mr. GALLINGER. I yield to the Senator from Oregon.

REFERENCE OF CLAIMS TO COURT OF CLAIMS.

Mr. FULTON. I submit a resolution, for which I ask present consideration.

The VICE-PRESIDENT. The Senator from Oregon submits a resolution, which will be read.

The Secretary read as follows:

IN THE SENATE OF THE UNITED STATES,
*March 2, 1907.*

*Resolved*, That the claims of Capt. E. St. John Greble and other officers and enlisted men of the United States Army (S. 283); county court of Randolph County, W. Va. (S. 291); heirs of Richard R. Mosley (S. 310); creditors of the Deposit Savings Association of Mobile, Ala. (S. 346); heirs of Celestine Sarra, deceased (S. 351); William B. Duncan, administrator de bonis non of David S. Jones, deceased (S. 370); T. L. Love (S. 374); estate of H. West, deceased (S. 403); estate of John S. Sturdy, deceased (S. 405); legal heirs of the late John George Bauer (S. 413); M. A. Shelton (S. 650); R. L. Foster, surviving partner (S. 651); Georgia Railroad and Banking Company (S. 819); estate of William Johnson, deceased (S. 905); Hyland C. Kirk and others, assignees of Addison C. Fletcher (S. 1048); J. A. Shackleton (S. 1183); William H. Howard and Oliver D. Lewis (S. 1193); B. J. D. Irwin (S. 1209); Susan B. Schroeder, daughter of Susan Allen, deceased (S. 1280); heirs of George Gardner (S. 1293); estate of Oliver Milburn, deceased (S. 1333); drafted men of Pendleton and other counties, in the State of Kentucky (S. 1451); David Tuckwiller and Sarah Bettie Wilson (S. 1503); reopening and readjustment of the accounts of Joseph A. Mower, deceased, late major-general, United States Army, and for other purposes (S. 1553); heirs of Jenkins & Havens (S. 1554); heirs of Joseph H. Etheridge and William D. Etheridge (S. 1766); estate of Esau Berry, deceased (S. 1776); O. P. Cobb's heirs and others (S. 1859); Sarah Jane Bellah, administratrix of the estate of James W. Bellah, deceased (S. 1870); J. C. Brooks (S. 1877); Mrs. C. A. Hale (S. 1932); James C. Burke (S. 2063); Clotilda Freund, assignee of Frank W. Freund (S. 2088); heirs of Henry N. Harris, deceased (S. 2131); estate of George P. Carmichael, deceased (S. 2147); estate of F. A. De Georgis, deceased (S. 2149); estate of Robert B. Smith, deceased (S. 2150); estate of Edward R. Phillips, deceased (S. 2584); estate of Joseph P. Mahaney (S. 2599); Samuel S. Dennis (S. 2608); heirs of William B. Etheridge (S. 2609); heirs of John D. Matthews (S. 2610); Joseph Disney (S. 2740); John B. Warren (S. 2814); estate of Jean Louis Malvean, deceased (S. 2894); estate of George Neck, sr. (S. 2903); estate of James R. Young, deceased (S. 2906); Arvillen Broussard (S. 2911); Mrs. E. C. McIntyre (S. 2916); estate of C. E. Booty (S. 2917); estate of Louis Baron, deceased (S. 2918); estate of William Griffith, deceased (S. 2922); estate of George W. Dyson, deceased (S. 2944); estate of Adelon Vigues, deceased (S. 2930); heirs of Syrus Ratliff, deceased (S. 2931); estate of Emilie Rost, deceased (S. 2937); estate of John R. Temple, deceased (S. 2943); Elias Weaver (S. 3003); George H. Hogan (S. 3004); estate of William Curtis, deceased (S. 3049); estate of Peter H. Gold, deceased (S. 3050); estate of Green Guest, deceased (S. 3051); heirs of George Orville Ragland, deceased (S. 3056); Joseph Lightfoot (S. 3061); William H. Hillard (S. 3062); estate of Caswell B. Derrick, deceased (S. 3064); estate of Benjamin B. Coffey, deceased (S. 3070); estate of B. G. Chandler, deceased (S. 3072); estate of John Black, deceased (S. 3074); estate of James Woosley, deceased (S. 3082); James H. Young, Benjamin F. Young, and F. A. Young (S. 3083); estate of Elizabeth Blakemore, deceased (S. 3091); estate of Livi Jones, deceased (S. 3093); estate of Samuel H. Gilbert, deceased (S. 3099); heirs of Nicholas Stonestreet, deceased (S. 3135); estate of Alexander Russell, deceased (S. 3356); estate of D. U. Ford, deceased (S. 3362); Jane P. Moore (S. 3374); estate of Benjamin Hawes, deceased (S. 3377); estate of Francis Griffing, deceased (S. 3378); estate of Milton Crawford, deceased (S. 3380); estate of Nancey Barrow, deceased (S. 3384); B. V. McGuffie, sr. (S. 3387); Mrs. Virginia Grant (S. 3389); estate of Jane N. Gibson, deceased (S. 3394); estate of J. B. Lewis, deceased (S. 3397); estate of R. T. Brown, deceased (S. 3399); A. W. Tedcastle, guardian of Frances L. Snell (S. 3421); heirs of Allison Nailor, sr., deceased (S. 3448); Francis O'Bannon (S. 3451); James M. Shilling (S. 3462); T. J. Coagar (S. 3501); John M. Jamieson (S. 3510); John L. Brown and the estates of A. T. Redditt and William G. Judkins (S. 3542); Willie Anna Hobgood (S. 3559); estate of Thomas V. Provence, deceased (S. 3710); estate of Alexander F. Beckham, deceased (S. 3829); estate of Isaac Haynes, decesaed (S. 3867); estate of William Shreve, deceased (S. 3871); estate of Thomas A. Dough, deceased (S. 3887); estate of William Keith (S. 3974); estate of Jonathan H. Ellison, deceased (S. 3975); heirs of Dr. J. B. Owen (S. 3981); estate of David Heller, deceased, and E. Mary Heller (S. 4098); occupants and owners of property of Camp Tyler, in Cook County, Ill. (S. 4149); estate of George W. Taylor, deceased (S. 4260); Lorenzo D. Corrick, administrator of William Corrick, deceased (S. 4276); estate of William Flannigan, deceased (S. 4374); Hosmer, Crampton & Hammond and others (S. 4402); George W. Landram and H. M. Henson, only surviving heirs of Hubbard Landram and Hugh Henson, deceased (S. 4540); heirs of Thomas J. Williams, deceased (S. 4620); estate of Hiram Anderson, deceased (S. 4657); heirs of John Schwartzenburg, sr., deceased (S. 4659); estate of Alfred L. Shotwell (S. 4696); estate of John W. Hester, deceased (S. 4713); estate of Anton Borchert (S. 4731); Aaron C. Dean (S. 4798); estate of Sion Johnson, deceased (S. 4801); estate of Joshua Hill, deceased (S. 4808); John Alexander Besonen (S. 4809); estate of Dr. O. P. Hill, deceased (S. 4824); heirs of T. N. Ferrell, deceased (S. 4867); Anna M. Orne (S. 5087); trustees of Trinity Protestant Episcopal Church, of Martinsburg, W. Va. (S. 5180); Robert Langston (S. 5230); estate of T. H. Goodloe, deceased (S. 5237); Virginia K. Hahn and Mary E. Carroll, heirs of James Bridger (S. 5242); A. Boschke, civil engineer: *Provided*, That any testimony, affidavits, and other papers of file in either House of Congress relating to said claim shall be considered by the court as competent evidence and such weight given thereto as, in its judgment, is right and proper (S. 5336).

Joseph E. Funkhouser (S. 5413); estate of the late Christina Turner (S. 5422); legal representatives of P. M. Craigmiles, deceased (S. 5424); legal representatives of the estate of James Maney (S. 5425); John Sharp and John Dickson (S. 5464); heirs of S. W. Thrift (S. 5496); estate of John McFarland, deceased (S. 5576); Mary Christopher, heir of Lowell G. Spaulding, deceased (S. 5619); heirs of Richard Terrell (S. 5642); Mary E. Macgregor (S. 5647); estate of John Jones, deceased (S. 5651); heirs of Mrs. D. J. Booth, deceased (S. 5652); estate of William McCreight, deceased (S. 5654); heirs of Alfred Mullins, deceased (S. 5656); estate of Solomon Landis, deceased (S. 5663); estate of John Bunch, deceased (S. 5667); estate of F. L. Hammond, deceased (S. 5688); estate of John M. Rook, deceased (S. 5792); Frances M. Egan, administratrix of Patrick Egan, deceased (S. 5831); Julia D. Harris, administratrix of the estate of Stephen Daggett, deceased (S. 6013); estate of Charlotte A. Armstrong, deceased (S. 6021); L. A. Jopeline (S. 6048); estate of Mary F. Birdsong, deceased (S. 6069); Burwell J. Curry (S. 6107); village of Graysville, in Catoosa County, Ga. (S. 6201); estate of Francis A. Gonzales and Antonio Gonzales (S. 6242); heirs of John R. Savage, deceased (S. 6291); heirs of James Downs and Christine Downs, deceased (S. 6335); estate of George W. McGrew, deceased (S. 6337); Sampson Snyder (S. 6341); city of Glasgow, Mo. (S. 6387); George Ivers, administrator de bonis non of William Ivers, deceased (S. 6403); heirs of Thomas P. Mathews (S. 6442); trustees of the Presbyterian Church of Macon, Mo. (S. 6449); trustees of the Methodist Episcopal Church of Macon, Mo. (S. 6450); Methodist Episcopal Church South, of Charleston, Tenn. (S. 6479); George K. Hathaway, administrator of John R. Hathaway, deceased (S. 6502); Mrs. Emily Miller (S. 6528); heirs of George M. Hamner, deceased (S. 6550); deacons of the First Presbyterian Church of Bowling Green, Ky. (S. 6620); trustees of the African Baptist Church of Paris, Ky. (S. 6621); trustees of the Green River Collegiate Institute, as successor to Hart Seminary, of Munfordville, Ky. (S. 6622); trustees of the Methodist Episcopal Church of Jumping Branch, W. Va. (S. 6638); trustees of

the Methodist Episcopal Church of Ravenswood, W. Va. (S. 6639); trustees of Christ Protestant Episcopal Church, Bunker Hill, W. Va. (S. 6640); trustees of the Missionary Baptist Church, of Webster, W. Va. (S. 6641); trustees of the Fetterman (now West Main Street) Methodist Episcopal Church, of Grafton, W. Va. (S. 6642); Caledonia Lodge, No. 4, Independent Order of Odd Fellows, of Shepherdstown, W. Va. (S. 6643); trustees of the Methodist Episcopal Church of Paw Paw, W. Va. (S. 6644); estate of William L. Bradley (S. 6646); estate of John Fields, sr., deceased (S. 6727); heirs of Nathaniel Tarr, deceased (S. 6737); trustees of the Colored Baptist Church of New Castle, Ky. (S. 6744); trustees of the Christian Church of Mount Sterling, Ky. (S. 6746); vestry of Christ Protestant Episcopal Church, of Bowling Green, Ky. (S. 6747); trustees of the Sulphur Wells Christian Church, near Nicholasville, Ky. (S. 6748); trustees of the Baptist Church of Brandenburg, Ky. (S. 6749); trustees of the St. Paul African Methodist Episcopal Church, of Paris, Ky. (S. 6750); trustees of St. James Evangelical Lutheran Church, of Gettysburg, Pa. (S. 6752), St. Francis Xavier Roman Catholic Church, of Gettysburg, Pa. (S. 6753); Locust Dale Academy, of Madison County, Va. (S. 6757); trustees of Piney Branch (or Yellow) Church, of Spottsylvania County, Va. (S. 6758); trustees of the Tabernacle Methodist Church of Spottsylvania County, Va. (S. 6759); trustees of Salem Baptist Church, Spottsylvania County, Va. (S. 6760); trustees of Zoan Baptist Church of Spottsylvania County, Va. (S. 6761); trustees of the Liberty Baptist Church and the trustees of the Liberty Methodist Episcopal Church South, of Bealton, Va. (S. 6762); trustees of the Old School Baptist Church, of Upperville, Va. (S. 6763); trustees of the Methodist Episcopal Church South, of Paris, Va. (S. 6764); trustees of Chappawamsic Primitive Baptist Church, of Stafford County, Va. (S. 6765); trustees of the Little River Missionary Baptist Church, near Aldie, Va. (S. 6766); trustees of Ralls Lodge, No. 33, Ancient Free and Accepted Masons, of Madisonville, Mo. (S. 6777); trustees of the Beaufort Library Society, of Beaufort, S. C. (S. 6781); vestry and church wardens of the Episcopal Church of the Parish of Christ Church, South Carolina (S. 6782); trustees of the Ewing Institute, of Perryville, Ky. (S. 6831); trustees of the Christian Church of Perryville, Ky. (S. 6832); trustees of Trinity Presbyterian Church, of Lavacca, Catahoula Parish, La. (S. 6854); personal representatives of James Rhodes, deceased (S. 6874); trustees of Lutheran Parsonage, of Effingham County, Ga. (S. 6880); session of the Presbyterian Church of Greenwood, Prince William County, Va. (S. 6886); trustees of the Primitive Baptist Church, of Front Royal, Va. (S. 6887); trustees of the Jerusalem Baptist Church and the vestry of Zion Protestant Episcopal Church, of Fairfax Court House, Va. (S. 6888); trustees of the Methodist Episcopal Church South, of Unison, Va. (S. 6889); trustees of the Trinity Methodist Church South, of Cattlets, Va. (S. 6890); trustees of the Methodist Protestant Church of Fox Hill, Va. (S. 6891); trustees of the Methodist Episcopal Church South, of Upperville, Va. (S. 6892); heirs of Thomas N. Towson (S. 6893); trustees of Cedar Grove Church, of Culpeper County, Va. (S. 6894); trustees of the Methodist Episcopal Church South, of Gravelly Run, Dinwiddie County, Va. (S. 6895).

Academy of Richmond County, Ga. (S. 6968); trustees of the Union Presbyterian Church of Cross Keys, Va. (S. 6979); trustees of the Baptist Church of Falls Church, Va. (S. 6980); trustees of Tabernacle Methodist Episcopal Church South, of Culpeper County, Va. (S. 6981); trustees of the Presbyterian Church of the town of Culpeper, Culpeper County, Va. (S. 6982); trustees of Providence Church, of Culpeper County, Va. (S. 6983); trustees of the Baptist Church of Paris, Ky. (S. 7030); session of the Presbyterian Church of Perryville, Ky. (S. 7031); Presbyterian Church and the Green River Masonic Lodge, No. 88, of Munfordville, Ky. (S. 7032); trustees of the Baptist Church of Harrodsburg, Ky. (S. 7033); trustees of Harpeth Academy, of Franklin, Williamson County, Tenn. (S. 7081); trustees of the Tonoloway Baptist Church, of Fulton County, Pa. (S. 7085); consistory of the Trinity Reformed Church, of Gettysburg, Pa. (S. 7086); consistory of St. Mark's German Reformed Church, of Gettysburg, Pa. (S. 7087); Frank M. Wyant (S. 7095); trustees of the Methodist Episcopal Church South, of Point Pleasant, W. Va. (S. 7109); trustees of the Methodist Episcopal Church South, of Great Cacapon, W. Va. (S. 7110); trustees of the Mount Olive Primitive Baptist Church, of Philippi, W. Va. (S. 7111); trustees of the Methodist Episcopal Church South, of Ravenswood, W. Va. (S. 7112); trustees of the German Baptist Brethren Church, of Greenland Gap, W. Va. (S. 7113); trustees of the Methodist Episcopal Church of Philippi, W. Va. (S. 7114); trustees of the Methodist Episcopal Church South, of Perryville, Ky. (S. 7120); trustees of the First Presbyterian Church of Paris, Ky. (S. 7121); trustees of the Methodist Episcopal Church South, of Harrodsburg, Ky. (S. 7122); trustees of the Cumberland Presbyterian Church of Henderson, Ky. (S. 7123); trustees of the Baptist Church of Bowling Green, Ky. (S. 7124); treasurer of Salt River Lodge, No. 180, Free Ancient and Accepted Masons, of Mount Washington, Ky. (S. 7125); directors of the Presbyterian Theological Seminary of Kentucky (S. 7126); trustees of the Jessamine Female Institute, successor of Bethel Academy, of Nicholasville, Ky. (S. 7127); trustees of the First Baptist Church of Danville, Ky. (S. 7131); trustees of the Antioch Methodist Episcopal Church South, of Stewart, Mercer County, Ky. (S. 7132); trustees of the Methodist Episcopal Church South, of Mount Sterling, Ky. (S. 7133); trustees of the Regular Baptist Church of Richmond, Ky. (S. 7134); vestry of the Trinity Protestant Episcopal Church, of Danville, Ky. (S. 7135); trustees of the Presbyterian Church of Clarksburg, W. Va. (S. 7158); trustees of the Methodist Episcopal Church of Mannington, W. Va. (S. 7159); stewards of the Methodist Episcopal Church South, of Bowling Green, Ky. (S. 7205); trustees of the Central University, of Kentucky (formerly Center College), of Danville, Ky. (S. 7206); trustees of the Methodist Episcopal Church South, of Danville, Ky. (S. 7207); deacons of the African Baptist Church of Richmond, Ky. (S. 7208); secretary and treasurer of Harrison Masonic Lodge, No. 122, of Brandenburg, Ky. (S. 7209); trustees of the Presbyterian Church of Mount Sterling, Ky. (S. 7210); J. Howard Mitchell (S. 7228); estate of Leon Lemelle, deceased (S. 7251); estate of Ovid Decuir, deceased (S. 7254); Harvillen Norris (S. 7255); estate of Ozam D. Metoyer, deceased (S. 7259); estates of Theofile Metoyer and Elena Metoyer, deceased (S. 7261); estate of Charles Christophe, deceased (S. 7364); trustees of the Evangelical Lutheran Church of Burkittsville, Md. (S. 7274); vestry of St. Thomas Protestant Episcopal Church, of Hancock, Md. (S. 7275); trustees of the African Methodist Episcopal Church of Hagerstown, Md. (S. 7276); corporation of the Methodist Episcopal Church of Hancock, Md. (S. 7277); consistory of Grace Reformed Church, of Knoxville, Md. (S. 7278); Eliza Leathers, widow and administratrix of Alfred Leathers, deceased (S. 7297); trustees of the Assembly Presbyterian Church, of Harrodsburg, Ky. (S. 7298); heirs of Claude M. Johnson and of Rosa Vertner Jeffrey (S. 7301); J. P. Dieter (S. 7318); trustees of the Baptist Church of Gallipolis, Ohio (S. 7332); trustees of the Reformed Church of Burkittsville, Md. (S. 7345); council of Zion Evangelical Lutheran Church, of Williamsport, Md. (S. 7346); Frederick Academy of the Visitation, of Frederick, Md. (S. 7347); trustees of the Presbyterian Church of Hancock, Md. (S. 7348); trustees of the Providence Methodist Episcopal Church, near Suffolk, Nansemond County, Va. (S. 7386); trustees of the Primitive Baptist Church of Waterlick, Va. (S. 7387); trustees of the Methodist Episcopal Church South, of Snickersville (now Bluemont), Va. (S. 7388); trustees of the Old Goose Creek Church, near Markham, Va. (S. 7389); trustees of the Methodist Episcopal Church South, of Middleburg, Va. (S. 7390); St. Patrick's Roman Catholic Church, of Little Orleans, Md. (S. 7392); secretary and treasurer of Lexington Lodge, No. 1, Free and Accepted Masons, of Lexington, Ky. (S. 7438); trustees of the Methodist Episcopal Church South, of Brandenburg, Ky. (S. 7439); secretary and treasurer of the Chamberlain Philosophical and Literary Society, of Danville, Ky. (S. 7440); trustees of the Baptist Church of Shepherdsville, Ky. (S. 7441); trustees of the Glasgow graded common schools, of Glasgow, Ky. (S. 7442); rector of St. Augustine's Roman Catholic Church, of Lebanon, Ky. (S. 7443); trustees of the First Presbyterian Church of Danville, Ky. (S. 7444); Mrs. Zerelda P. Allen and others (S. 7464); heirs of Joel S. Calvert (S. 7465); heirs of H. D. Flowers, deceased (S. 7466).

Trustees of the Sandy Hook School, of Sandy Hook, Md. (S. 7538); trustees of the Burkittsville School, of Burkittsville, Md. (S. 7539); rector of St. Peter's Roman Catholic Church, of Hancock, Md. (S. 7540); trustees of the Frederick Presbyterian Church, of Frederick, Md. (S. 7541); trustees of the Harpeth Academy, of Williamson County, Tenn. (S. 7544); trustees of the Porter Female Academy, of Williamson County, Tenn. (S. 7546); trustees of the Presbyterian Church of Gallipolis, Ohio (S. 7559); trustees of the Presbyterian Church of Macon, Mo. (S. 7584); trustees of the Methodist Episcopal Church of Macon, Mo. (S. 7585); town of Nicholasville, Ky., and the Presbyterian Church of Nicholasville, Ky. (S. 7592); estate of John Houy (S. 7688); estate of Dr. Joseph Richard Martin, deceased (S. 7689); Jacob A. Paulk, in his own right and as administrator of the estate of Jonathan Paulk, deceased (S. 7719); heirs of A. E. Mills, deceased (S. 7721); estate of Louisa Harper, deceased (S. 7748); estate of Rebecca E. Sexton, deceased (S. 7749); estate of M. W. Ham, deceased (S. 7752); heirs of Denis O'Callaghan, deceased (S. 7774); Andrew J. Baker (S. 7778); trustees of the Methodist Episcopal Church South, of Rectortown, Va. (S. 7796); Baptist Church of Beaufort, N. C. (S. 7797); deacons of the First Presbyterian Church of Newbern, N. C. (S. 7798); estate of Artemus Newlin, deceased (S. 7799); Thomas W. Bell and others (S. 7801); trustees of Columbia College, of Columbia, S. C. (S. 7817); heirs of John R. Elliott (S. 7826); estate of Daniel Y. Grason, deceased (S. 7925); Watson Frye & Co. (S. 7928); Joseph Rymarkiewicz (S. 7956); for the relief of N. C. McNeel, administrator of the estate of Paul McNeel (S. 7966) (and the court shall retry and reinvestigate the question as to the loyalty of the said McNeel, deceased, and that any testimony, affidavits, and other papers on file in either House of Congress relating to said claim shall be considered by the court as competent evidence and such weight given thereto as in its judgment, is right and proper); Baptist Church of Dardanelle, Ark. (S. 8022); First Baptist Church of Jacksonville, Fla. (S. 8026); trustees of the Bethel Baptist Church (colored), of Jacksonville, Fla. (S. 8027); First Presbyterian Church of Jacksonville, Fla. (S. 8028); M. S. Elkin (S. 8055); First Methodist Episcopal Church South, of Jacksonville, Fla. (S. 8071); for the relief of the widow of Charles D. Coleman (S. 8108) (and the court shall find whether by any proper officer the said Charles D. Coleman was ordered to receive substitute funds and whether as a matter of fact he did receive them for the use of the United States); heirs of Andrew J. Brazelton, deceased (S. 8134); trustees of the Christian Church in Franklin, Williamson County, Tenn. (S. 8150); president and managers of Union Society (Bethesda Orphan House), of Savannah, Ga. (S. 8177); heirs of John D. Clemson (S. 8198); Medical College of Alabama, of Mobile, Ala. (S. 8211); Christopher Alexander and others (S. 8261); trustees of the Christian Church of Union City, Tenn. (S. 8268); Jonathan Lewis (S. 8306); estate of Aaron Turner, deceased (S. 8307); Grand Lodge of Free and Accepted Masons of the State of Arkansas (S. 8309); Mrs. Helen S. Hogan (S. 8329); Methodist Episcopal Church South, of Van Buren, Crawford County, Ark. (S. 8332); Christian Church near old Austin, Lonoke County, Ark. (S. 8333); heirs of Bowman H. Peterson (S. 8336); Mount Pleasant Masonic Lodge, No. 99, of Austin, Lonoke County, Ark. (S. 8366); Charles Backman (S. 8374); Nuc que clah we nuck tribe of Indians of the State of Oregon, the Wau ki kum band of Chinook Indians of the State of Washington, the Kathlamet band of Chinook Indians of the State of Oregon, the Wheelappa band of Chinook Indians of the State of Washington, the Clatsop tribe of Indians, the Tillamook tribe of Indians, the Konnaack band of Chinook Indians, the Klatskania band of Chinook Indians, the Ya su chah band of Indians, the To totan, You quee chae, and Qua tou wah bands of Indians of the States of Oregon and Washington (S. 8381); Washington Loan and Trust Company, of Washington, District of Columbia, executor of the will of Lavinia M. Payne, deceased (S. 8385); trustees of the Primitive Baptist Church of Newport, N. C. (S. 8392); trustees of the Presbyterian Church of Edisto Island, S. C. (S. 8421); trustees of Tabernacle Methodist Episcopal Church South, of Culpeper, Va. (S. 8428); trustees of the Presbyterian Church of Culpeper, Va. (S. 8429); heirs of Laura Dela Housave (S. 8434); estate of Joaquin Gomez of the estate of Vincente P. Gomez, both late of Monterey County, Cal. (S. 8447); Corinne Perret Fuseller (S. 8465); trustees of the Second Presbyterian Church of Alexandria, Va. (S. 8467); Marcus D. Wright, executor of Thomas G. Wright, and heirs at law of said Thomas G. Wright (S. 8471); heirs and representatives of William G. Burke, deceased (S. 8480); University of Nashville, Nashville, Tenn. (S. 8484); estate of Joseph Blair (S. 8493); Independent Order of Odd Fellows, No. 37, of Okolona, Miss. (S. 8494); Methodist Episcopal Church South, of Germantown, Tenn. (S. 8500); First Presbyterian Church of Nashville, Tenn. (S. 8501); Missionary Baptist Church, Antioch, Davidson County, Tenn. (S. 8506); council of St. Peter's Evangelical Lutheran Church, of Shepherdstown, W. Va. (S. 8517); city of Nashville, Tenn. (S. 8522); Levee-Steam Cotton Press Company, of New Orleans, in the State of Louisiana (S. 8527); Sarah M. Harrell (S. 8543); George F. Schayer (S. 8547); C. W. Moffatt (S. 8549); Samuel G. Searing (S. 8550); National Automatic Fire Alarm Company, of Washington, District of Columbia (S. 8552); Kentucky Drafted Men (S. 8554); owners of certain steamboats (S. 8555); James E. Arnold and others (S. 8560); State of Missouri (S. 8563); heirs of Mitchell King (S.

8573); James Marsh (S. 8574); Robert Adger, executor and trustee of the estate of James Adger, deceased (S. 8575); C. B. McClenny (S. 8579); heirs of J. W. Forrest, deceased (S. 8586); Methodist Episcopal Church South, of Mexico, Mo. (S. 8591); First Christian Church of Mexico, Mo., a corporation (S. 8592); First Christian Church of Springfield, Mo. (S. 8593); commissioners court of the county of Limestone, State of Alabama (S. 8595); county of Phelps, State of Missouri (S. 8597); John H. Davern (S. 8598); Grand Lodge Independent Order of Odd Fellows of the State of Tennessee (S. 8600); trustees of Lynn Creek Baptist Church, of Giles County, Tenn. (S. 8601); Mount Zion Church, of Williamson County, Tenn. (S. 8604); estate of John W. Hill (S. 8612), now pending in the Senate, together with all accompanying papers, be, and the same are hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the Tucker Act, and said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. ALLISON. I should like to ask the Senator how much is involved in these claims.

Mr. FULTON. It would not be possible to say how much is involved. Of course the Senator understands that various bills have been referred to the committee, and it is simply proposed now to refer them to the Court of Claims for findings of fact, not for judgment.

Mr. ALLISON. Has there been any proposal to remove the statute of limitations?

Mr. FULTON. No, sir; the claims go to the Court of Claims simply for findings of fact. There are 150 church and school claims and about 300 other claims.

In the resolution, so far as I had control of it, I have endeavored to keep the number down to the lowest possible limit.

Nothing like the number of bills whose reference has been requested are proposed to be referred. There are somewhere between three and four hundred bills altogether in the resolution.

As a matter of policy I am frank to say I do not believe it is good policy to continue sending these bills to the Court of Claims. A vast number of bills known as "war claims" are sent there annually, and the Government is practically helpless. The proof is of such a character that the Government can not meet it.

Mr. McCREARY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Kentucky?

Mr. FULTON. I will yield in just a second. But, nevertheless, the law provides for those bills being sent there, and so long as it is the law I do not see how the committee can refuse to report a resolution sending them there.

At the next session of Congress I intend to bring in an amendment modifying the fourteenth section of the Tucker Act, under which most of these claims are sent to the Court of Claims, so as to prohibit the sending to the Court of Claims of any more of these so-called "war claims." I believe it will be in the interest of good public policy to do that, and I believe it will meet the approval of the Members of Congress from the sections whence these claims arise. But the law now provides for their being sent to the Court of Claims, and so long as it is the law I see no way in which the committee can refuse to report a resolution.

I now yield to the Senator from Kentucky.

Mr. McCREARY. I desire to ask the Senator from Oregon if he proposes to have the list of claims published? A number of Senators, including myself, desire to know what cases are referred to the Court of Claims.

Mr. FULTON. The resolution will, of course, be published.

Mr. McCREARY. It will be printed in the RECORD?

Mr. FULTON. Certainly. But if objection be taken to the consideration of the resolution, it can go over until some other time. It will be published, and each Senator and Representative can see it. I will say that I personally care nothing about the present consideration of the resolution. I do not care whether a single bill is referred to the Court of Claims.

Mr. McCREARY. Will the Senator have the resolution printed in the RECORD?

Mr. FULTON. It will be printed in the RECORD, of course.

The VICE-PRESIDENT. It will be printed in the RECORD. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

Mr. KEAN. I ask that an additional number of copies of the resolution be printed, because there will be great demand for it.

The VICE-PRESIDENT. What additional number does the Senator suggest?

Mr. KEAN. Twice the usual number.

The VICE-PRESIDENT. The Senator from New Jersey asks that twice the usual number of copies of the resolution be printed. Without objection, it is so ordered.

WILLIAM N. BRUNSON.

Mr. McCUMBER. From the Committee on Pensions I report favorably a pension bill and ask for its immediate consideration. A bill for this beneficiary has heretofore passed, but the name was wrong, and the passage of this bill is necessary.

The bill (S. 8622) granting an increase of pension to William N. Brunson was read the first time by its title and the second time at length, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William N. Brunson, late of Company G, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRACTICE OF MEDICINE AND SURGERY IN THE DISTRICT.

Mr. BURKETT. From the Committee on the District of Columbia, to whom was referred the bill (S. 8614) to amend the act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896, I report it favorably without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 6 of the act referred to so as to read as follows:

SEC. 6. That each member of said boards of medical examiners of the District of Columbia shall, before entering upon the discharge of his duties, take an oath to administer, fairly and impartially, the provisions of this act. Each board shall elect from its own members a president and a secretary. Each board shall hold a meeting for examination in the city of Washington on the second Tuesday in January, April, July, and October of each year, and continuing so long as may be necessary to examine all applicants, and other meetings shall be held at such times as the board of medical supervisors shall direct. Each of said boards shall examine, at the meeting immediately following the receipt of the proper certificates from the board of medical supervisors, all applicants for licenses to practice medicine and surgery in the District of Columbia so certified.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GERMAN BARK MARIECHEN.

Mr. PILES. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 25437) to grant American registry to the German bark *Mariechen*, to report it favorably without amendment. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RULES AND REGULATIONS OF THE STATE DEPARTMENT.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That in carrying out the resolution of the Senate of February 1, 1907, requesting the Secretary of State to furnish to the Senate a copy of all rules and regulations governing the Department, and the resolution of the Senate of February 28, 1907, ordering the printing of the report thus furnished as a Senate document, the following papers shall be omitted from such document:

1. The United States consular regulations;
2. Instructions to the diplomatic officers of the United States;
3. The register of the Department of State; and
4. The copy of the pamphlet giving the history and functions of the Department of State.

CONSTRUCTION OF THE PANAMA CANAL.

Mr. TILLMAN. I ask for the present consideration of the resolution which I send to the desk.

The VICE-PRESIDENT. The Senator from South Carolina submits a resolution, which will be read.

The Secretary read as follows:

*Resolved*, That the President be requested to send to the Senate, if not incompatible with the public welfare, all papers and information in his possession in regard to the proposed letting of the contract for the construction of the Panama Canal, which was competed for by W. J. Oliver and others, and state the existing status.

Mr. TILLMAN. I should like to have read in connection with the resolution a brief extract from the New York Herald relating to this subject, which will explain the reasons, or some of the reasons, why I have offered it.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested by the Senator from South Carolina.

Mr. LODGE. Let the resolution be again read.

The Secretary again read the resolution.

Mr. SPOONER. The usual formula is "if in his judgment not incompatible with the public interest."

Mr. TILLMAN. Either way will be satisfactory to me. I tried to follow the usual phraseology.

Mr. SPOONER. One form presents an issue of fact, and the other submits it to his judgment.

Mr. TILLMAN. I want the President to determine it.

Mr. SPOONER. He would, anyway.

Mr. HOPKINS. I should like to have the resolution read again.

The VICE-PRESIDENT. The resolution as modified will be read.

The Secretary read as follows:

*Resolved*, That the President be requested to send to the Senate, if, in his judgment, not incompatible with the public welfare, all papers and information in his possession in regard to the proposed letting of the contract for the construction of the Panama Canal, which was competed for by W. J. Oliver and others, and state the existing status.

The VICE-PRESIDENT. Without objection, the Secretary will read the article as requested by the Senator from South Carolina.

The Secretary read as follows:

[New York Herald, Friday, March 1, 1907.]

OLIVER DECLINES RETURN OF CHECK—ASTONISHES COMMISSION BY REFUSING TO TAKE BACK THE $200,000 AFTER REJECTION OF BIDS—TELLS A POKER STORY—ILLUSTRATES HOW HE FEELS BY RELATING THE EXPERIENCES OF A "CHUMP" IN A WESTERN GAME—SURPRISED BY MR. STEVENS—PRESIDENT ROOSEVELT SAID TO HAVE DECIDED TO MAKE PUBLIC RETIRING CHIEF ENGINEER'S STRANGE LETTERS.

All bids for the construction of the Panama Canal were formally rejected to-day by the Isthmian Commission, and Mr. Rogers, the Commission's general counsel, sent to William J. Oliver, of the Panama Construction Company, the lowest bidder, the check for $200,000 which he had put up as an evidence of good faith.

Mr. Rogers was greatly surprised when Mr. Oliver declined to receive the check, saying he would await the arrival here to-morrow of Judge Morgan J. O'Brien, of New York, and John B. McDonald, president of the company. Confident that the Panama Construction Company would receive the contract, these men went to Augusta, Ga., a few days ago to play golf.

Mr. Oliver is very angry at the treatment he has received from the Government. He called on Secretary Taft to-day to say he did not hold the Secretary in any way to blame for the decision reached by the President. When asked what he had to say about the outcome of his effort to get the contract, Mr. Oliver said:

LIKE A WESTERN POKER GAME.

"It reminds me of a game of poker once played out West. There is a chump in every game of poker, and the chump in this game got to a point where he held four aces. He got everyone into the pot and then showed his four aces and reached for the money.

"'Hold on,' said one of his opponents, 'I've got a whangdoodle.'

"'What's that?' asked the chump.

"'Look at that sign behind you.' said the other, and the chump looked and saw the sign: 'A whangdoodle beats anything.'

"He was cleaned out, but the others asked him to get more money and return to the game, which he did. Pretty soon he found in his hand a whangdoodle. He bet the limit and everbody came in. Finally the chump announced that he had a whangdoodle and reached for the money.

"'Just a moment,' interrupted the dealer. 'Look at that sign over your shoulder.' The chump looked, and this time the sign read: 'A whangdoodle can be played only once a night.'

"That's just about my position," added Mr. Oliver.

If Mr. Oliver follows his present inclination he will make a statement to-morrow which will ease his own mind, but not affect the result. He will then return to his own private business of railroad contracting.

COMMISSIONERS CONFIRMED.

Theodore P. Shonts, whose connection with the Government will be severed next Monday, when he becomes president of the Interborough-Metropolitan Company, in New York, was confirmed to-day by the Senate as chairman of the Isthmian Canal Commission, and John F. Stevens, Gen. P. C. Hains, Rear-Admiral M. T. Endicott, Jackson Smith, B. M. Harrod, and Col. W. A. Gorgas as members.

Major Goethals, who is to be the new chairman of the Canal Commission, and Major Gaillard, who will be one of his chief assistants, will leave for the Isthmus on March 6.

The more facts that are learned about the letters received here from Chief Engineer John F. Stevens, who has just resigned, the greater becomes the amazement. It is asserted that in one letter he stated that if the Administration's present policy continued the Republican party would be defeated. Another story is that he disapproved of E. S. Benson, auditor of the Canal Commission, and desired his retirement, which officials here would not grant.

There was some talk among Senators to-day of introducing a resolution calling on the President to furnish to the Senate all papers and correspondence bearing upon the retirement of Mr. Stevens. When this became known at the White House, it is said, the President declared it was his purpose to make these letters public.

Mr. TILLMAN. Mr. President, I propose to make only a few brief remarks on this question.

The Panama Canal is a very great work in which every good American is interested. All the people, without regard to section or party, want to have it constructed, and constructed as speedily as possible, and with as little scandal as possible.

There have been some remarkable transactions in connection with this great undertaking. Engineer Wallace, said to be one of the greatest engineers of the country, resigned. There were reports in the papers that his reasons for doing that were because he found his reputation would suffer if he continued his association with this work. A little later the country was startled by the statement that Mr. Shonts, the president of the Commission, was retaining the presidency of his railroad and did not find the work of building this great canal sufficient to employ all his time, but he could devote some of it to his own private affairs. Now comes Mr. Stevens's resignation. But I am going a little too fast.

It will be recalled that Mr. Wallace was soundly berated, reprimanded, I will say abused, by the Secretary of War for having deserted the firing line, as it were, in the face of the enemy; for having surrendered his position as engineer under circumstances little short of cowardice. Mr. Stevens, his successor, comes forward and in a very little while resigns, and these same sinister rumors are afloat to the effect that he found some things going wrong, and that the auditor's action in approving certain items, as I read between the lines in that statement in the Herald, caused Mr. Stevens to sever his connection with the canal.

There were reports rife in the country when the Panama Canal was begun and the change from the Nicaragua route was acted upon by Congress, that a very large part of the $40,000,000—I believe it was $40,000,000 that we paid to the French company for its franchises—was used as a bribery fund somewhere; I do not know where, I suppose nobody will ever find out. But it does seem that there is a great deal of smoke about the construction of this great work.

Here is Mr. Oliver. I know him personally. He has a reputation in the South, from whence he comes, although he is a northern man by birth, as being probably one of the best-equipped and most efficient contractors, not only in the United States, but in the world. He understands the art of organizing labor and controlling it and getting the maximum of work from it.

After those in control of the construction of the canal had notified the country that it was to be let to the lowest bidder under certain conditions, bids were opened, and Mr. Oliver's bid being by far the lowest, six and some hundredths per cent, while others were wanting to charge all the way from twelve to fifteen and twenty—the country fondly imagined that this efficient and able contractor and engineer would be employed, as he had a right to expect to be employed, in the construction of this great work, and that we would get the canal built as soon as possible and at a minimum of cost.

Well, at once hocus-pocus began to come into the game, or there were appearances of how not to do it. The newspapers have been full for the last month of what Mr. Oliver might expect or what he must do before he could expect anything. But, as I understand it, Mr. Oliver has complied with all of the conditions, one after the other, as they have been presented to him. He has turned off his first copartner, who was objectionable, and has secured the assistance and cooperation of responsible financiers, who are backing him. I may be a little suspicious—I confess that mysteries always excite my suspicion—but there has appeared to me to be a purpose to compel Mr. Oliver to let in some of the competitors who were too greedy in their first bids and to share this great work with them.

Now, all of this disappears, and we are informed of a new arrangement; but, of course, we do not know. The President alone can tell us whether or not any bid is to be received from anybody or whether the Government will proceed to construct the canal with the army engineers who have been recently assigned to this duty, and let them employ the labor and control it all and carry on the work as though they were the contractors.

I confess I have some curiosity to have some definite information, and therefore I offered the resolution, and I hope the Senate will adopt it.

Mr. CULBERSON. Mr. President, it is conceded, I believe, that——

Mr. HOPKINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Illinois?

Mr. HOPKINS. I was going to say that I think the resolution ought to go over under the rule.

Mr. TILLMAN. It is too late to have it go over under the rule. It will go to the Calendar presently, at 2 o'clock, if the Senator will wait.

Mr. CULBERSON. Before it goes over I should like to make a brief statement.

Mr. LODGE. Mr. President, I rise to a point of order.

The VICE-PRESIDENT. The Senator from Massachusetts rises to a point of order.

Mr. LODGE. The resolution was only introduced this morning. It clearly goes over under the rule.

The VICE-PRESIDENT. Under the rule, it will go over if there is objection to its consideration.

Mr. LODGE. There is objection.

Mr. CARMACK. Mr. President——

Mr. CULBERSON. I should like to make a short statement.

Mr. HOPKINS. I rose for the purpose of making an objection, but I will reserve it until the Senator from Texas concludes, with the understanding that my objection will then be entertained by the Chair.

Mr. CULBERSON. Mr. President, I was proceeding to say that it is conceded, I think, by the experts that the possibility, the probability, or the feasibility of successfully constructing the canal rests upon the dam at Gatun. The evidence shows so far that in the borings no rock at Gatun has been discovered, but there is what is called indurated clay, which some of the authorities believe to be a sufficient substitute for rock basis.

That question was to a degree inquired into by the Committee on Interoceanic Canals, of which I am a member, and to the extent that it was then developed I will say frankly it seemed to be satisfactory. Since then, however, I notice in the public press that there is still doubt as to whether a dam at Gatun is feasible, and that this matter will be determined sometime this year after a personal examination is made at Panama by the Secretary of War.

Mr. HOPKINS. Mr. President——

Mr. CULBERSON. I therefore suggest to the Senator from South Carolina to add to his resolution that the President be requested, if not in his judgment incompatible with the public interest, to send to the Senate the official correspondence with reference to this extremely important matter.

The VICE-PRESIDENT. Does the Senator from Texas yield to the Senator from Illinois?

Mr. CULBERSON. That is all I have to say. I yield the floor.

Mr. HOPKINS. I wish to say to the Senator from Texas that after those suggestions were published in the newspapers, the chief engineer sent a dispatch saying that there was nothing to it, and that further investigations had simply confirmed the earlier reports that the foundation is ample at Gatun.

Mr. CULBERSON. I have already stated that the inquiry made by the committee appeared to be satisfactory, there being correspondence with the chief engineer of the organization, but since then I notice that there is a proposition to examine further into the question by the Secretary of War.

Mr. HOPKINS. My understanding is that the chief engineer, Mr. Stevens, had his attention called to what has already been stated by the Senator from Texas, and that he reported that further investigations made at Gatun simply confirmed the judgment that was originally entertained, that the foundations are ample to sustain the dam which it is proposed to construct at that point.

Mr. President, I ask that the resolution may go over under the rule.

The VICE-PRESIDENT. The resolution will lie over under the rule.

Mr. CARMACK. I beg the Senator to withhold his objection for a moment.

Mr. HOPKINS. Very well.

Mr. LODGE and others. Regular order!

The VICE-PRESIDENT. Does the Senator from Tennessee rise to morning business?

Mr. CARMACK. Yes, sir; I wish to say just a word upon the resolution offered by the Senator from South Carolina.

The VICE-PRESIDENT. Is there objection?

Mr. McCUMBER. Will the Senator yield to me for morning business for a moment?

Mr. CARMACK. I shall occupy only three minutes.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and the Senator from Tennessee will proceed.

Mr. CARMACK. I wish to say, Mr. President, that I had prepared a resolution of the same character as that offered by the Senator from South Carolina [Mr. TILLMAN]. I think it better, however, that it should come from the Senator from South Carolina than from me, because he will be here, as I will not, to take part in the subsequent proceedings in this matter, if there should be any.

I merely wish to say that it seems to me Mr. Oliver has received very harsh and unjust measure from this Administration. He is a contractor who stands for ability second to no other contractor in the United States or in the world. He made the lowest bid. He complied with every condition that was required of him. He made all the proper organization. He made all the financial arrangements. He expended about $35,000 or $40,000 of his own money in doing so; and then at the last he has his bid rejected for no good reason, so far as the public knows.

I hope, therefore, that the resolution of the Senator from South Carolina will be adopted.

WILLIAM N. BRONSON.

Mr. McCUMBER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return the bill (S. 7822) entitled "An act granting an increase of pension to William N. Bronson."

NICHOLAS M. HAWKINS.

Mr. McCUMBER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return the bill (S. 5623) entitled "An act granting an increase of pension to Nicholas M. Hawkins."

TRAFFIC BY EXPRESS COMPANIES.

Mr. BURKETT. If the morning business is closed, I desire to call up a resolution on the table that went over yesterday.

Mr. LODGE. I call attention to the fact that the morning hour has expired.

The VICE-PRESIDENT. The morning hour has expired, but the Senator from Nebraska is recognized to present a request to the Senate. Is there objection to the request?

Mr. KEAN. What is the request?

The VICE-PRESIDENT. That the resolution submitted yesterday by the Senator from Nebraska may be now called up. Is there objection to the request?

Mr. BURKETT. It is a resolution for information, I will say to the Senator.

Mr. KEAN. I think it had better go over.

Mr. BURKETT. It has come over from yesterday.

The VICE-PRESIDENT. It would have been laid before the Senate before the morning hour closed had the opportunity occurred.

Mr. KEAN. I thought it was a resolution ordering an investigation.

Mr. BURKETT. It calls for some information from the Interstate Commerce Commission.

Mr. KEAN. But we have nothing from the Interstate Commerce Commission to show that they have any funds on hand to conduct the investigation.

Mr. BURKETT. If the Senator will just withhold the objection a minute, I will explain briefly the object of the resolution.

Mr. KEAN. Certainly.

Mr. BURKETT. Mr. President, I ask the Senate to give attention to this resolution because it is of enough importance, it seems to me.

Mr. ALDRICH. Has the resolution been read?

The VICE-PRESIDENT. The resolution was read yesterday. It has not been read to-day.

Mr. ALDRICH. Reading yesterday, I suggest, does not give the Senate any information now. I ask that it be read, subject to objection. It can be taken up by unanimous consent, I suppose.

The VICE-PRESIDENT. It can be taken up by unanimous consent or on motion.

Mr. ALDRICH. I ask that it be read.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. BURKETT, as follows:

Whereas on January 4, 1907, at Kansas City, Mo., the Western Fruit Jobbers' Association, in convention assembled, charged that the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company are unlawfully engaged, especially in the West, in the business of buying, selling, and handling on consignment fruit, vegetables, and oysters, thus coming into direct competition with merchants and jobbers engaged in such business; that no such business is contemplated or sanctioned in their articles of incorporation, but is contrary to and in violation of the powers legally conferred upon them; that the trafficking in merchandise which they transport is an illegitimate business for express companies to engage in, and is destructive of the legitimate business of fruit jobbers and produce merchants; that it gives opportunity for covering up discriminations, the payment of rebates, and unlawful practices, and that said express companies have increased and are increasing their charges for the transportation of fruits, produce, and other merchandise to an unreasonable extent, to the detriment of growers, shippers, and consumers; and

Whereas the said Western Fruit Jobbers' Association, at the time and place mentioned, by resolutions duly adopted, not only condemned and denounced as injurious and unlawful the contest for business between express companies and merchants engaged in legitimate trade in fruit, produce, and oysters, but demanded that a vigorous and rigorous examination and investigation of the methods and practices adopted and in use by said express companies be instituted by Federal authority, to the end that accurate information may be obtained, abuses and discriminations corrected, and unlawful business prohibited: Therefore, be it

*Resolved*, That the Interstate Commerce Commission be, and is hereby, directed to inquire, investigate, and report to the Senate—

First. Whether the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company, or either of them, are unlawfully engaged, through their local or other agents, in the business of buying, selling, or handling on consignment fruits, vegetables, and oysters entering into interstate commerce.

Second. Whether such business is contemplated or sanctioned by the articles of incorporation of said express companies.

Third. Whether such business is carried on in violation of the provisions of the act to regulate interstate commerce.

Fourth. Whether the carrying on of such business by said express companies is inimical to or destructive of the legitimate business of fruit and produce merchants and gives an unfair advantage to the agents of said express companies, which is used by them to the disadvantage and detriment of legitimate shippers and receivers of fruit and produce.

Fifth. Whether the carrying on of such business gives to said express companies an opportunity to cover up discriminations, to pay rebates, and engage in other unlawful practices.

Sixth. Whether said express companies have increased and are increasing their charges for the transportation of fruits, produce, and other merchandise to an unreasonable extent, to the detriment of growers, shippers, receivers, and consumers of such fruits, produce, and other merchandise.

Seventh. That the Interstate Commerce Commission be required to make the investigation at its earliest possible convenience and to report the facts and its conclusions thereon, together with its recommendations, as soon as it can be done, consistent with the performance of its public duty.

Mr. ALDRICH. Mr. President, I feel constrained to interpose an objection to the further consideration of the resolution. I would not object to a resolution instructing the Interstate Commerce Commission to report the facts, but they are not a court of law and can not tell whether these practices are unlawful. Certainly the Senate ought not to adopt the preamble without any knowledge whatever. I would not object to a plain resolution to inquire as to the facts, but I must object to the present consideration of the resolution.

Mr. BURKETT. I ask the Senator to withhold his objection a moment and perhaps we can amend it. I want to get at the facts. I will say to the Senator that this is a very important matter. The law of last year is being violated it seems in this way, and if the resolution is improper——

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. BURKETT. I yield for a question.

Mr. CARTER. I ask the Senator why complaints have not been made as contemplated by law and prosecutions instituted under existing statutory regulations?

Mr. BURKETT. I wish to explain the resolution, and when I get through I will answer any questions.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Nebraska?

Mr. GALLINGER. I ask for the regular order.

Mr. LODGE. I think the messages from the House ought to be laid before the Senate.

The VICE-PRESIDENT. Objection is made.

Mr. BURKETT. I ask if the Senator is going to object to my explaining briefly the object of the resolution.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Nebraska to make an explanation? The Chair hears none. The Senator from Nebraska will proceed.

Mr. BURKETT. Mr. President, I try not to introduce any resolution here where the inquiry is not a proper one, and if this resolution is not in proper form I want the Senate to amend it. As it is drawn up it may be very improper in form, but the facts are what I am after. All over the country the complaint is being made by producers and shippers and by commission merchants that the express companies are going into the business of selling and buying commodities and produce.

The producers have taken up the matter, and they have protested to the express companies. The express companies have curtly replied to them that there is nothing to be done in the matter; but they admit, as I shall show, that they do the business. In this I contend that they are violating the intent and purpose of the law that we passed last winter.

When the charge was first made it appeared to me to be very ridiculous, and I ask the attention of those Senators who are objecting to the resolution. I realize that if anything comes up in this body that looks toward the correcting of any particular abuses, there is always somebody who is alarmed about it. I am not going to run away with the railroads or the express companies, but I do know that the people of this country are entitled to some consideration in a matter of this kind. I simply want to present the matter to the Senate.

When the charges were made that the express companies were going out and buying orchards in some localities and putting the products of that community into the market and then putting a rate over another community so high that that community could not possibly get its apples or products into that market, it occurred to me, as I said, to be a ridiculous proposition that any express company or any other transportation company should be so shortsighted, after all the trouble these transportation companies have had and that Congress has had to adjust this matter of transportation. And I may say for a long time I could not believe that that thing was possible. It seemed to me so wholly aside from their business that I could not believe it.

But the other day this letter came to me, signed by the superintendent of the Adams Express Company. It is addressed to the secretary of the Western Fruit Jobbers' Association. Let me say that last spring, at Kansas City, when the Western Fruit Jobbers' Association met they passed the resolutions, in substance, that are recited in the preamble of this resolution, saying that the express companies were buying poultry, apples, and all sorts of products and handling them; buying them and selling them to the detriment of the producers and consumers and the commission merchants. Now, let me read just a few lines from the letter that I referred to of Mr. Zimmerman, the superintendent of the Adams Express Company, in his reply to this secretary urging them to desist from this sort of business.

> Other express companies go into the business regularly, buying and selling. Are you moving against them as strenuously as you are against us in proportion to the competition with your association as represented by the methods of this company and others?

Now, Mr. President, I have here another important matter that I want to read in part. It is a card sent out by the American Express Company. Note what it says:

> American Express Company's order and commission department purchases or obtains any article for patrons at any place where the company has an agency, in the United States, Canada, or Europe, etc.

I have here a card sent out by the Pacific Express Company, and it says:

> Prices quoted below are on first-class goods and from local dealers, who are constant shippers of express.

And then quotes the prices of dressed poultry, live poultry, and butter, etc.

I have here also a document sent out by the American Express Company quoting prices of all sorts of produce. I do not want to detain the Senate very long, and I am not going into this matter in detail unless it shall come up for consideration properly; but I desire to present some of the facts, that the Senate may know the importance of the resolution.

I have here from the Wells-Fargo Express Company a price list sent out of oysters of all kinds, and also telling where they can get all kinds of oysters, to which agent to send, for this kind of oysters and the other.

I have in my hand also a circular which the Senate can see [exhibiting], a price list of four pages of various kinds of products in the country, by the American Express Company. I desire to read just a little from it to show what character of business they are doing.

> Agents of this company should familiarize themselves and comply with the following instructions:
> "Through our order and commission department we aim to find a market for the producer and shipper and a supply for the dealer, and by applying a few of your efforts through this department you can increase the earnings of your office to a large degree."

Now, let me call the attention of the Senate to what I have here—proof that they hire these agents and give them a commission on the business they do, and instruct them to buy orchards and sell apples. I have one letter here showing how they make a special rate, for example, from a town in Texas to a town in Iowa. It was a cheaper rate than they gave from a nearer town in Texas, because they bought the orchards in the vicinity of that one town.

Now, notice further—

> These price lists are issued and mailed at intervals from office of the traffic department, and are worthy of your careful attention and prompt action.

Notice a little further. This is the circular letter written by the traffic and commission department to the agents of the United States Express Company—

> See that your dealers receive a list of our quotations at earliest convenience, solicit their orders, and forward same to agent at shipping point.

A little further on it says:

> Any printed matter desired by our agents to increase their business through this department will be printed for them upon receipt of a copy of what is wanted.

A little further on it says:

> For further instructions, apply to superintendent of traffic.

Now, here in this same circular we find the following:

OYSTER SEASON IS OPEN.

Below we give the names of a few shipping points. Our agents there will receive your orders.

Now, notice—

Baltimore, Md.; Annapolis, Md.; Loreley, Md.; New York City, Greatkills, N. Y.

And other places.

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Rhode Island?

Mr. BURKETT. I do.

Mr. ALDRICH. I withdrew my objection to this resolution on the statement of the Senator from Nebraska that he desired to make a short explanation. It strikes me that he is discussing the merits of this proposition at some length; and I suggest that that discussion be postponed until we get the resolution properly before the Senate.

Mr. BURKETT. Let me just close in a few words. I wanted to show the necessity of this resolution with a view that the Senate might consent to go on and perfect the resolution if it needed it and send it to the Interstate Commerce Commission.

Mr. ALDRICH. I am willing to perfect it now, if the Senator will permit—perfect it by striking out the preamble and all the resolutions except the first one, and making it read as follows:

*Resolved*, That the Interstate Commerce Commission be, and is hereby, directed to inquire, investigate, and report to the Senate—

First. Whether the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company, or either of them, are engaged—

Not "unlawfully engaged," for that is a judicial question—

through their local or other agents, in the business of buying, selling, or handling on consignment fruits, vegetables, and oysters entering into interstate commerce.

That is all there is of this proposition, except verbiage. I am willing that the resolution which I have just read shall pass, and, so far as I am concerned, I am willing that it shall pass now.

Mr. BURKETT. Mr. President, let the resolution be put in the form suggested by the Senator from Rhode Island. Certainly the preamble should go out. There is no question about that. The Senator is correct in that respect.

Mr. CLAPP. While the resolution is being amended, I ask the Vice-President to lay before the Senate a communication which is now on the table received from the House of Representatives.

Mr. CULBERSON. I have been trying for an hour and a half to secure the attention of the Chair to present morning business.

Mr. ALDRICH. Morning business has closed.

Mr. LODGE. Morning business has closed; the time for it has expired.

Mr. CULBERSON. The Chair has not announced that morning business has closed.

The VICE-PRESIDENT. Does the Senator from Texas rise to morning business?

Mr. CULBERSON. I do.

The VICE-PRESIDENT. The Chair will recognize the Senator later.

Mr. LODGE. Mr. President, morning business closed at 1 o'clock.

Mr. CULBERSON. I suggest the absence of a quorum, Mr. President.

Mr. BURKETT. Is there——

The VICE-PRESIDENT. The Senator from Texas suggests the absence of a quorum. The Secretary will call the roll.

Mr. CULBERSON. I have been trying to introduce a resolution.

The VICE-PRESIDENT. Debate is out of order pending the calling of the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---|---|---|---|
| Aldrich | Culberson | Kean | Pettus |
| Ankeny | Daniel | Latimer | Piles |
| Bacon | Dick | Lodge | Rayner |
| Berry | Dillingham | Long | Scott |
| Beveridge | Dubois | McCreary | Smith |
| Brandegee | Du Pont | McCumber | Spooner |
| Bulkeley | Elkins | McLaurin | Sutherland |
| Burkett | Flint | Mallory | Teller |
| Burnham | Foraker | Millard | Tillman |
| Carmack | Frazier | Nixon | Warner |
| Carter | Frye | Overman | Warren |
| Clapp | Gallinger | Patterson | Wetmore |
| Clark, Mont. | Hale | Penrose | Whyte |
| Clay | Hemenway | Perkins | |

The VICE-PRESIDENT. Fifty-five Senators have answered to their names. A quorum is present. Is there objection made to further——

Mr. BURKETT. I think, Mr. President, I now have the resolution in a form in which the Senator from Rhode Island [Mr. ALDRICH] will agree to it.

Mr. LODGE. I ask for the regular order, Mr. President.

The VICE-PRESIDENT. The Senator from Massachusetts objects.

Mr. GALLINGER. I ask, Mr. President, that the message from the House——

Mr. BURKETT. I had the floor, had I not, Mr. President? I had asked unanimous consent to make some remarks.

The VICE-PRESIDENT. The Chair so understood, and recognized the Senator from Nebraska to do so.

Mr. BURKETT. And I can not be taken off the floor, can I, by an objection?

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. Mr. President, I have no interest in this thing one way or the other; but here are Senators in the last forty-eight hours of the session waiting with conference reports and asking to call up House messages. It is now twenty-five minutes past the morning hour, and it seems to me the immediate business of the Senate is to transact business which is pending between the Houses. That is the only interest I have in it.

The VICE-PRESIDENT. The Senator from Nebraska occupies the floor by unanimous consent; the Senator from New Hampshire took the floor upon a message from the House of Representatives, but yielded for morning business only. The Senator from Nebraska occupies the floor subject to the right of the Senator from New Hampshire to resume it.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. The Senator from New Hampshire.

Mr. GALLINGER. I ask that the message from the House of Representatives relating to the ship-subsidy bill be laid before the Senate.

Mr. BURKETT. Mr. President——

CREDENTIALS.

Mr. CLAY. I rise to a question of privilege.

The VICE-PRESIDENT. The Senator from Georgia rises to a question of privilege, which he will state.

Mr. CLAY. I desire to present the credentials of my colleague [Mr. BACON] as a Senator from the State of Georgia for the term commencing March 4 next, and I ask that they be read and properly filed.

Mr. BURKETT. Mr. President, before we get by this, I desire to move to take up the resolution I have offered.

The VICE-PRESIDENT. The Senator from New Hampshire [Mr. GALLINGER] rose nearly an hour ago to call up a House message and withdrew his request that the message be laid before the Senate in order that morning business might be presented.

Mr. BURKETT. What is the business?

The VICE-PRESIDENT. It is a message from the House of Representatives. The Senator from Georgia now presents a privileged matter, which is the credentials of his colleague.

Mr. ALDRICH. I suggest that the credentials be referred to the Committee on Privileges and Elections.

Mr. FORAKER. I object, Mr. President. I hope that will not be done.

The VICE-PRESIDENT. Objection is made, and the Secretary will read the credentials.

The Secretary read the credentials, as follows:

STATE OF GEORGIA, EXECUTIVE DEPARTMENT, ATLANTA.

I, Joseph M. Terrell, governor of the State of Georgia, by virtue of the authority in me vested by subdivision 2 of section 3 of Article I of the Constitution of the United States, by reason of a vacancy happening from the expiration of the term of Hon. AUGUSTUS O. BACON as United States Senator from the State of Georgia on the 3d day of March, 1907, and during the recess of the legislature of said State, do hereby make temporary appointment of AUGUSTUS O. BACON, of Macon, Bibb County, Ga., who is duly qualified therefor under the Constitution of the United States, to be a Senator in the Congress of the United States from the State of Georgia from the 4th day of March, 1907, until the next meeting of the legislature, in accordance with the Constitution and laws of the United States.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Georgia to be affixed at Atlanta, the capital, this 1st day of March, 1907.

[SEAL.] JOSEPH M. TERRELL, *Governor.*

By the governor:

PHILIP COOK,
*Secretary of State.*

Mr. FORAKER. I ask that the credentials be placed on file.

The VICE-PRESIDENT. The credentials will be filed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following acts:

On February 28:

S. 1622. An act granting a pension to Jane Agnew;

S. 1896. An act granting a pension to Smith Bledsoe;

S. 3495. An act granting a pension to Joseph H. Boucher;
S. 4762. An act granting a pension to Mary A. Brady;
S. 6093. An act granting a pension to Hester A. Coller;
S. 6724. An act granting a pension to Mary W. Granniss;
S. 7064. An act granting a pension to Edward T. Blodgett;
S. 7078. An act granting a pension to Daniel Schaffner;
S. 7129. An act granting a pension to Susan J. Chandler;
S. 7. An act granting an increase of pension to Edwin B. Lufkin;
S. 12. An act granting an increase of pension to Nancy Littlefield;
S. 161. An act granting an increase of pension to Ruth E. Rogers;
S. 177. An act granting an increase of pension to Alvah D. Wilson;
S. 435. An act granting a pension to Luther H. Canfield;
S. 463. An act granting an increase of pension to Justin C. Kennedy;
S. 496. An act granting an increase of pension to Lewis Young;
S. 570. An act granting an increase of pension to John W. Crane;
S. 588. An act granting an increase of pension to Priscilla L. Hamill;
S. 883. An act granting an increase of pension to Thomas A. Willson;
S. 913. An act granting an increase of pension to Charles E. Foster;
S. 990. An act granting an increase of pension to Relf Bledsoe;
S. 1136. An act granting an increase of pension to Warren W. Whipple;
S. 1261. An act granting an increase of pension to Edwin P. Richardson;
S. 1299. An act granting an increase of pension to Ludwig Schultz;
S. 1515. An act granting an increase of pension to Elizabeth Strong;
S. 1520. An act granting an increase of pension to Laura M. Freeman;
S. 1526. An act granting an increase of pension to Theodore W. Gates;
S. 1350. An act granting an increase of pension to Michael Cullen;
S. 1935. An act granting an increase of pension to Charles Church;
S. 1980. An act granting an increase of pension to Mary O. Foster;
S. 2083. An act granting an increase of pension to Asa K. Harbert;
S. 2109. An act granting an increase of pension to Elisha T. Arnold;
S. 2181. An act granting an increase of pension to Mary G. Potter;
S. 2285. An act granting an increase of pension to William W. Herrick;
S. 2315. An act granting an increase of pension to William T. Graffan, alias William Rivers;
S. 2336. An act granting an increase of pension to Annie E. Smith;
S. 2387. An act granting an increase of pension to Harvey Smith;
S. 2394. An act granting an increase of pension to John A. J. Taylor;
S. 2502. An act granting an increase of pension to Stephen M. Fitzwater;
S. 2729. An act granting an increase of pension to Robert J. Henry;
S. 2743. An act granting an increase of pension to Daniel B. Morehead;
S. 2748. An act granting an increase of pension to Joel R. Smith;
S. 2792. An act granting an increase of pension to John W. Ogan;
S. 2954. An act granting an increase of pension to Hanna Welch;
S. 2971. An act granting an increase of pension to Henry O. Bennum;
S. 3197. An act granting an increase of pension to Hiram Focht;
S. 3266. An act granting an increase of pension to William P. McKeever;
S. 3267. An act granting an increase of pension to George C. Veile;
S. 3268. An act granting an increase of pension to Jacob A. Ward;
S. 3275. An act granting an increase of pension to Thomas J. Harrison;
S. 3432. An act granting an increase af pension to Samuel Ellis;
S. 3434. An act granting an increase of pension to Charles M. Canfield;
S. 3435. An act granting an increase of pension to Rowland Saunders;
S. 3446. An act granting an increase of pension to Anna M. Woodbury;
S. 3527. An act granting an increase of pension to Samuel S. Watson;
S. 3552. An act granting an increase of pension to Joseph P. Wilcox;
S. 3563. An act granting an increase of pension to Orin D. Sisco;
S. 3652. An act granting an increase of pension to Sallie Noble;
S. 3672. An act granting an increase of pension to Daniel R. Emery;
S. 3852. An act granting an increase of pension to Levi W. Curtis;
S. 3929. An act granting an increase of pension to Ellen L. Stoughton;
S. 3997. An act granting an increase of pension to Jacob Berry;
S. 3998. An act granting an increase of pension to Thomas Warner;
S. 4008. An act granting an increase of pension to Charles B. Saunders;
S. 4028. An act granting an increase of pension to Ann H. Barnes;
S. 4208. An act granting an increase of pension to Charles V. Nash;
S. 4461. An act granting an increase of pension to Thomas S. Elsberry;
S. 4501. An act granting an increase of pension to Horatio S. Brewer;
S. 4559. An act granting an increase of pension to John A. Wagner;
S. 4531. An act granting an increase of pension to Levi M. Stephenson;
S. 4562. An act granting an increase of pension to Henry Stegman;
S. 4580. An act granting an increase of pension to William Hale;
S. 4629. An act granting an increase of pension to Mary Jane Miller;
S. 4693. An act granting an increase of pension to Irvin M. Hill;
S. 4865. An act granting an increase of pension to James W. Muncy;
S. 4873. An act granting an increase of pension to D. Laning Ross;
S. 4875. An act granting an increase of pension to Nathan S. Wood;
S. 4890. An act granting an increase of pension to Lorin N. Hawkins;
S. 4936. An act granting an increase of pension to Jacob Grell;
S. 4958. An act granting an increase of pension to William W. Duffield;
S. 5970. An act granting an increase of pension to Julia A. Horton;
S. 5981. An act granting an increase of pension to John H. La Vaque;
S. 5992. An act granting an increase of pension to Franklin Craig;
S. 6044. An act granting an increase of pension to John H. Arnold;
S. 6076. An act granting an increase of pension to John McKnight;
S. 6103. An act granting an increase of pension to William P. Visgar;
S. 6127. An act granting an increase of pension to John R. Callender;
S. 6140. An act granting an increase of pension to Julia A. Birge;
S. 6177. An act granting an increase of pension to Louisa Anne Morton;
S. 6245. An act granting an increase of pension to Susan Mahany;

S. 6281. An act granting an increase of pension to Joseph C. Bowker;
S. 6319. An act granting an increase of pension to Angus Fraser;
S. 6380. An act granting an increase of pension to Josiah B. Kinsman;
S. 6467. An act granting an increase of pension to John M. Smith;
S. 6475. An act granting an increase of pension to Harvey Key;
S. 6518. An act granting an increase of pension to William H. Stiles;
S. 6531. An act granting an increase of pension to Francis A. Dory;
S. 6567. An act granting an increase of pension to George C. Gibson;
S. 6570. An act granting an increase of pension to George W. Cole;
S. 6606. An act granting an increase of pension to Alexander Sholl;
S. 6609. An act granting an increase of pension to John Shank;
S. 6610. An act granting an increase of pension to Isaac Johnson;
S. 6612. An act granting an increase of pension to George H. McClung;
S. 6616. An act granting an increase of pension to Jacob P. Crooker;
S. 6634. An act granting an increase of pension to John P. Murray;
S. 6635. An act granting an increase of pension to John A. Morris;
S. 6652. An act granting an increase of pension to Hiram H. Lockwood;
S. 6663. An act granting an increase of pension to Thomas M. Chase;
S. 6665. An act granting an increase of pension to Samuel B. T. Goodrich;
S. 6669. An act granting an increase of pension to Timothy B. Lewis;
S. 6672. An act granting an increase of pension to Hannah Peavey;
S. 6702. An act granting an increase of pension to Charles E. Du Bois;
S. 6711. An act granting an increase of pension to Harvey B. F. Keller;
S. 6713. An act granting an increase of pension to James L. Short;
S. 6726. An act granting an increase of pension to Mary A. Jackson;
S. 6731. An act granting an increase of pension to Elizabeth H. Rice;
S. 6734. An act granting an increase of pension to John C. Snell;
S. 6774. An act granting an increase of pension to James B. Hackett;
S. 6768. An act granting an increase of pension to John E. Hayes;
S. 6818. An act granting an increase of pension to John E. Anthony;
S. 6838. An act granting an increase of pension to Samuel Shepherd;
S. 6899. An act granting an increase of pension to George H. Nye;
S. 6909. An act granting an increase of pension to William H. Adams;
S. 6910. An act granting an increase of pension to George F. Chamberlin;
S. 6911. An act granting an increase of pension to George A. Boyle;
S. 6912. An act granting an increase of pension to James G. Harvey;
S. 6913. An act granting an increase of pension to Samuel C. Murdough;
S. 6952. An act granting an increase of pension to Martin A. Rubert;
S. 6954. An act granting an increase of pension to Henry Matter;
S. 6955. An act granting an increase of pension to Abram W. Vandel;
S. 6956. An act granting an increase of pension to Eli Ford, alias Jacob Butler;
S. 6962. An act granting an increase of pension to Franklin Rust;
S. 6970. An act granting an increase of pension to Alonzo W. Fuller;
S. 6996. An act granting an increase of pension to John Snyder;
S. 7004. An act granting an increase of pension to Edward G. Burnet;
S. 7021. An act granting an increase of pension to Hugh K. McJunkin;
S. 7038. An act granting an increase of pension to William Curran;
S. 7039. An act granting an increase of pension to Robert Hamilton;
S. 7044. An act granting an increase of pension to Sylvester O. Pevear;
S. 7054. An act granting an increase of pension to Charles H. Clapp;
S. 7058. An act granting an increase of pension to Gilbert Bailie;
S. 7061. An act granting an increase of pension to Hugh McNaughton;
S. 7063. An act granting an increase of pension to William T. Hastings;
S. 7068. An act granting an increase of pension to Richard B. Hall;
S. 7098. An act granting an increase of pension to Henrietta Teague;
S. 7136. An act granting an increase of pension to Cornelia W. Clay;
S. 7138. An act granting an increase of pension to George H. Allen;
S. 7150. An act granting an increase of pension to John Bell;
S. 7154. An act granting an increase of pension to Samuel A. Miller;
S. 7168. An act granting an increase of pension to Edward B. Shepherd;
S. 7171. An act granting an increase of pension to Margaret Holden;
S. 7194. An act granting an increase of pension to Lawrence Over;
S. 7196. An act granting an increase of pension to William H. Hubbard;
S. 7218. An act granting an increase of pension to Samuel D. Thompson;
S. 7222. An act granting an increase of pension to Sylvester Byrne;
S. 7223. An act granting an increase of pension to Joseph W. Little;
S. 7231. An act granting an increase of pension to Oscar F. Richards;
S. 7237. An act granting an increase of pension to Daniel McConnell;
S. 7244. An act granting an increase of pension to Bessie Sharp Pettit; and
S. 7268. An act granting an increase of pension to Dewayne W. Suydam.

On March 1:

S. 5125. An act granting an increase of pension to Nancy A. E. Hoffman;
S. 5144. An act granting an increase of pension to Morgan H. Weeks;
S. 5171. An act granting an increase of pension to Jennie H. Marshall;
S. 5191. An act granting an increase of pension to Robert H. White;
S. 5261. An act granting an increase of pension to Stephen A. Barker;
S. 5361. An act granting an increase of pension to John H. Peters;
S. 5380. An act granting an increase of pension to Richard Jones;
S. 5383. An act granting an increase of pension to Greenberry B. Patterson;
S. 5400. An act granting an increase of pension to John A. Chase;
S. 5420. An act granting an increase of pension to Thomas W. Gilpatrick;
S. 5423. An act granting an increase of pension to William M. Tinsley;
S. 5456. An act granting an increase of pension to Marcellus Cash;
S. 5457. An act granting an increase of pension to Albert Teets;
S. 5558. An act granting an increase of pension to George Payne;

S. 5578. An act granting an increase of pension to Sheffield L. Sherman, jr.;
S. 5621. An act granting an increase of pension to Frederick Buehrle;
S. 5681. An act granting an increase of pension to William Grant;
S. 5692. An act granting an increase of pension to Margaret E. Craigo;
S. 5718. An act granting an increase of pension to William D. Hoff;
S. 5724. An act granting an increase of pension to George C. Saul;
S. 5730. An act granting an increase of pension to William O. Spelman;
S. 5752. An act granting an increase of pension to Ruth M. Hoag;
S. 5756. An act granting an increase of pension to Charles A. Bell;
S. 5782. An act granting an increase of pension to Octave L. F. E. Fariola;
S. 5813. An act granting an increase of pension to Marshall T. Kennan;
S. 5884. An act granting an increase of pension to Cyrus Palmer;
S. 5940. An act granting an increase of pension to Henry Bittleston;
S. 7272. An act granting an increase of pension to George W. Cook;
S. 7283. An act granting an increase of pension to William T. Cooper;
S. 7305. An act granting an increase of pension to Robert K. Leech;
S. 7329. An act granting an increase of pension to Nathaniel Lewis Turner;
S. 7334. An act granting an increase of pension to Joshua T. Jellison;
S. 7341. An act granting an increase of pension to Menzo S. Bishop;
S. 7344. An act granting an increase of pension to Clara T. Coleman;
S. 7355. An act granting an increase of pension to William McHenry Plotner;
S. 7357. An act granting an increase of pension to Levi S. Bailey;
S. 7373. An act granting an increase of pension to Jeremiah Thomas;
S. 7379. An act granting an increase of pension to Mary E. Dougherty;
S. 7380. An act granting an increase of pension to Andrew J. Harris;
S. 7394. An act granting an increase of pension to Henrietta C. Cooley;
S. 7427. An act granting an increase of pension to George L. Danforth;
S. 7452. An act granting an increase of pension to Thomas Harrop;
S. 7470. An act granting an increase of pension to William F. Burnett;
S. 7473. An act granting an increase of pension to John M. Gilliland;
S. 7476. An act granting an increase of pension to Oliver S. Boggs;
S. 7477. An act granting an increase of pension to Patrick Cooney;
S. 7478. An act granting an increase of pension to William H. Brown;
S. 7479. An act granting an increase of pension to George L. Corey;
S. 7480. An act granting an increase of pension to John Bowen;
S. 7481. An act granting an increase of pension to Alanson W. Edwards;
S. 7482. An act granting an increase of pension to Wilford Herrick;
S. 7483. An act granting an increase of pension to Marinda D. Beery;
S. 7485. An act granting an increase of pension to Lester M. P. Griswold;
S. 7491. An act granting an increase of pension to Anna V. Blaney;
S. 7493. An act granting an increase of pension to George Arthur Tappan;
S. 7503. An act granting an increase of pension to George W. Baker;
S. 7504. An act granting an increase of pension to David Decker;
S. 7509. An act granting an increase of pension to William T. Bennett;
S. 7531. An act granting an increase of pension to William F. Letts;
S. 7532. An act granting an increase of pension to Joseph Kiichli;
S. 7533. An act granting an increase of pension to Orvil Dodge;
S. 7553. An act granting an increase of pension to Adolphus P. Clark;
S. 7555. An act granting an increase of pension to James T. Piggott;
S. 7561. An act granting an increase of pension to Charles A. Woodward;
S. 7567. An act granting an increase of pension to William Booth;
S. 7570. An act granting an increase of pension to George W. Hapgood;
S. 7572. An act granting an increase of pension to Warren M. Fales;
S. 7574. An act granting an increase of pension to Emily J. Larkham;
S. 7598. An act granting an increase of pension to Jesse C. Newell;
S. 7604. An act granting an increase of pension to John M. Morgan;
S. 7605. An act granting an increase of pension to Judiah B. Smithson;
S. 7606. An act granting an increase of pension to Samuel Reeves;
S. 7609. An act granting an increase of pension to Thomas Strong;
S. 7610. An act granting an increase of pension to Frederick Kurz;
S. 7616. An act granting an increase of pension to Ezekiel C. Ford;
S. 7622. An act granting an increase of pension to George K. Taylor;
S. 7628. An act granting an increase of pension to John P. Wildman;
S. 7632. An act granting an increase of pension to Elias W. Garrett;
S. 7634. An act granting an increase of pension to Charles Shattuck;
S. 7636. An act granting an increase of pension to Samuel M. Breckenridge;
S. 7642. An act granting an increase of pension to Oliver H. P. Rhoads;
S. 7655. An act granting an increase of pension to Francis G. Brown;
S. 7657. An act granting an increase of pension to Harman Grass;
S. 7666. An act granting an increase of pension to True Sanborn, jr.;
S. 7668. An act granting an increase of pension to Henry H. Buzzell;
S. 7671. An act granting an increase of pension to Charles H. Alden;
S. 7678. An act granting an increase of pension to Joseph Kennedy;
S. 7679. An act granting an increase of pension to George M. Shaffer;
S. 7683. An act granting an increase of pension to William Wakefield;
S. 7685. An act granting an increase of pension to Albion W. Tebbetts;
S. 7696. An act granting an increase of pension to Zadok K. Judd;
S. 7708. An act granting an increase of pension to Sue A. Brockway;
S. 7722. An act granting an increase of pension to Henderson Stanley;
S. 7745. An act granting an increase of pension to Frederick Wood;
S. 7763. An act granting an increase of pension to Jacob S. Hawkins;
S. 7764. An act granting an increase of pension to Davis Gilborne;
S. 7768. An act granting an increase of pension to Alonzo P. Mann;
S. 7782. An act granting an increase of pension to Henry F. Reuter;

S. 7785. An act granting an increase of pension to Carlo J. Emerson;
S. 7786. An act granting an increase of pension to Chauncey M. Snow;
S. 7803. An act granting an increase of pension to William H. Long;
S. 7818. An act granting an increase of pension to Edward Bird;
S. 7820. An act granting an increase of pension to Benjamin B. Cravens;
S. 7825. An act granting an increase of pension to Garret P. Rockwell;
S. 7830. An act granting an increase of pension to Wilbur A. Stiles;
S. 7831. An act granting an increase of pension to William H. Grandaw;
S. 7838. An act granting an increase of pension to Ole Gunderson;
S. 7841. An act granting an increase of pension to Frank De Noyer;
S. 7842. An act granting an increase of pension to Evarts C. Stevens;
S. 7843. An act granting an increase of pension to Isaac Oakman;
S. 7862. An act granting an increase of pension to Elias Laughner;
S. 7870. An act granting an increase of pension to Albert Bennington;
S. 7872. An act granting an increase of pension to Gilbert H. Keck;
S. 7877. An act granting an increase of pension to Thomas B. Marsh;
S. 7878. An act granting an increase of pension to Richard J. Gibbs;
S. 7880. An act granting an increase of pension to Sarah E. Stockton;
S. 7890. An act granting an increase of pension to Henry Zacher, alias Charles Stein;
S. 7895. An act granting an increase of pension to William Wallace;
S. 7903. An act granting an increase of pension to Catherine De Rosset Meares;
S. 7907. An act granting an increase of pension to Wilkison B. Ross;
S. 7912. An act granting an increase of pension to Eleanor P. Bigler;
S. 7915. An act granting an increase of pension to Mary M. Howell;
S. 7918. An act granting an increase of pension to Royal T. Melvin;
S. 7923. An act granting an increase of pension to William H. Brady;
S. 7930. An act granting an increase of pension to Joseph Hare, jr.;
S. 7936. An act granting an increase of pension to Liberty W. Foskett;
S. 7938. An act granting an increase of pension to John W. Messick;
S. 7947. An act granting an increase of pension to Charles G. Sweet;
S. 7948. An act granting an increase of pension to Jane Tate;
S. 7968. An act granting an increase of pension to James Slater;
S. 7983. An act granting an increase of pension to Samuel Dubois;
S. 7993. An act granting an increase of pension to George E. Purdy;
S. 7995. An act granting an increase of pension to Ashley White;
S. 7996. An act granting an increase of pension to Robert B. Lucas;
S. 8005. An act granting an increase of pension to Garrett F. Cowan;
S. 8006. An act granting an increase of pension to Epaminondas P. Thurston;
S. 8015. An act granting an increase of pension to Samuel B. Hunter;
S. 8017. An act granting an increase of pension to Watson L. Corner;
S. 8023. An act granting an increase of pension to Harry N. Medbury;
S. 8034. An act granting an increase of pension to Jacob M. F. Roberts;
S. 8038. An act granting an increase of pension to John F. Ackley;
S. 8049. An act granting an increase of pension to Daniel C. Swartz;
S. 8056. An act granting an increase of pension to William H. Fountain;
S. 8064. An act granting an increase of pension to Carloss Trowbridge;
S. 8079. An act granting an increase of pension to Joseph Ickstadt;
S. 8081. An act granting an increase of pension to William H. Cochran;
S. 8084. An act granting an increase of pension to John Hazen;
S. 8089. An act granting an increase of pension to Mary E. Jacobs;
S. 8090. An act granting an increase of pension to Inger A. Steensrud;
S. 8101. An act granting an increase of pension to Jacob B. Getter;
S. 8104. An act granting an increase of pension to Henry Shelley;
S. 8105. An act granting an increase of pension to Anna Arnold;
S. 8107. An act granting an increase of pension to Leonidas Obenshain;
S. 8120. An act granting an increase of pension to Benjamin T. Woods;
S. 8125. An act granting an increase of pension to Mary O. Cherry;
S. 8144. An act granting an increase of pension to Elizabeth A. Bonner;
S. 8147. An act granting an increase of pension to Ann E. Macy;
S. 8153. An act granting an increase of pension to Henry B. Johnson;
S. 8195. An act granting an increase of pension to Asa E. Swasey;
S. 8196. An act granting an increase of pension to Michael J. Geary;
S. 8197. An act granting an increase of pension to Arabella J. Farrell;
S. 8201. An act granting an increase of pension to Clara A. Keeting;
S. 8207. An act granting an increase of pension to Peter Wedeman;
S. 8215. An act granting an increase of pension to James W. Lendsay;
S. 8225. An act granting an increase of pension to Elizabeth P. Hargrave;
S. 8237. An act granting an increase of pension to Lydia Irvine;
S. 8259. An act granting an increase of pension to Henry B. Love;
S. 8263. An act granting an increase of pension to Martha L. Bohannan;
S. 8278. An act granting an increase of pension to Calvin Herring;
S. 8314. An act granting an increase of pension to James P. Worrell;
S. 8317. An act granting an increase of pension to Annie C. Stephens;
S. 8340. An act granting an increase of pension to Maria L. Philbrick;
S. 8345. An act granting an increase of pension to Frank Holderby, alias Frank Giles;
S. 8347. An act granting an increase of pension to Ervin F. Mann;
S. 8348. An act granting an increase of pension to Cornelius E. Bliss;
S. 8378. An act granting an increase of pension to Eli B. Woodard;
S. 8379. An act granting an increase of pension to Bertha Maria Johnson;
S. 8390. An act granting an increase of pension to Joseph H. Kinsman;
S. 8397. An act granting an increase of pension to Martin Peacock;
S. 8404. An act granting an increase of pension to Nelson W. Jameson;
S. 8407. An act granting an increase of pension to Reuben C. Webb;
S. 8422. An act granting an increase of pension to Overton E. Harris;
S. 8456. An act granting an increase of pension to Margaret Baber;
S. 8469. An act granting an increase of pension to Thomas L. Hewitt;

S. 8485. An act granting an increase of pension to Ann Hudson;

S. 8508. An act granting an increase of pension to Miranda W. Howard;

S. 2011. An act granting a pension to Lucinda L. McCorkle;

S. 7667. An act granting a pension to Henry Lunn;

S. 7670. An act granting a pension to Sarah E. Lungren;

S. 7698. An act granting a pension to Fannie S. Grant;

S. 7772. An act granting a pension to Ellen Dougherty;

S. 7871. An act granting a pension to Catharine Hayes;

S. 8024. An act granting a pension to Susan J. Rogers;

S. 8212. An act granting a pension to Azelia Mittag;

S. 8214. An act granting a pension to Jeremiah Bowman;

S. 8235. An act granting a pension to James H. Huntington;

S. 8258. An act granting a pension to Mary B. Yerington;

S. 8279. An act granting a pension to Edward Dunscomb;

S. 8302. An act granting a pension to Ella B. Morrow;

S. 8349. An act granting a pension to Mary Ellen Van Amringe;

S. 8443. An act granting a pension to Fanny M. Grant;

S. 8511. An act granting a pension to George L. Dancy;

S. 7420. An act granting a pension to Eleanor N. Sherman;

S. 7429. An act granting a pension to Caroline A. Gilmore;

S. 7430. An act granting a pension to Mary F. Johnson;

S. 8451. An act ratifying and confirming chapter 58 of the twenty-third legislative assembly of the Territory of Arizona, providing for repair of the Territorial bridge at Florence, Pinal County, Ariz.;

S. 8534. An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof;

S. 7017. An act extending the time for making settlement, final proof, and payment on public lands in certain cases;

S. 6229. An act to authorize the sale of public lands for cemetery purposes;

S. 8435. An act granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs; and

S. 8533. An act to authorize the Court of Claims to hear, determine, and adjudicate the claims of the Sac and Fox Indians of the Mississippi in Iowa against the Sac and Fox Indians of the Mississippi in Oklahoma and the United States, and for other purposes.

On March 2:

S. 5888. An act authorizing the President to appoint James Carroll a surgeon, with the rank of major, in the United States Army;

S. 8400. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904; and

S. 8446. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk and Southern Railway Company.

## THE MERCHANT MARINE.

Mr. GALLINGER. I ask the Chair to lay before the Senate the message from the House of Representatives in regard to the ship-subsidy bill.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce; which was to strike out all after the enacting clause and insert:

That the act entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce," approved March 3, 1891, be, and hereby is, amended by adding thereto the following section:

"SEC. 10. That the Postmaster-General is hereby authorized and directed to enter into contracts for a term of ten years, with citizens of the United States, for the carrying of mails on steamships hereafter built and registered in the United States, by a citizen or citizens of the United States (including as such citizens any corporation created under the laws of the United States or any of the States thereof, a majority of the stock of which shall be and shall continue to be owned by citizens of the United States), between ports of the United States and ports on the routes and for the amounts hereinafter prescribed.

"First. From a port or ports of the Atlantic coast of the United States to Brazil, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year.

"From a port or ports of the United States on the Gulf of Mexico to Brazil on steamships of the United States of not less than 16 knots speed for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year.

"Second. From a port or ports of the Atlantic coast of the United States to Argentina, on steamships of the United States of not less than 16 knots speed, for a monthly service at a monthly compensation not exceeding $400,000 a year, or for a fortnightly service at a maximum compensation not exceeding $800,000 a year: *Provided*, That a vessel receiving compensation for mail service pursuant to contract on a voyage on this route shall not also receive compensation for mail service pursuant to contract on said voyage on the first route as described above.

"Third. From a port or ports of the Pacific coast of the United States to the Isthmus of Panama, Peru, and Chile, on steamships of the United States of not less than 16 knots speed, for a monthly service at a maximum compensation not exceeding $300,000 a year, or for a fortnightly service at a maximum compensation not exceeding $600,000 a year: *Provided*, That the requirements of this section as to the rates of speed shall be deemed to be complied with if said rates are developed during a trial of four hours continuous steaming at sea in ordinary weather in water of sufficient depth to make the test a fair and just one and if the vessels are maintained in a condition to develop such speed at any time while at sea in ordinary weather. This trial shall be made under the direction and supervision of a board of naval officers which the Secretary of the Navy shall appoint upon the application of the owner or owners of the vessel to be tested: *And provided further*, That all the provisions of the first nine sections of this act are hereby made applicable in all respects to the services provided for in this section: *Provided, however*, That the specific rates of compensation described in section 5 of this act shall not apply to the services provided for in this section, and that all ordinary repair or overhauling of a steamship employed and paid for carrying mails under this section shall be made in the United States, except in cases where drydocking is necessary and no American dry dock of sufficient capacity shall be within a distance of 500 miles of the location of said ship when the repairs shall be needed: *Provided*, That subject to the foregoing provisions every contract hereunder shall be awarded to that responsible bidder who will contract under penalties prescribed by the Postmaster-General for the highest running speed between the points named in said contract."

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act in whole or in part whenever in its judgment the public interest shall so require, without, however, impairing in any wise the obligation of any specific contract then in force which shall have been entered into under the provisions of this act.

SEC. 3. That there shall be enrolled, in such manner and under such requirements as the Secretary of the Navy may prescribe, from the officers and men now and hereafter employed in the merchant marine and fisheries of the United States, including the coastwise trade of the Atlantic and Pacific, and the Great Lakes, such officers, petty officers, and men as may be capable of rendering service as members of a naval reserve, for duty in time of war, and who are willing to undertake such service, to be classified in grades and ratings according to their capacity as shown at time of enrollment. No man shall be thus enrolled who is not a citizen of the United States by either birth or naturalization. These members of the Naval Reserve shall be enrolled for a period of four years, during which period they shall be subject to render service on call of the President in time of war. They shall also possess such qualifications, receive such instruction, and be subject to such regulations as the Secretary of the Navy may prescribe. The Secretary of the Treasury is hereby authorized and directed, upon proper audit by the Auditor of the Navy Department, to pay out of any money to be annually appropriated therefor upon estimates to be annually submitted to Congress in the Book of Estimates to such officer, petty officer, or man thus enrolled and employed in the merchant marine or fisheries, including the coastwise trade of the Atlantic and Pacific, and the Great Lakes, as hereinafter provided, an annual retainer as follows: For each officer of the line or Engineer Corps having the rank of lieutenant in the Naval Reserve, $110; for each officer of the line or Engineer Corps having the rank of lieutenant (junior grade) in the Naval Reserve, $90; for each officer of the line or Engineer Corps having the rank of ensign in the Naval Reserve, $80; for each man with a rating of chief petty officer, $70; for each man with a rating of petty officer, first class, $60; for each man with a rating of petty officer, second class, $48; for each man with a rating of petty officer, third class, $40; for each seaman, first class, $36; for each seaman, second class, $30; for each seaman, third class, $24. Such retainer shall be paid at the end of each year of service on certificate, by the Secretary of the Navy, that the member of the Naval Reserve has complied with the regulations and has served for at least six months of the preceding twelve months on vessels of the United States in the merchant marine or fisheries. The total number of officers, petty officers, and men enrolled in the Naval Reserve shall not at any time exceed 10,000.

SEC. 4. That this act shall take effect on July 1, 1907.

Mr. GALLINGER. I move that the Senate concur in the amendment made by the House of Representatives.

Mr. BURKETT. Mr. President, I ask for information, is not this a House bill that has come here as a substitute for something or other?

Mr. GALLINGER. "For something or other" that the Senator voted against. He remembers it.

Mr. BURKETT. I am not asking the Senator from New Hampshire. I will say to him that I am asking the Chair whether this is not a House bill?

The VICE-PRESIDENT. It is a Senate bill returned with a House amendment.

Mr. BURKETT. Is it not a House bill as a substitute for a Senate bill?

The VICE-PRESIDENT. It is a House substitute for a Senate bill.

Mr. BURKETT. It is a House substitute for a Senate bill, and I submit, Mr. President, that I have a right to make a motion as a substitute for the motion of the Senator from New Hampshire that the Senate proceed to the consideration of Senate resolution No. 290.

Mr. GALLINGER. I have made my motion, Mr. President.

Mr. BURKETT. I submit, Mr. President, that this is a matter of legislation that has come from the House. I had the

floor by unanimous consent and was taken off by the motion of the Senator from New Hampshire. My motion now is made as a substitute for the motion to take up and consider the House substitute for the Senate bill.

Mr. GALLINGER. Mr. President, I desire simply to observe that the most casual examination of the rule, I think, will reveal the fact that a motion to proceed to the consideration of a message from the House of Representatives is in order.

The VICE-PRESIDENT. The Chair is of that opinion.

Mr. BURKETT. I have only offered a motion as a substitute for that. The Senate can determine what they want to take up, I am sure.

Mr. CULBERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Texas?

Mr. GALLINGER. I yield to the Senator from Texas, briefly.

Mr. CULBERSON. Mr. President, the Senator from New Hampshire was correct in saying that it is in order for him to make the motion he has made, but that does not necessarily make that the motion of precedence.

Mr. GALLINGER. I think if the Senator will——

Mr. CULBERSON. The Senator from Nebraska, who had the floor on a resolution, moves that in lieu of taking up the subsidy bill the Senate proceed to the consideration of resolution No. 290.

Mr. SPOONER. I rise to make a parliamentary inquiry.

The VICE-PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. SPOONER. What is the question before the Senate?

The VICE-PRESIDENT. The question is on the motion of the Senator from New Hampshire to concur in the amendment made by the House of Representatives to Senate bill No. 529.

Mr. HANSBROUGH. What is the title of the bill?

The VICE-PRESIDENT. "To promote the national defense, to create a naval reserve to establish American ocean mail lines to foreign markets, and to promote commerce."

Mr. SPOONER. Mr. President, that is a very important measure. I am informed that it has been very greatly changed from the bill as it passed the Senate. I think that Senators ought to have an opportunity to familiarize themselves with it, and I ask the Senator from New Hampshire that action on this report may be deferred and that his motion may go over until a time, pending which we can have the bill printed, so that we can read it.

Mr. GALLINGER. Would the Senator from Wisconsin indicate a time?

Mr. SPOONER. Four o'clock, I should say—as soon as the bill can be printed.

Mr. HANSBROUGH. It can be printed in a couple of hours.

Mr. SPOONER. There are some memorial exercises which were fixed, not at a specific hour, but to be taken up before recess or adjournment to-day, that can be accommodated, I suppose, to this situation.

Mr. GALLINGER. I will say, Mr. President, in reference to the interrogatory of the Senator from Wisconsin [Mr. SPOONER], that I want to be entirely courteous, and I want to proceed properly in reference to this matter. I have no disposition to crowd it at all, except that we are nearing the end of the session, and the Senator will agree with me that this is a matter of sufficient importance to be considered.

Mr. SPOONER. And to be understood before it is considered.

Mr. GALLINGER. I agree with the Senator about that. So if the Senator will suggest that the matter go over until the hour of 4 o'clock this afternoon, I will very cheerfully accede to that request.

Mr. SPOONER. I suggest that the printing be rushed.

Mr. GALLINGER. Yes; I will agree to that. Let that, then, be understood.

The VICE-PRESIDENT. What is the request of the Senator from New Hampshire?

Mr. GALLINGER. The Senator from Wisconsin made a request that the further consideration of this matter be postponed until the hour of 4 o'clock this afternoon, and that in the meantime the bill be printed.

Mr. SPOONER. I make that motion, if it is in order.

The VICE-PRESIDENT. The Senator from Wisconsin moves that further consideration of the message of the House of Representatives be postponed until 4 o'clock this afternoon, and that the report be printed.

Mr. PENROSE. Mr. President, I call up the conference report on the bill limiting the hours of railroad employees.

Mr. GALLINGER. This matter is not settled yet.

Mr. PENROSE. Very well; I will wait.

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Tennessee?

Mr. GALLINGER. I wish the motion to be put, and I desire to have it understood that the motion to concur in the House amendment shall be pending when it is taken up at 4 o'clock.

The VICE-PRESIDENT. The question is on agreeing to the motion made by the Senator from Wisconsin.

Mr. CARMACK. I move to amend the motion of the Senator from Wisconsin, so as to postpone it until to-morrow.

Mr. GALLINGER. That is Sunday.

The VICE-PRESIDENT. The Senator from Tennessee moves, as an amendment to the motion of the Senator from Wisconsin, that the consideration of the message and the bill be postponed until to-morrow morning.

Mr. CARMACK. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer it to the junior Senator from Iowa [Mr. DOLLIVER] and will vote. I vote "nay."

Mr. DEPEW (when his name was called). I have a general pair with the Senator from Louisiana [Mr. MCENERY]. I transfer it to my colleague [Mr. PLATT] and will vote. I vote "nay."

Mr. KITTREDGE (when his name was called). I have a general pair with the junior Senator from Colorado [Mr. PATTERSON]. In his absence I withhold my vote.

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. FOSTER]. During his absence I withhold my vote on this question.

Mr. MALLORY (when his name was called). I am paired with the senior Senator from Vermont [Mr. PROCTOR], who is not present. I therefore withhold my vote. If he were present, I should vote "yea."

Mr. McLAURIN (when Mr. MONEY's name was called). My colleague [Mr. MONEY] is unavoidably absent because of sickness. He is paired with the senior Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "yea."

Mr. WARNER (when Mr. STONE's name was called). My colleague is absent by reason of sickness.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I do not see him in the Chamber. If I were at liberty to vote, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 23, nays 37, as follows:

YEAS—23.

| | | | |
|---|---|---|---|
| Berry | Culberson | McEnery | Rayner |
| Blackburn | Daniel | McLaurin | Simmons |
| Burkett | Dubois | Mulkey | Tallaferro |
| Carmack | Frazier | Newlands | Teller |
| Clapp | Latimer | Overman | Whyte |
| Clay | McCreary | Pettus | |

NAYS—37.

| | | | |
|---|---|---|---|
| Aldrich | Du Pont | Hemenway | Piles |
| Ankeny | Elkins | Heyburn | Scott |
| Brandegee | Flint | Hopkins | Smith |
| Bulkeley | Foraker | Kean | Spooner |
| Burrows | Frye | Knox | Sutherland |
| Crane | Fulton | Lodge | Warner |
| Cullom | Gallinger | Long | Wetmore |
| Curtis | Gamble | Nixon | |
| Depew | Hale | Penrose | |
| Dick | Hansbrough | Perkins | |

NOT VOTING—30.

| | | | |
|---|---|---|---|
| Allee | Clark, Wyo. | McCumber | Platt |
| Allison | Clarke, Ark. | Mallory | Proctor |
| Bacon | Dillingham | Martin | Smoot |
| Bailey | Dolliver | Millard | Stone |
| Beveridge | Dryden | Money | Tillman |
| Burnham | Foster | Morgan | Warren |
| Carter | Kittredge | Nelson | |
| Clark, Mont. | La Follette | Patterson | |

So Mr. CARMACK's amendment was rejected.

Mr. RAYNER. I move, as an amendment to the motion of the Senator from Wisconsin, that the consideration of this matter be postponed until 8 o'clock this evening, instead of 4 o'clock.

The VICE-PRESIDENT. The Senator from Maryland moves, as an amendment to the motion of the Senator from Wisconsin, that the consideration of the pending bill be postponed until 8 o'clock this evening, the motion of the Senator from Wisconsin being to postpone it until 4 o'clock.

Mr. DANIEL. I beg leave to make an observation to the Senate.

The VICE-PRESIDENT. Is there objection to the request

of the Senator from Virginia to make an observation? The Chair hears none.

Mr. DANIEL. I wish to call attention to the fact that three memorial exercises are to take place to-day. I would not think, of course, of calling a matter of that kind to the attention of the Senate to antagonize any measure, but I should like to hear from the Senate as to when it could most conveniently consider that subject.

Mr. SPOONER. I am to participate in the exercises, and I will say to the Senator that that is left entirely open.

Mr. DANIEL. I know it is entirely open, but I wish to call attention to it now that we may agree as to the time when the proceedings shall commence.

Mr. HALE. I think it is proper to state, for the information of the Senate, that I hope to be able to call up the deficiency appropriation bill this afternoon and send it over to the House, and, by staying here perhaps as late as 7 or 8 o'clock, save a night session.

But I think Senators should bear in mind that whatever arrangements are made about the consideration of anything else, ought to be made subordinate to appropriation bills and conference reports. I shall try to keep the Senate out of the disagreeable necessity of a night session by bringing up the bill as soon as we get it from the Printer and giving the Senate an opportunity to pass it some time between now and 7 or 8 o'clock. I repeat that I hope no arrangement will be made for occupying the time except by subordination to the appropriation bills.

Mr. DANIEL. I concur in the sentiment expressed by the Senator from Maine, but at the same time I can not forget that it is a subject of great dignity and solemnity with which we have to deal. For that reason I should like suggestions from other Senators who are to take part in the proceedings as to the hour which will best suit the business of the Senate. Can it be agreed that at 7 or 8 o'clock this evening the memorial exercises shall be proceeded with?

Mr. SPOONER. I should like to inquire of the Senators who have charge of appropriation bills whether it would be objectionable to take up the memorial exercises at 8 or 9 o'clock this evening?

Mr. HALE. I think perhaps the Senator had better wait, because we may dispose of the deficiency bill in two hours or in one hour, and then the memorial exercises can be entered upon.

Mr. DANIEL. I will wait, Mr. President.

Mr. CULBERSON. I desire to inquire if it is in order at this time to move that the pending bill be referred to the Committee on Commerce and printed?

The VICE-PRESIDENT. It would not be in order.

Mr. CULBERSON. At this time?

The VICE-PRESIDENT. At this time. The question is on agreeing to the amendment proposed by the Senator from Maryland to the motion of the Senator from Wisconsin.

Mr. RAYNER. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer the pair to the junior Senator from Iowa [Mr. DOLLIVER], and I desire that that pair shall stand for the day without further announcement. I vote "nay."

Mr. DEPEW (when his name was called). I transfer my pair—and that arrangement will stand during the rest of the day—to my colleague [Mr. PLATT], and I will vote. I vote "nay."

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. FOSTER]. That Senator being absent, I withhold my vote.

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I therefore withhold my vote.

The roll call was concluded.

Mr. PERKINS (after having voted in the negative). I inquire if the Senator from North Carolina [Mr. OVERMAN] has voted?

The VICE-PRESIDENT. He has not.

Mr. PERKINS. I withdraw my vote. I have a general pair with that Senator.

Mr. WARREN. I desire to announce that my colleague [Mr. CLARK of Wyoming] is absent from the Chamber on account of illness and is paired with the Senator from Missouri [Mr. STONE]. Regarding my own pair, an arrangement has been made to transfer it to the Senator from New York [Mr. PLATT], so that the Senator from New York will stand paired with the Senator from Mississippi [Mr. MONEY], and I will vote. I vote "nay."

The result was announced—yeas 23, nays 41, as follows:

YEAS—23.

| | | | |
|---|---|---|---|
| Berry | Dubois | Mallory | Simmons |
| Blackburn | Frazier | Mulkey | Taliaferro |
| Clapp | Latimer | Overman | Teller |
| Clark, Mont. | McCreary | Patterson | Tillman |
| Clay | McEnery | Pettus | Whyte |
| Culberson | McLaurin | Rayner | |

NAYS—41.

| | | | |
|---|---|---|---|
| Aldrich | Dick | Heyburn | Proctor |
| Ankeny | Du Pont | Hopkins | Scott |
| Brandegee | Flint | Kean | Smith |
| Bulkeley | Foraker | Kittredge | Spooner |
| Burnham | Frye | Knox | Sutherland |
| Burrows | Fulton | Lodge | Warner |
| Carter | Gallinger | Long | Warren |
| Crane | Gamble | Millard | Wetmore |
| Cullom | Hale | Nixon | |
| Curtis | Hansbrough | Penrose | |
| Depew | Hemenway | Piles | |

NOT VOTING—26.

| | | | |
|---|---|---|---|
| Allee | Clark, Wyo. | Foster | Newlands |
| Allison | Clarke, Ark. | La Follette | Perkins |
| Bacon | Daniel | McCumber | Platt |
| Bailey | Dillingham | Martin | Smoot |
| Beveridge | Dolliver | Money | Stone |
| Burkett | Dryden | Morgan | |
| Carmack | Elkins | Nelson | |

So Mr. RAYNER'S amendment was rejected.

Mr. CARMACK. A parliamentary inquiry, Mr. President.

The VICE-PRESIDENT. The Senator from Tennessee will state his parliamentary inquiry.

Mr. CARMACK. I should like to know whether, if the motion of the Senator from Wisconsin is adopted and the consideration of this measure is postponed until 4 o'clock, at that time a motion to further postpone would be in order?

The VICE-PRESIDENT. The Chair did not hear the Senator.

Mr. CARMACK. I ask whether, if the motion of the Senator from Wisconsin should prevail——

Mr. HALE. Has the roll call been completed, Mr. President?

The VICE-PRESIDENT. It has been completed, and the result announced. The question recurs upon the motion of the Senator from Wisconsin.

Mr. CARMACK. I was making a parliamentary inquiry, whether, if the motion of the Senator from Wisconsin prevails, when the consideration of this measure is resumed on the motion of the Senator from Wisconsin at 4 o'clock, a motion at that time to postpone further the consideration of the matter would be in order.

The VICE-PRESIDENT. The Chair will decide that question when it arises. The question recurs on agreeing to the motion of the Senator from Wisconsin.

Mr. CARMACK. I move to amend the motion of the Senator from Wisconsin by substituting 6 o'clock for 4 o'clock; and on that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). I again announce my pair with the junior Senator from Louisiana [Mr. FOSTER]. I transfer the pair to the junior Senator from New Jersey [Mr. DRYDEN] and will vote. I vote "nay."

Mr. WARREN (when his name was called). Under the arrangement of pairs already announced I will vote. I vote "nay."

The roll call having been concluded, the result was announced—yeas 23, nays 40, as follows:

YEAS—23.

| | | | |
|---|---|---|---|
| Berry | Daniel | McLaurin | Simmons |
| Blackburn | Dubois | Newlands | Taliaferro |
| Clapp | Frazier | Overman | Teller |
| Clark, Mont. | Latimer | Patterson | Tillman |
| Clay | McCreary | Pettus | Whyte |
| Culberson | McEnery | Rayner | |

NAYS—40.

| | | | |
|---|---|---|---|
| Ankeny | Du Pont | Heyburn | Penrose |
| Brandegee | Flint | Hopkins | Perkins |
| Bulkeley | Foraker | Kean | Piles |
| Burrows | Frye | Kittredge | Scott |
| Carter | Fulton | Knox | Smith |
| Crane | Gallinger | Lodge | Spooner |
| Cullom | Gamble | Long | Sutherland |
| Curtis | Hale | McCumber | Warner |
| Depew | Hansbrough | Millard | Warren |
| Dick | Hemenway | Nixon | Wetmore |

NOT VOTING—27.

| | | | |
|---|---|---|---|
| Aldrich | Burnham | Elkins | Mulkey |
| Allee | Carmack | Foster | Nelson |
| Allison | Clark, Wyo. | La Follette | Platt |
| Bacon | Clarke, Ark. | Mallory | Proctor |
| Bailey | Dillingham | Martin | Smoot |
| Beveridge | Dolliver | Money | Stone |
| Burkett | Dryden | Morgan | |

So Mr. CARMACK'S amendment was rejected.

Mr. CULBERSON. I move to amend the motion of the Senator from Wisconsin by striking out "4" and inserting "half past 5."

The VICE-PRESIDENT. The Senator from Texas proposes to amend the motion of the Senator from Wisconsin by making the hour half past 5 o'clock.

Mr. CULBERSON. On that I ask for the yeas and nays.

Mr. CARMACK. Pending that motion I move that the Senate take a recess until 6 o'clock.

The VICE-PRESIDENT. Pending the motion the Senator from Tennessee moves that the Senate take a recess until 6 o'clock.

Mr. CARMACK. I will make it 9 o'clock.

Mr. RAYNER. I move to amend by making it 8 o'clock.

Mr. SPOONER. Why not make it 3 minutes after 8?

Mr. RAYNER. Three minutes after 8.

Mr. SPOONER. Make it dignified.

Mr. GALLINGER and others. Question!

Mr. KEAN. Regular order!

Mr. RAYNER. I call for the yeas and nays on my motion.

The VICE-PRESIDENT. The Senator from Tennessee moves that the Senate take a recess until 9 o'clock.

Mr. RAYNER. There is an amendment to that motion. I moved to amend the motion of the Senator from Tennessee by moving that the Senate take a recess until 8 o'clock, instead of 9.

Mr. FRYE. The other side can filibuster a good deal better by going into minutes, instead of making it hours.

Mr. GALLINGER. They can make more motions.

Mr. CULBERSON. We seem to be doing very well at this rate, Mr. President.

The VICE-PRESIDENT. The Senator from Maryland moves to amend the motion of the Senator from Tennessee by making the hour 8 o'clock instead of 9.

Mr. RAYNER. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was not agreed to.

The VICE-PRESIDENT. The question recurs on the motion of the Senator from Tennessee, that the Senate take a recess until 9 o'clock.

Mr. CARMACK and Mr. McLAURIN called for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). Again announcing my pair with the junior Senator from Louisiana [Mr. FOSTER], I will transfer that pair to the junior Senator from New Jersey [Mr. DRYDEN] and vote. I vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. In his absence, having had notice from the Senator from Wisconsin [Mr. LA FOLLETTE] that he wanted to vote "nay" on the bill, I transfer my pair with the Senator from Vermont [Mr. DILLINGHAM] to the Senator from Wisconsin, and will vote. I vote "yea." This statement will hold good until the return of the Senator from Vermont [Mr. DILLINGHAM]. I will further state that the Senator from Wisconsin [Mr. LA FOLLETTE] is ill.

Mr. WARREN (when his name was called). By an arrangement a transfer of pairs has been made so that the Senator from Mississippi [Mr. MONEY] stands paired with the Senator from New York [Mr. PLATT]. I will make this announcement for the day unless one of the Senators mentioned shall return. I vote "nay."

The roll call was concluded.

Mr. ALLISON. I am paired with the senior Senator from Alabama [Mr. MORGAN]. Otherwise I should vote "nay."

The result was announced—yeas 18, nays 40, as follows:

YEAS—18.

| | | | |
|---|---|---|---|
| Berry | Dubois | McLaurin | Teller |
| Blackburn | Frazier | Overman | Tillman |
| Clark, Mont. | Latimer | Pettus | Whyte |
| Culberson | McCreary | Rayner | |
| Daniel | McEnery | Taliaferro | |

NAYS—40.

| | | | |
|---|---|---|---|
| Aldrich | Dick | Heyburn | Penrose |
| Ankeny | Du Pont | Hopkins | Perkins |
| Beveridge | Flint | Kean | Piles |
| Brandegee | Foraker | Kittredge | Scott |
| Bulkeley | Frye | Knox | Smith |
| Burnham | Fulton | Lodge | Spooner |
| Burrows | Gallinger | Long | Sutherland |
| Cullom | Gamble | McCumber | Warner |
| Curtis | Hansbrough | Millard | Warren |
| Depew | Hemenway | Nixon | Wetmore |

NOT VOTING—32.

| | | | |
|---|---|---|---|
| Allee | Clark, Wyo. | Foster | Nelson |
| Allison | Clarke, Ark. | Hale | Newlands |
| Bacon | Clay | La Follette | Patterson |
| Bailey | Crane | Mallory | Platt |
| Burkett | Dillingham | Martin | Proctor |
| Carmack | Dolliver | Money | Simmons |
| Carter | Dryden | Morgan | Smoot |
| Clapp | Elkins | Mulkey | Stone |

So the Senate refused to take a recess until 9 o'clock p. m.

Mr. SPOONER. Mr. President, I made the motion to postpone the further consideration of the report until 4 o'clock in what I thought was the interest of the intelligent disposition of an important measure. I opposed the bill when it passed the Senate. I do not know but that I shall oppose it now, because I have not read it. I have never been a party to any filibuster in the Senate, and I am not willing that the motion which I made should be the foundation of a filibuster. I therefore withdraw the motion.

Mr. GALLINGER. Then I ask for a vote on the motion I made.

The VICE-PRESIDENT. The Senator from Wisconsin withdraws his motion, and the question recurs on the motion of the Senator from New Hampshire to concur in the amendments of the House of Representatives.

Mr. DUBOIS. I move that the Senate take a recess until half-past 7 o'clock.

Mr. BEVERIDGE. I ask the Senator to withhold his motion.

Mr. DUBOIS. And on my motion I ask for the yeas and nays.

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. BEVERIDGE. I ask the Senator from Idaho if he will not withhold his motion until I ask unanimous consent at this point—which I think will be given when I state the reason for it—for the present consideration of a bill which I report from the Committee on Territories. I will say to the Senator that the reason why I make this request is because there has been an amendment made to the bill by the committee and it will have to go to conference. It is a bill which will provoke no discussion at all. I ask the Senator if he will not withhold his motion until I can ask unanimous consent for that purpose?

Mr. DUBOIS. I withhold the motion with the understanding that I can renew it after the consideration of the bill.

Mr. CULBERSON. Mr. President, I rise to a point of order.

The VICE-PRESIDENT. The Senator from Texas rises to a point of order.

Mr. CULBERSON. I ask if it is in order now to interrupt the proceedings on the subsidy bill?

The VICE-PRESIDENT. Not except by unanimous consent. The Senator from Indiana has requested unanimous consent. Is there objection?

Mr. CULBERSON. I understand it is against the recent rule of the Senate introduced, I believe, by the Senator from Georgia [Mr. BACON].

Mr. BEVERIDGE. No; that applies to a Senator speaking—that he can not be interrupted for that purpose, as I understand it.

The VICE-PRESIDENT. Does the Senator from Texas object?

Mr. CULBERSON. I simply wanted to call the attention of the Chair to the rule which makes it the duty of the Chair to enforce the order without an objection.

The VICE-PRESIDENT. Is this a report from a committee?

Mr. BEVERIDGE. It is a report from the Committee on Territories, and I wish to ask unanimous consent for the immediate consideration of the bill.

The VICE-PRESIDENT. Then the Senator is out of order under the rule. The Chair recognizes the Senator from Idaho.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. DUBOIS. I yield to the Senator.

Mr. BURKETT. I ask that the resolution submitted by me yesterday and which has been under consideration to-day may be taken up and passed by unanimous consent.

Mr. ALDRICH. I sympathize with the Senator from Nebraska in his effort to have the resolution passed, but I object to this form of procedure in the Senate.

The VICE-PRESIDENT. Objection is made.

Mr. DUBOIS. I move that the Senate take a recess until half past 7 o'clock this evening.

The VICE-PRESIDENT. The question on the motion of the Senator from Idaho, that the Senate take a recess until half past 7 o'clock this evening.

Mr. McLAURIN. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary called the roll.

Mr. DILLINGHAM. I inquire whether the senior Senator from South Carolina [Mr. TILLMAN] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. DILLINGHAM. I have a general pair with him. If he were present, I should vote "nay."

Mr. PROCTOR (after having voted in the negative). I am paired with the Senator from Florida [Mr. MALLORY]. I do not see him in his seat. If he has not voted, I wish to withdraw my vote.

The VICE-PRESIDENT. The Senator from Florida [Mr. MALLORY] did not vote.

Mr. TILLMAN. Under the transfer of my pair with the Senator from Vermont [Mr. DILLINGHAM] to the Senator from Wisconsin [Mr. LA FOLLETTE], I will vote. I vote "yea."

The result was announced—yeas 18, nays 40, as follows:

YEAS—18.

| | | | |
|---|---|---|---|
| Blackburn | Latimer | Overman | Taliaferro |
| Clark, Mont. | McCreary | Patterson | Tillman |
| Culberson | McEnery | Pettus | Whyte |
| Dubois | McLaurin | Rayner | |
| Frazier | Newlands | Simmons | |

NAYS—40.

| | | | |
|---|---|---|---|
| Aldrich | Crane | Gallinger | Long |
| Ankeny | Cullom | Gamble | Millard |
| Beveridge | Curtis | Hansbrough | Nixon |
| Brandegee | Depew | Hemenway | Penrose |
| Bulkeley | Dick | Heyburn | Scott |
| Burkett | Du Pont | Hopkins | Spooner |
| Burnham | Flint | Kean | Sutherland |
| Burrows | Foraker | Kittredge | Warner |
| Carter | Frye | Knox | Warren |
| Clay | Fulton | Lodge | Wetmore |

NOT VOTING—32.

| | | | |
|---|---|---|---|
| Allee | Clarke, Ark. | La Follette | Perkins |
| Allison | Daniel | McCumber | Piles |
| Bacon | Dillingham | Mallory | Platt |
| Bailey | Dolliver | Martin | Proctor |
| Berry | Dryden | Money | Smith |
| Carmack | Elkins | Morgan | Smoot |
| Clapp | Foster | Mulkey | Stone |
| Clark, Wyo. | Hale | Nelson | Teller |

So the Senate refused to take a recess until half past 7 o'clock.

Mr. BACON. Mr. President, I understand the pending motion is the motion of the Senator from New Hampshire to concur in the amendment of the House. I think it will be conceded by all that it is manifestly impossible for Senators to vote intelligently upon that motion without having an opportunity to read the substitute bill which has come from the House. Not only so, Mr. President, but it is equally manifest that it is impracticable even to discuss it until Senators have had an opportunity to inform themselves as to the contents and provisions of that bill.

I rise for the purpose of making a suggestion to the Senator in control of the bill or of this particular motion that there be such suspension of his motion as will enable us to be in a position to act intelligently upon this most important matter; in other words, until the bill can be laid before us in print.

Mr. GALLINGER. My answer to the Senator is that at the hour of half past 1 o'clock I agreed to a postponement until 4 o'clock, and that immediately developed a filibuster, notice having been served upon me that the bill was to be killed in that way.

Mr. President, I perfectly understand the situation, and I will say to the Senator from Georgia that I am quite willing that the bill shall be printed and come back here before my motion is pressed. I have no disposition to rush this matter when Senators do not understand the bill. I had intended very briefly to explain the bill, if a request had not been made to postpone the matter. I expected that a request to explain the bill would be made, and I have stood ready at every moment to accede to it. I stand ready now.

Mr. BACON. I will say for myself, with the permission of the Senator from New Hampshire, that the suggestion made by me is in the utmost good faith.

Mr. GALLINGER. I understand it.

Mr. BACON. I desire myself to be informed as to the provisions of the bill.

Mr. GALLINGER. Nobody would question the Senator's good faith.

Mr. BACON. I do not know how far the bill goes. There are some features of the bill, as I indicated in the former debate in the Senate, that I would favor. I do not know to what extent the present bill conforms to the suggestions I then made, or whether it contains matter other than that which I indicated would be favorably considered by me. I am speaking only for myself. I had no conference with my associates on the matter.

Mr. GALLINGER. I ask unanimous consent that the further consideration of the bill be postponed until half past 4 o'clock.

Mr. BACON. With a view to having it printed?

Mr. GALLINGER. And in the meantime that it be printed as hurriedly as possible and be returned to the Senate.

Mr. CARMACK. Will the Senator make it 5 o'clock?

Mr. McLAURIN. Mr. President, I do not think that the bill can be printed and be placed in the hands of Senators and be thoroughly considered and understood in less than two hours. It is a very important measure. I understand it is practically a new bill—not the one that was sent to the House of Representatives from the Senate.

Mr. GALLINGER. Will the Senator yield to me a moment?

Mr. McLAURIN. With pleasure.

Mr. GALLINGER. I will modify my request for unanimous consent and make the hour 5 o'clock.

The VICE-PRESIDENT. The Senator from New Hampshire asks unanimous consent that the further consideration of the pending bill be resumed at 5 o'clock, and that in the meantime the bill be printed as speedily as possible. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. McLAURIN. The request is, as I understand it, that the consideration of the vote be postponed until 5 o'clock.

Mr. GALLINGER. That is right.

The VICE-PRESIDENT. That is the effect of it.

Mr. SPOONER. I suppose under the request, as soon as the report is printed, copies will be laid on the desks of Senators.

Mr. GALLINGER. Oh, yes; it will be here in a very few minutes, and my motion will be pending at that time.

### PURCHASE OF PLANT OF PHOENIX WATER COMPANY.

Mr. BEVERIDGE. I am directed by the Committee on Territories, to whom was referred the bill (H. R. 25039) to enable the city of Phoenix, in Maricopa County, Ariz., to use the proceeds of certain bonds for the purchase of the plant of the Phoenix Water Company and to extend and improve said plant, to report it favorably with an amendment, and I ask unanimous consent for its present consideration.

Mr. ALDRICH. Let the bill be read for information.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

The bill was read; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to consider it.

The amendment reported by the Committee on Territories was, in section 1, on page 2, line 1, after the word "confirmed," to strike out the word "and" and to insert:

*Provided*, That the same shall be submitted to the electors of said city of Phoenix and approved by a majority thereof at the next general city election, and in the event of approval by a majority of said electors.

So as to make the section read:

That the contract entered into by and between the common council of the city of Phoenix, county of Maricopa, Territory of Arizona, and the Phoenix Water Company, a corporation doing business in and about the said city of Phoenix, Ariz., of date January 15, 1907, for the purchase of the water plant of the said Phoenix Water Company for the sum of $90,000 in cash and the assumption of $60,000 of first-mortgage bonds be, and the same is hereby, validated, ratified, and confirmed: *Provided*, That the same shall be submitted to the electors of said city of Phoenix and approved by a majority thereof at the next general city election, and in the event of approval by a majority of said electors, the said common council of the city of Phoenix is hereby authorized to proceed under said contract to purchase the said water plant described and specified in said contract, and is hereby authorized to use the money arising from the sale of the $300,000 waterworks bonds heretofore authorized by the Congress of the United States and mentioned in said contract, for the purpose of purchasing the said property and carrying out the provisions of the said contract, and for the further purpose of paying the said $60,000 assumed thereunder and of improving, extending, enlarging, repairing, and rebuilding said water system.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

### LEGALITY OF BUSINESS DONE BY EXPRESS COMPANIES.

Mr. PENROSE. Mr. President, I now ask that the conference report on the sixteen-hour bill be laid before the Senate.

Mr. BURKETT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Nebraska?

Mr. PENROSE. I should like the Senator to state for what purpose.

Mr. BURKETT. In order to have the resolution, which was heretofore considered and which is now in a shape in which it is acceptable, considered and passed.

Mr. PENROSE. Will it lead to any debate?

Mr. BURKETT. It will lead to no debate.

Mr. PENROSE. I will yield, if it will lead to no debate.

Mr. BURKETT. It will not.

The VICE-PRESIDENT. The Secretary will read the resolution of the Senator from Nebraska as he has modified it.

The Secretary read as follows:

*Resolved*, That the Interstate Commerce Commission be, and is hereby, directed to inquire, investigate, and report to the Senate whether the American Express Company, Adams Express Company, United States Express Company, Pacific Express Company, and Wells-Fargo Express Company, or either of them, are unlawfully engaged, through their local or other agents, in the business of buying, selling, or handling on consignment fruits, vegetables, and oysters entering into interstate commerce; and also that the Interstate Commerce Commission be required to make the investigation at its earliest possible convenience and to report the facts and its conclusions thereon, together with its recommendations, as soon as it can be done consistent with the performance of its public duty.

By unanimous consent, the Senate proceeded to consider the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

Mr. ELKINS. Mr. President, I think that resolution ought to be referred to the Committee on Interstate Commerce.

Mr. ALDRICH. It simply asks for facts, and I think there can be no objection to it.

Mr. KEAN. And it has been well amended.

Mr. ELKINS. Very well.

The resolution as modified was agreed to.

LANDS ON JICARILLA RESERVATION.

Mr. CLAPP. I ask the Chair to lay before the Senate the message of the House of Representatives in reference to House bill 23650.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 23650) to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes, and asking for conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CLAPP. I move that the Senate insist upon its amendment disagreed to by the House of Representatives, accede to the request of the House for a conference, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed as conferees on the part of the Senate Mr. CLAPP, Mr. CURTIS, and Mr. TELLER.

CLAIMS UNDER THE NAVY DEPARTMENT.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. FULTON. I move that the Senate insist on its amendments disagreed to by the House of Representatives, agree to the conference asked for by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed as the conferees on the part of the Senate Mr. FULTON, Mr. KEAN, and Mr. MCLAURIN.

HOURS OF LABOR OF RAILROAD EMPLOYEES.

Mr. PENROSE. Mr. President, I now ask that the conference report on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the conference report on the bill referred to by the Senator from Pennsylvania, which will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendment, and agree to the same with amendments as follows:

In line 3, page 1, strike out the word "and" and insert "or" in said amendment.

In line 13, page 1, strike out the word "corporation" and insert in lieu thereof the words "common carrier" in said amendment.

In line 13, page 2 of said amendment, after the word "continue," insert "or can go;" and in the same line strike out the four concluding words of said line, reading "or go on duty."

In line 14, page 2 of said amendment, after the word "eight," insert the word "consecutive."

In lines 14 and 15, page 2, strike out the words "within such twenty-four-hour period."

In line 15, page 2, strike out the concluding word "operator."

In line 16, page 2, after the word "dispatcher," insert the words "or dispatcher's operator in the dispatcher's office."

In lines 17 and 18, page 2, strike out "dispatches reports, transmits, receives, or delivers" and insert in lieu thereof "issues."

In line 20, page 2, strike out the word "nine" and insert in lieu thereof the word "eight."

In lines 21, 22, 23, and 24, page 2, strike out the words "in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime" and insert in lieu thereof "and that no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders) or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period."

In line 9, page 3, after the word "suits," insert the words "to be."

In line 13, page 3, strike out the word "verified."

In line 15, page 3, strike out the words "three years" and insert "one year."

In line 21, page 3, after the word "of," insert the word "all;" and in the same line strike out the words "duly authorized" and insert in lieu thereof the words "officers and."

In line 24, page 3, after the word "its," insert the words "officer or."

In lines 1 and 2, page 4, strike out the words "with the exercise of reasonable prudence."

Strike out all of lines 7 and 8, page 4, and insert in lieu thereof "and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act."

And the Senate agree to the same.

BOIES PENROSE,
FRANK P. FLINT,
*Managers on the part of the Senate.*
W. P. HEPBURN,
J. S. SHERMAN,
*Managers on the part of the House.*

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. MCCREARY. Mr. President, I was not able to tell from the reading of the report in what respect the bill as it passed the Senate had been changed. I therefore ask the Senator from Pennsylvania to make an explanation of it.

Mr. FLINT. As the Senator from Pennsylvania [Mr. PENROSE] is absent from the Chamber for a moment, I will endeavor to explain the report.

The House bill with a few amendments has been adopted in lieu of the Senate bill, with the exception of one section, that relating to telegraph operators, and an amendment that provides that when an employee of a railroad company has been engaged sixteen hours in the aggregate during the twenty-four-hour period he must have eight consecutive hours' rest. Under the bill as it came from the House it was possible to divide the eight hours rest up into two four-hour periods, or four two-hour periods, or into a six-hour and a two-hour period, so that it would not give the employee the necessary rest, and it is now changed in this bill so that the employee's rest shall be eight consecutive hours.

Mr. KNOX. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. FLINT. I do.

Mr. KNOX. Will the Senator be good enough to inform me whether this bill in its present form applies to all railroads engaged in interstate commerce?

Mr. FLINT. Yes, sir. The word "verified," on line 10, page 5, has been stricken out, so that complaint can be made and proceedings brought without the complaint being verified. The other changes are merely as to form and are not important. The provision in reference to the telegraph operators in the House bill has been changed by the conference report, so that certain employees are not permitted to work more

than eight hours. Train dispatchers and operators in dispatcher's offices, and other operators, under the bill, are limited to twelve hours' work. There were certain employees included in the conference report that were not included in the House bill. We deemed it important that men working in the towers operating switches and signals should have their hours shortened. Under the House bill these men could work sixteen hours, but under the bill as reported by the conference committee they are limited to twelve hours.

Mr. NEWLANDS. Mr. President, I wish to ask the Senator from California whether this conference report has been printed as yet?

Mr. FLINT. The bill as proposed to be amended by the report of the conference committee was printed in to-day's RECORD.

Mr. NEWLANDS. Has the conference report been printed?

Mr. FLINT. And the conference report has also been printed in the RECORD.

Mr. NEWLANDS. I wish to ask the Senator from California concerning the amendment limiting the hours of railroad telegraphers. That amendment, as I understand, was offered in the House.

Mr. FLINT. The bill as it passed the House contained a provision limiting certain telegraph operators to nine hours' work in a day. The bill as reported by the conference committee limits certain operators or officials to eight hours a day and others to twelve hours a day. Testimony was taken before the conference committee, and it was ascertained that if the bill as passed by the House should be enacted into law, it would be impossible to obtain enough telegraph operators in the country to do the work. There are some 50,000 men now engaged in the line of work covered by this provision, and it is estimated that it would increase the number of employees from ten to fifteen thousand. No one has been able to state definitely just how much of an increase it would require, but it is admitted that it is impossible to-day to obtain telegraph operators sufficient to carry out the provisions of this bill; and if it were enacted into law as it came from the House, we would be in the position of compelling the railroads of this country to do something that it was impossible for them to do unless between now and the time that this act goes into effect some ten or fifteen thousand persons could become proficient in telegraphy so that they could perform this duty.

Mr. NEWLANDS. Mr. President, I simply wish to compare the status of this bill with reference to the claims of the telegraph operators. Do I understand that the demands or contentions of the telegraph operators were met by the House amendment and that that provision has since been modified by the conference committee?

Mr. PENROSE. Mr. President, if the Senator will permit me, I will answer his question.

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Pennsylvania?

Mr. NEWLANDS. Yes.

Mr. PENROSE. If the Senator will look at page 4436 of to-day's CONGRESSIONAL RECORD, he will find the statement filed in the House of Representatives, showing just what was done as to the provisions of the bill relating to telegraphers.

Mr. McCREARY. Mr. President, I am very heartily in favor of legislation on the lines indicated in the title of the bill, which is "To promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon." I introduced a bill in January last somewhat broader, the title of which is "To limit the hours of employment of telegraph and telephone operators on all railroads engaged in interstate commerce in the United States to eight hours in each day of twenty-four hours, and to prescribe the time of their eligibility." There is nothing in this bill about the time of eligibility. The bill I introduced provided that a telegraph operator should be at least 21 years of age and not over 50 years of age—a very important provision, I think.

I am in favor of the first paragraph of the pending bill, which limits to sixteen hours in twenty-four the service of railroad employees, etc. The part of the conference report to which I wish to address my remarks is in regard to dispatchers and telegraph operators. I might say here that I think it is time that we should have some legislation on the line indicated in the pending bill, which is the basis of the conference report. Nearly every morning the newspapers have reports about a collision, accident, or railroad wreck. This morning the papers announced a head-on collision on the New York, New Haven and Hartford Railroad, with four dead and many hurt. Yesterday morning the newspapers announced a wreck on the Baltimore and Ohio Railroad near Connellsville, Pa., in which the engineer was killed, the fireman fatally injured, and forty other persons injured. I read a few days ago, in the New York Tribune, a list compiled showing forty-nine railroad wrecks during the last six months, exclusive of the last tragedy on the New York Central. According to that table, which I have in my hand, 351 persons have been killed and 474 injured. Nearly every newspaper brings to us information about some accident or wreck, and it is high time we were doing something, so far as we can, to prevent these appalling wrecks and accidents.

The first paragraph of the second section of this bill limiting the hours of service of railroad employees to sixteen hours in twenty-four I think is a very good provision; but I do not understand the second paragraph of section second in the same way that the Senator from California has explained it. There is in that provision, as will be noticed, an exception of persons who issue train orders. If the section be closely analyzed, it will be seen that while there are no dispatcher's operators, there are operators in dispatch offices who are not embraced in the bill. However, even in the case of dispatcher's operators, they are not all limited to eight hours, for the reason that the provision applies only to those who issue orders. The dispatchers issue the orders and the operators only transmit, receive, or deliver an order. If the operator issues an order, he is clearly a dispatcher, and dispatchers now work only eight hours. At present operators work twelve hours, so there is no change in the law with regard to them, as the bill provides that all operators shall work twelve hours.

The bill which passed the House of Representatives provided that in continuous day and night offices operators should work not exceeding nine hours in twenty-four hours, and in day offices not exceeding thirteen hours. It does not appear to me, Mr. President, that this conference report on this important bill changes the existing conditions. It does not protect or benefit telegraph operators as they should be. I can see that it benefits railroad employees, but I do not see where it benefits telegraph operators as they should be protected and benefited and their hours of service limited.

There is no doubt that quite a number of serious collisions have been brought about by telegraph operators being overworked. I am heartily in favor of limiting the time that telegraph operators shall be engaged to eight hours—and not exceeding nine—out of twenty-four. I want legislation that is fair and just to the railroads and fair and just to the telegraph operators and legislation that will protect the traveling public. I do not believe that this report as presented by the conference committee comes up to that standard.

The conference report contains some good provisions, and while I believe it should be amended, yet if it can not be amended I shall vote for it as the best that can be done at present.

Mr. DANIEL. Mr. President, I was a member of the conference committee of the Senate that made this report, but I did not concur therein, nor did the Democratic member of the conference committee on the part of the House do so. At the same time, Mr. President, I recognize the fact that this is a distinctive step of progress in the right direction. I was so occupied in matters of engagement before the Senate and the Appropriations Committee of the Senate that I could attend but two of the meetings of the conferees. Their last meeting it was impossible for me to attend by reason of actual and necessary occupation upon the Senate floor.

The measure as embodied in the conference report is, in my judgment, a decided improvement upon Senate bill 5133, which was adopted by this body. That bill in its first section limited the hours of employees on railroads to sixteen, with certain modifications in particular cases.

This bill as now embodied in the conference report manifests considerable improvement. Nothing better is likely to be attainable during this session, now within forty-eight hours of its close. Hence I am disposed to vote for the conference report. While it falls short of the provisions made in the House amendment to the Senate bill, it is nevertheless a betterment of existing laws, and also in some respects a betterment of the Senate bill.

I recognize the difficulties that environ the subject. I am quite sure that the Senate committee, although I do not altogether agree with their majority report, labored hard and faithfully with a view to accomplishing the best result that they deemed practicable. Those who oppose the limitation of hours by Congressional enactment as applicable to the interstate commerce of the country will be in some measure discontented by this bill. Those who had large hopes, especially with regard to the ordinary telegraph operators, will also be dissatisfied with this measure. If we had ample time to discuss it, I should advocate a more liberal measure than is found in the framework

either of the Senate bill or of the conference report. At the same time I do not feel that any of us would be justified in voting against the conference report, for the reason that it is not only an improvement of the present order of things, but also in some substantial respects an improvement upon the measure which the Senate itself adopted.

By the House substitute for the Senate bill it was provided:

That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime.

There is an exception in case of emergency, "when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three consecutive days in any week."

Mr. President, the conference report adopts eight hours as the lowest limit instead of nine hours, and at the same time and in effect it extracts those who are named in the eight-hour limit from the provisions of the Senate bill which required sixteen hours as its lowest limit. The provision now embodied in the measure recommended by the conferees reads:

That no train dispatcher, or dispatcher's operator in the dispatcher's office, or other employee who by the use of the telegraph or telephone issues orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than eight hours in any twenty-four-hour period.

So that here, Mr. President, in this phrase is a clear, explicit, and wise adoption of the eight-hour rule applicable—

First, to train dispatchers.

Second, to the operators of train dispatchers in their offices.

Third, to those employees who by the telegraph or telephone issue orders pertaining to or affecting train movements. This is progress.

Mr. President, it will be observed that in a second part of this recommended measure it is provided—

That no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders) or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three consecutive days in any week.

It was much desired, and many petitions, letters, telegrams, and all manner of communications were made in which the desire was expressed, that this class of operatives, like the distinctive classes to whom I have already referred, should be embraced in the eight-hour period. This was deemed by the majority of the committee an unattainable result at this time. There are many who wish to see the whole body of telegraphic operators embraced in the eight-hour law, as in the House amendment. It was to the contrary that three classes of them, to wit, the train dispatcher, the dispatcher's operator in his office, and other employees who issue orders pertaining to or affecting train movements are put under the eight-hour rule, and that the other classes embodied in the second amendment, which I have explained, had best be withdrawn from the sixteen-hour rule and are placed upon an intermediate scale of hours, namely, twelve.

So, Mr. President, there are two elements of progression in this measure, and I do not think that any of us would be justified, at this late stage of this Congress so soon to adjourn, in voting against the adoption of the report, when the good it accomplishes might thereby be wholly lost. There are some other changes; for instance, the fine for violation of the law to be enacted is reduced from $1,000 to $500. That is the law. In the second place, violation of the law was made a misdemeanor by the Senate measure, whereas under the amendment as now recommended there is only provision made for the recovery of a fine. In the third place, the limitation of three years to bring actions for violation of the law is reduced to one. If time permitted us to discuss these competing measures, I might criticise some of these and other changes. But, taking the conference bill as a whole—the law as it stands, the law as the Senate recommended it and as now embodied in this measure—there is too much good in it to be ignored and not enough evil to make us vote against it under the existing environment.

There is a difficulty about the matter which I may be pardoned, I hope, if I spend a few moments to advert to. Train dispatchers and those operatives who have to transmit the messages upon which trains are moved are here put in the eight-hour rule. The responsibility of their positions is so great, the danger that arises from error is so disastrous, that we may well rejoice that this improvement will be verified by the bill.

As to the other class of operatives, who occupy signal towers, etc., as set forth in the conference report, it may be regretted that they are not also more liberally dealt with. At the same time it should be remembered that their limit is twelve hours, instead of being sixteen, as in the Senate bill, and instead of being no limit at all, as under the absence of law on the subject which now prevails.

The operators at the small way stations, who have to transmit messages during the period of twenty-four hours, who have but very few trains to deal with and very few messages to send, are public servants of great responsibility and importance to the public weal. Their business, it is said, is frequently so light that the railroads have felt that they could not pay fitting salaries for the whole period in which telegraphic service may be required but is not sure to be required. Consequently the companies have often intermingled the business of operating with other businesses at the station and imposed a variety of duties upon the person employed. A witness before the Committee on Interstate and Foreign Commerce of the House—I mean the Hon. Arthur P. Murphy, who has been prominently connected with this measure—relates how this is. He says, on page 39 of the House hearings:

An operator is required, in addition to his telegraphic duties, where the post-office is within the required radius under the law, to carry the United States mails from the post-office to the depot, put it on the trains, take care of it, take it off, and in the morning take it back to the post-office, and the same in relation to day trains. The operator, in addition to his duties of telegraphing, receiving orders, handling his block, and keeping his block sheet, is required to sweep out the depot; he is required to sell tickets, at a great many stations both local tickets and coupons; he is required to handle all of the baggage—check it, truck it, put it on the trains, take it off and put it in the house. In addition he is required to handle all of the express. At stations where they have no electric lights—and the company generally puts them in when they almost give them to them—they are required to take care of their signals and of all of the lamps used in and about the depot. They are required on a great many of the roads—all that I know about—to take care of the switch lamps or lamps that are on the switch targets; to clean them, take care of them, put them out, and take them in.

There is a good deal of evidence of this description, and some have stated sometimes that the operative at the small way station is the country doctor or storekeeper or anybody who happens to be around, who may diversify his employment by sending telegrams when they are necessary.

I know also—and I wish to state the case with absolute candor and fairness—that it is said that the condition described by Mr. Murphy has been improved in recent years and does not now exist so generally, at least, as of the time when Mr. Murphy spoke by his own experience and observation. But here is a pronounced difficulty that arises with reference to the operative who has but a little business to do. To telegraph respecting a moving train, of which steam is the power and which if misdirected may bring upon the passengers on that train a catastrophe which causes the heart of the whole country to bleed and carries sorrow and loss to many a household, is to perform one of the most responsible and delicate operations connected with our social system. If the telegrapher be called on four, five, eight, or ten times a day, and especially if he be called on at hours which he can not anticipate, he may be so distracted by other cares as not to be able to put his mind promptly or concentratively on the subject, if he has duties commingled with other duties. On the other hand, the railroads say that if this system of operation is broken up, it must inevitably lead to the result of abandoning the stations altogether. There is a collision of interest between the convenience of the countryside, between fitness of salary, and between the gravity of the duties which are to be performed.

The whole subject must ere long be embraced by some mind expert in knowledge and bent upon so classifying the duties of all these operatives and so apportioning their assignments that the public may be sure that no man sends any telegram respecting the moving of cargoes of humanity that are carried across the country without being a reliable, an expert, and a responsible, and constantly attentive man. While this will be recognized as just and right by all fair-minded men, it is stated per contra and it is in evidence before the committee that the operatives have declined to teach others the art of telegraphy, and the railroad companies say that if they were forced to provide at once a separate operator whose sole business it should be to attend to the railroad telegraph at all the way stations in the country they would have to employ 20,000 more men, and that the country does not furnish them. They are not to be had, according to their statements.

I read this morning a statement such as that referred to by the Senator from Kentucky [Mr. McCreary] who a few moments ago commented on this subject. The article that attracted my

attention was in the Literary Digest and appeared to be a very cautious and careful estimate of the casualties on the railroads of this country for the last six months. It was an appalling schedule. It showed that 4,000 human beings had lost their lives by accidents on railway trains of the United States within six months past.

Estimating human life at a thousand dollars a head, there would be a sum of $4,000,000 lost. But life is a thing that can not be estimated in money. There was a vaster loss to the country in the brain power and nerve power many times this pecuniary estimate. And wholly beyond the range of figures to calculate is the horror, affliction, and distress caused by such slaughter.

Mr. President, I would call attention to the fact that when two American armies stood up for three days and shot death into each other's bosoms at Gettysburg there were not so many men slain in either army as are slain upon the railroad of this country in six months of calm prosperity and peace.

A recent writer called attention to the fact that notwithstanding all the safety appliances which have been required by law and which are being adopted in the transportation service, notwithstanding all the complaint that has come up from the country and the reflection and energy that have been exercised upon this subject, the ratio of accidents is increasing. There must be a cause for that. Are our people becoming more reckless in their daily conduct, or does it lie in some human causation which can be reached by the hand of the law? Is it due to the fact that in the immense rush of traffic and travel over the railroads they are conducting a double-track business on a one-track road? Does it arise from the fact that the fierce competitions of our times have imposed upon the railway operatives longer hours of work than they can stand? Have they been so overworked that their alertness has been blunted, their strength weakened, their faculties blurred so that they have fallen below the standard of efficiency that should be maintained? Undoubtedly it is the fact that there is no harder-working body of operatives in the world than those who operate our transportation system, and none who bear so constant a strain.

Mr. President, I shall not at this stage prolong my remarks save to say that this is a causation suspected by many, and believed by some. When the Senate shall have adopted, as I anticipate it will, the conference report, it will at least have the satisfaction of knowing that it has gone forward in a wise step to relieve and remove in some degree what would seem to be one of the causes of these many and increasing accidents. It will also have the further satisfaction of knowing that when analysis has better explored the subject and enlightenment better comprehended it, they will find the way paved to further action by the tentative and progressive steps we are now taking.

The PRESIDING OFFICER (Mr. KEAN in the chair). The question is on agreeing to the report of the committee of conference.

Mr. PATTERSON and Mr. HALE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado rise to this report?

Mr. PATTERSON. I yield to the Senator from Maine.

Mr. HALE. I am ready to go on with the deficiency appropriation bill. If we can pass it sometime within the next hour or two, it will go to the House and will obviate the necessity for a night session. I should be very glad to have it taken up and considered. In the meantime the conference report, of course, holds its place and will come up afterwards.

Mr. PATTERSON. As far as I am concerned, I am quite willing that the appropriation bill shall be taken up.

### GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask the Senate to proceed to the consideration of the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments shall first receive consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the head of "Department of State," on page 2, after line 16, to insert:

International Maritime Exposition: To enable the Government of the United States to participate in the International Maritime Exposition to be held at Bordeaux, France, from May 1 to October 31, 1907, $25,000.

The amendment was agreed to.

Mr. HALE. After line 21 I move to insert:

Digest of International Law: For reimbursement to John Bassett Moore, the editor of the Digest of International Law, prepared under the act approved February 20, 1897, for all expenses incurred, including the service of copyists, typewriters, and other clerical service employed during the eight years the work was in preparation, $8,000.

The amendment was agreed to.

The reading of the bill was continued. The next amendment was, under the subhead "Foreign intercourse," on page 3, after line 7, to insert:

The Secretary of State is hereby authorized to expend for furniture, typewriters, filing cases, and other equipment for consular offices a sum not to exceed $25,000 from the unexpended balance of the appropriation made by the act approved March 3, 1905, for contingent expenses, United States consulates, for the fiscal year 1906.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 3, after line 19, to insert:

To enable the Secretary of the Treasury to effect a change in the methods of bookkeeping in the Treasury Department, and to install a double-entry system of bookkeeping, $7,000, or so much thereof as may be necessary, is hereby appropriated, to remain available until expended; said sum to be used by the Secretary of the Treasury, as he shall determine, in payment for services of such of the force of the division of bookkeeping and warrants of the Treasury Department as may be needed to carry the change into effect, notwithstanding the provisions of sections 170, 1763, 1764, and 1765 of the Revised Statutes.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the maintenance of the Office of the Supervising Architect, on page 4, line 17, to change the date from "1908" to "1907;" so as to make the proviso read:

*Provided*, That the expenditures on this account for the fiscal year ending June 30, 1907, shall not exceed $300,000; and that the Secretary of the Treasury shall each year in the annual estimates report to Congress the number of persons so employed, their duties, and the amount paid to each.

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to insert:

Revenue-Cutter Service: To reimburse officers and enlisted men of the United States Revenue-Cutter Service who were on duty under orders at San Francisco during the earthquake and fire in that city on or about April 18, 1906, for losses of uniforms, equipment, and other personal effects sustained by them through said fire: *Provided*, That such reimbursement shall be made under regulations to be prescribed by the Secretary of the Treasury and upon vouchers approved by him, $5,000.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the transportation of silver coin, on page 8, line 15, after the word "cents," to insert "and for the fiscal year 1907, $10,000; in all, $16,043.30;" so as to make the proviso read:

*Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants; and the Secretary of the Treasury shall report to Congress the cost arising under this appropriation, for the fiscal year 1906, $6,043.30, and for the fiscal year 1907, $10,000; in all, $16,043.30.

The amendment was agreed to.

The reading was continued to line 8, on page 12.

Mr. BACON. I wish to make an inquiry of the Senator from Maine about a provision which has just been passed. I desire to know whether, on page 8, under the head of the "Transportation of silver coin," it is intended to restore the regulation which has previously existed, under which the Government has heretofore paid the express charges upon silver coin shipped to different parts of the country for the benefit of private individuals, banks, etc., or does it mean simply the shipment on account of the Government?

Mr. HALE. It is simply to carry the appropriation which the Senate put in the sundry civil appropriation bill for the next year, to cover the time between now and the 1st of July.

Mr. BACON. The Senator did not understand my inquiry. He will notice that on page 8 there is an appropriation for the transportation of silver coin. The inquiry I made of the Senator was whether that was intended to restore the regulation which has heretofore existed, under which the Government has paid the express charges of coin shipped to different individuals who, for instance, would send large bills to the Treasury and desire silver coin in the place of it. That was formerly the regulation, and a year or two ago it was changed, and the payment of express charges by the Government for such purposes was abandoned.

This item is not very clear to my mind, and I desire to know whether it intended to restore that or whether it relates to a different matter.

Mr. HALE. It is not a matter of regulation. It is a matter provided by law.

Mr. BACON. I am speaking of the legal regulations.

Mr. HALE. It continues what is now in force.

Mr. BACON. It does not make any change as to what was done before?

Mr. HALE. Oh, no.

The next amendment was, on page 12, after line 8, to insert:

PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

That the accounting officer of the Treasury Department be, and he is hereby, authorized to pay to R. H. von Ezdorf, passed assistant surgeon, $222.83, and H. P. Huddleson, clerk, $58.50, out of the unexpended balance of the appropriation for the Public Health and Marine-Hospital Service, 1906, to reimburse them for actual expenses incurred under Department approval while on duty at the Louisiana Purchase Exposition in St. Louis, Mo.

The amendment was agreed to.

The next amendment was, under the subhead "Government in the Territories," on page 13, after line 16, to insert:

For additional amount to defray the expenses of the constitutional convention, Territory of Oklahoma, and expenses of holding an election for the ratification of the same, $135,240.

The amendment was agreed to.

The next amendment was, on page 14, after line 21, to insert:

To pay John M. McDowell, of Council City, Alaska, a sum not to exceed $3,000, for services rendered in preparing a new set of indices of all the records of Council City recording district of the second judicial district of Alaska.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," on page 15, after line 10, to insert:

Assessor's office: To enable the assessor to prepare a complete set of water-main assessment cards, general arrears cards, and book of arrears, in conformity with the system of assessment and taxation completed November 1, 1906, under the act of February 23, 1905, the sum of $2,000, or so much thereof as may be necessary, is hereby appropriated from the revenues of the water department exclusively: *Provided*, That employees of the assessor's office may be allowed to do this work outside of office hours and to receive therefor reasonable additional compensation.

The amendment was agreed to.

The next amendment was, on page 21, after line 7, in the items for the District of Columbia, to insert:

Militia: For equipment, machinery, and repairs for practice ships, $1,500.

The amendment was agreed to.

The next amendment was, on page 21, after line 9, to insert:

For apparatus for instruction in seamanship and signaling, $250.

The amendment was agreed to.

The next amendment was, on page 22, after line 16, to insert:

Garfield Hospital: For additional amount required for isolating ward for minor contagious diseases at Garfield Hospital, $2,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 7, in the items for the police court of the District of Columbia, to insert:

For miscellaneous items, including fuel, $750.

The amendment was agreed to.

The next amendment was, on page 23, after line 9, to insert:

For rent of temporary quarters, $75.

The amendment was agreed to.

The next amendment was, on page 23, after line 15, to insert:

For support, maintenance, and transportation of convicts transferred from the District of Columbia, to be expended under the direction of the Attorney-General, $3,000.

The amendment was agreed to.

The next amendment was, at the top of page 24, to insert:

Home for the Aged and Infirm: For duplicating the water supply at the Home for the Aged and Infirm of the District of Columbia, including an artesian well, deep-well pump and house for the same, steel tank, piping, and all necessary connections with the pump and tank, $6,500, to continue available during the fiscal year 1908.

The amendment was agreed to.

The next amendment was, on page 24, after line 7, to insert:

For miscellaneous expenses of the home, $3,750.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 27, after line 19, to insert:

Claims for property taken from Confederate officers and soldiers after surrender: For payment of claims filed with the Quartermaster-General under act of February 27, 1902, and amendments thereto, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, $40,000.

The amendment was agreed to.

The next amendment was, under the head of "Military Establishment," on page 28, after line 13, to insert:

For the expenses incident to stay of United States troops at the Jamestown Tercentennial Exposition and of visiting foreign military organizations in attendance upon such exposition at the invitation of the United States Government, including preparation and sanitation of a camp site for such troops, $10,000: *Provided*, That the police, discipline, sanitation, and exercises connected with visiting military organizations of foreign governments and of the National Guard shall be under supervision and control of the Secretary of War, and for this purpose the President is authorized to accept from the State of Virginia the necessary temporary cession of jurisdiction over camp sites of all such troops and organizations.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 34, after line 4, to insert:

The Secretary of the Navy is hereby authorized and empowered to define and establish suitable anchorage grounds in Hampton Roads and the adjacent waters during the continuance of the Jamestown Tercentennial Exposition, to be held in pursuance of the provisions of the act of Congress approved March 3, 1905, and the act of Congress approved June 30, 1906, and the Secretary of the Navy is hereby further authorized to make such rules and regulations regarding the movements of all vessels in the roadstead and harbor named as may be necessary in order to insure the proper and orderly conduct of the naval features of the exposition and provide for the safety of the vessels participating therein, and such rules and regulations when so issued and published shall have the force and effect of law.

The amendment was agreed to.

The next amendment was, on page 34, after line 19, to insert:

The Auditor for the Navy Department is hereby directed to credit in the settlement of the accounts of Pay Director Lawrence G. Boggs, United States Navy, the amounts paid by him on vouchers No. 7007, second quarter, 1905; No. 6915, third quarter, 1905, No. 7153, fourth quarter, 1905; in all, $4,304.77.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 46, after line 8, to insert:

To reimburse R. Lowen, C. Morgan, and E. Bailey for loss of time and doctor's fees on account of injuries received while employed in the construction of the office building for the House of Representatives, $250 each; in all, $750.

The amendment was agreed to.

The next amendment was, on page 46, after line 23, to insert:

Care and custody of the insane, District of Alaska: For the care and custody of persons legally adjudged insane in the District of Alaska, including transportation and other expenses, fiscal year 1908, $23,000.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," on page 50, after line 23, to insert:

For payment of the salaries of district judges for the northern district of Alabama and the southern district of Ohio, appointed or to be appointed under acts approved February 25, 1907, and the salary of the district judge for the district of Nebraska, appointed or to be appointed under an act approved February 27, 1907:

For the fiscal year 1907, $6,000:

For the fiscal year 1908, $18,000.

The amendment was agreed to.

The next amendment was, under the subhead "Coast and Geodetic Survey," on page 59, after line 2, to insert:

To reimburse Aug. F. Rodgers, assistant, Coast and Geodetic Survey, chief of party, for repairs to a hired boat necessary in making a survey of the immigrant reservation at Angel Island, San Francisco, Cal., $20.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 60, after line 2, to insert:

The Secretary of the Department of Commerce and Labor is hereby authorized to pay, out of the existing appropriation for the enforcement of the Chinese-exclusion laws, to the Canadian Pacific Railway Company the sum of $1,666.50, for reimbursement of cost of maintenance of alleged native-born Chinese in the years 1903 and 1904 for the period during which, by order of the courts under habeas corpus proceedings, said Chinese were detained in the detention station at Richford, Vt., until said Chinese were delivered to said company for deportation to China.

The amendment was agreed to.

The next amendment was, on page 60, after line 14, to insert:

EXECUTIVE.

For additional compensation for the Secretary of the President, fiscal year 1908, $1,500, and from March 4 to the end of the fiscal year 1907, $487.50; in all, $1,987.50.

Mr. HALE. In line 18, before the word "dollars," I move to strike out "five hundred;" in lines 19 and 20, to strike out "$487.50" and insert "$330;" and in line 20, after the word "all," to strike out "$1,987.57" and insert "$1,330;" so as to read:

For additional compensation for the Secretary of the President, fiscal year 1908, $1,000, and from March 4 to the end of the fiscal year 1907, $330; in all, $1,330.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "Legislative," on page 61, after line 7, to insert:

The Committee on Printing of the Senate, with three Members of the present House of Representatives who are reelected to the next Congress, to be appointed by the Speaker of the House of Representatives, shall constitute a commission to continue the work of the Printing Investigation Commission appointed under the provisions of an act approved March 3, 1905, and shall have power to inquire into the general subject of the public printing and binding for Congress and the various Executive Departments, bureaus, boards, and other offices of the Government and the distribution of public documents; and to inquire concerning the accumulations, if any, of Government publications stored in warehouses and public buildings for which no legal method of distribution now exists, and the rental of buildings, if any, now occupied for the storage of such accumulated documents; and to report from time to time during the Sixtieth Congress such remedial legislation as the Commission may deem proper; and to continue the inquiry into the necessity for the continuance of the various branch printing offices and other

offices maintained by the various Executive Departments, bureaus, and independent offices of the Government, and to report the economies, if any, which would be effected in the consolidation of such offices with the Government Printing Office; and to employ a secretary and such clerical assistance as may be necessary, such employees to be paid such compensation as said Commission may deem just and reasonable; and said Commission is authorized to send for persons, books, papers, or documents, and through its chairman or acting chairman, or the chairman of any subcommittee thereof, to administer oaths, examine witnesses, books, papers, or documents respecting all matters pertaining to the duties of said Commission; said Commission to sit, if necessary, during the recess of Congress; and the sum of $12,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid out by the disbursing officer of the Senate on vouchers approved by the chairman or acting chairman of the said Commission. Said appropriation shall be immediately available.

The amendment was agreed to.

Mr. HALE. On page 62, after the amendment just agreed to, I move to insert:

To defray the expense of the members of the joint committee of the Senate and House authorized to attend and represent the Congress of the United States on the occasion of the formal opening ceremonies of the Jamestown Tercentennial Exposition, to be held at Norfolk, Va., April 26, 1907, $7,000, or so much thereof as may be necessary, of which sum $3,000 shall be accredited to the Senate, to be expended under the direction and by the order of the Sergeant-at-Arms of the Senate, and $4,000 accredited to the account of and expended under the direction and by the order of the Sergeant-at-Arms of the House of Representatives, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate and by the Committee on Accounts of the House, respectively.

The amendment was agreed to.

The next amendment was, under the subhead "Senate," on page 63, after line 3, to insert:

The Secretary of the Senate is hereby authorized and directed to pay the following persons from the appropriation for salaries of officers, clerks, messengers, and others in the service of the Senate for the fiscal year 1907:

E. B. Shurter, clerk to Hon. HENRY A. DU PONT, of Delaware, for clerical services rendered from October 1 to December 2, 1906.

The amendment was agreed to.

The next amendment was, on page 63, after line 11, to insert:

Mary Lajord, widow of Thomas Lajord, late a messenger on the rolls of the Senate, the salary of a messenger from July 1 to July 7, 1906, the date of his death.

The amendment was agreed to.

The next amendment was, on page 63, after line 15, to insert:

Clerk to the Select Committee on Ventilation and Acoustics, salary at the rate of $1,800 per annum from January 9 to June 30, 1907.

The amendment was agreed to.

The next amendment was, on page 63, after line 19, to insert:

For miscellaneous items, exclusive of labor, $60,000.

Mr. HALE. At the end of line 21, after the word "dollars," I move to insert "to be available during the fiscal year 1908."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 63, after line 21, to insert:

For expenses of inquiries and investigations ordered by the Senate, including compensation of stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding $1.25 per printed page, $60,000.

Mr. HALE. On page 64, line 4, at the end of the amendment, I move to insert "to be available during the fiscal year 1908."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 64, after line 4, to insert:

To pay to the widow of the Hon. Russell A. Alger, late a Senator from the State of Michigan, $5,000.

The amendment was agreed to.

The next amendment was, on page 64, after line 7, to insert:

To reimburse the Hon. REED SMOOT for expenses incurred in the matter of the protest against his right to retain his seat in the Senate of the United States, $15,000.

The amendment was agreed to.

The next amendment was, on page 64, after line 11, to insert:

To pay the persons who prepared the four volumes of Consolidated Index to the United States Statutes at Large, from March 4, 1789, to March 3, 1903, under Senate resolution of June 19, 1902, for expenses incurred and for services, $5,000, which sum may be expended as additional pay or compensation to any officer or employee of the United States, and be paid upon vouchers approved by the chairman of the Committee on the Judiciary of the Senate.

The amendment was agreed to.

The next amendment was, on page 64, after line 21, to insert:

To pay Pitman Pulsifer for labor in compiling and indexing the annual appropriation laws covering what is known as the new navy, and in preparing tabular statements relating to appropriations for and vessels and personnel of the Navy (now known as the Navy Yearbook), for the second and third sessions of the Fifty-eighth Congress, and the first and second sessions of the Fifty-ninth Congress, $5,000.

The amendment was agreed to.

The next amendment was, on page 65, after line 4, to insert:

To pay George R. Butlin for services in the preparation of an analytical index to testimony taken before the Senate Committee on Interoceanic Canals, $500.

The amendment was agreed to.

The next amendment was, on page 65, after line 7, to insert:

To pay J. B. Haynes for services in the preparation of an analytical index to testimony taken before the Senate Committee on Interoceanic Canals, $500.

The amendment was agreed to.

The next amendment was, on page 65, after line 10, to insert:

To pay Ernst H. Djureen for services rendered in the preparation of an analytical index to testimony taken before the Senate Committee on Interoceanic Canals, $500.

The amendment was agreed to.

The next amendment was, on page 65, after line 14, to insert:

To pay Ormsby McHarg for indexing and for extra services as clerk to the Committee on Pensions, $750.

The amendment was agreed to.

The next amendment was, on page 65, after line 17, to insert:

To pay Dennis M. Kerr for services as assistant clerk by detail to the Committee on Pensions, $750.

The amendment was agreed to.

The next amendment was, on page 65, after line 20, to insert:

To pay William M. Malloy for reporting hearings before the Committee on Foreign Relations during the Fifty-ninth Congress, $202.

The amendment was agreed to.

The next amendment was, on page 65, after line 23, to insert:

To pay J. H. Jones for extra services in the care of the Senate chronometer and for the work in connection therewith, $100 for the second session of the Fifty-ninth Congress.

The amendment was agreed to.

The next amendment was, on page 66, after line 3, to insert:

To reimburse the official reporters of the proceedings and debates of the Senate for expenses incurred from March 4, 1906, to March 4, 1907, for clerk hire and other extra clerical services, $4,740.

The amendment was agreed to.

The next amendment was, on page 66, after line 8, to insert:

To pay for extra services rendered to the Committee on Interstate Commerce of the Senate during the consideration of the hearings on the regulation of railway rates, from the adjournment of the Senate, March 4, 1905, during and subsequent to the special meetings of the committee (the employees named herein were inadvertently omitted from the urgent deficiency act), as authorized by Senate resolution No. 288, as follows: J. F. Sellers, $200; S. A. Maryman, $200; F. L. Thompson, $200; Parker Williams, $200; J. F. Siebert, $200, and William McCaffrety, $200; in all, $1,200.

The amendment was agreed to.

The next amendment was, on page 66, after line 21, to insert:

For additional compensation to the clerks to the Committees on Appropriations of the Senate and House of Representatives, $500 each, $1,000.

Mr. ALLISON. I move to amend the amendment of the committee, in line 24, before the word "dollars," where it first occurs, by striking out "five hundred" and inserting "one thousand;" and in the same line, after the word "each," by striking out "one" and inserting "two."

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 66, line 24, before the word "dollars," where it first occurs, it is proposed to strike out "five hundred" and to insert "one thousand;" and in the same line, after the word "each," to strike out "one" and insert "two;" so as to make the amendment read:

For additional compensation to the clerks to the Committees on Appropriations of the Senate and House of Representatives, $1,000 each, $2,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HALE. After the amendment just adopted I move to insert what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. After the amendment just adopted it is proposed to insert:

For preparing index to the report of the French-Venezuelan Claims Commission, $200.

The amendment was agreed to.

Mr. HALE. To follow that, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. After the amendment just adopted it is proposed to insert:

To pay Woodbury Pulsifer, clerk to the Committee on Commerce, for extra services in the preparation of report on river and harbor bill, $1,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "House of Representatives," on page 71, after line 24, to insert:

For additional compensation to the janitor of the House document room from March 4, 1907, to June 30, 1908, inclusive, at $120 per annum, $159.

The amendment was agreed to.

The next amendment was, under the subheading "Printing and binding," on page 73, after line 13, to insert:

The Public Printer shall cause the new index to the Statutes at Large, now being prepared in accordance with the plan approved by the Judiciary Committees of both Houses of Congress, to be printed, bound, and distributed in the manner now provided by law for the printing, binding, and distribution of the United States Statutes at Large.

The amendment was agreed to.

The next amendment was, on page 73, after line 19, to insert:

For printing and binding for the Department of the Interior, $48,000.

The amendment was agreed to.

The next amendment was, on page 73, after line 21, to insert:

For printing and binding for the Census Office, $10,000.

The amendment was agreed to.

The next amendment was, on page 73, after line 23, to insert:

For printing and binding for the Bureau of American Republics, $10,000, to continue available during the fiscal year 1908.

The amendment was agreed to.

Mr. HALE. On page 73, to come in ahead of the amendment just adopted, after line 23, I move to insert what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. On page 73, after line 23, it is proposed to insert:

For printing and binding for the Court of Claims, $3,000.

The amendment was agreed to.

Mr. HALE. At the top of page 74, after line 2, I move to insert what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. On page 74, after line 2, it is proposed to insert:

That the provisions of section 3 of "An act to amend an act providing for the public printing and binding and the distribution of public documents," approved March 1, 1907, shall not become operative until July 1, 1908; and for the fiscal year ending June 30, 1908, the Public Printer is hereby directed to keep separate accounts of the expense of the administration of the office of the superintendent of documents of the Government Printing Office, and also a separate account of the cost of the printing and binding of such publications of the Government as are now directed by law to be supplied to State and Territorial libraries and other designated depositories.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the head of "Judgments, United States courts," on page 74, line 18, before the word "to," to strike out "certified" and insert "reported;" in the same line, after the word "session," to strike out "by the Attorney-General;" and in line 20, after the word "four," to insert "and Senate Document No. 368;" so as to make the clause read:

For payment of the final judgments and decrees, including costs of suit, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," reported to Congress at its present session in House Documents Nos. 447 and 504, and Senate Document No. 368, and which have not been appealed.

The amendment was agreed to.

The next amendment was, on page 75, after line 6, to insert:

Under the Department of Justice, $247.86.

The amendment was agreed to.

The next amendment was, on page 75, line 9, to increase the total appropriation for the payment of the final judgments and decrees of the United States courts from $4,572.70 to $4,820.56.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, Court of Claims," on page 75, line 21, after the word "Senate," to strike out "Document" and insert "Documents;" and in line 22, after the word "seven," to insert "and 369;" so as to make the clause read:

For the payment of the judgments rendered by the Court of Claims, reported to Congress at its present session in House Document No. 656, and in Senate Documents Nos. 507 and 369, first session Fifty-ninth Congress.

The amendment was agreed to.

The next amendment was, on page 75, line 24, to increase the appropriation for the payment of the judgments, Court of Claims, under the Treasury Department, from $71,574.45 to $72,860.37.

The amendment was agreed to.

The next amendment was, on page 76, line 4, to increase the appropriation for the payment of judgments, Court of Claims, under the War Department, from $62,582.27 to $120,223.69.

The amendment was agreed to.

The next amendment was, on page 76, line 8, to increase the appropriation for the payment of judgments, Court of Claims, under the Navy Department, from $21,048.42 to $156,724.44.

The amendment was agreed to.

The next amendment was, on page 76, line 12, to increase the appropriation for the payment of judgments, Court of Claims, under the Department of Justice, from $3,111.77 to $6,880.87.

The amendment was agreed to.

The next amendment was, on page 76, after line 16, to insert:

Under the Department of Commerce and Labor, $2,672.22.

The amendment was agreed to.

The next amendment was, on page 76, line 20, to increase the total appropriation for the payment of judgments rendered by the Court of Claims from $159,157.03 to $360,201.71.

The amendment was agreed to.

Mr. BACON. Mr. President, I should like to secure from the Senator from Maine some information in regard to the items which have just been read, beginning on page 75, which are under the heading of "Judgments, Court of Claims."

Of course I suppose these are all matters of record, being judgments of the court, and these are for the payment of the judgments of that court; but the point which strikes me as requiring some little explanation is this: These judgments of the court doubtless have all of them been matured prior to last month, and yet we see some very large increases in the Senate over the amounts provided for in the House. Where they are small amounts of increases it is not a matter to be especially remarked. For instance, at the bottom of page 75 the House provision as to the Treasury Department was for $71,574.45, and the Senate provision is for $72,860.37. That is a small amount, and we can readily understand how those differences should exist.

Under the War Department, however, which is the next item, in the House the judgments of the Court of Claims were stated at $62,582, while the Senate amendment proposes to appropriate $120,223. Under the Navy Department the House provision was for $21,048, and the Senate provision is for $156,724. Under the Department of Justice the amount is increased from $3,111 to $6,880. Under the Post-Office Department there is no increase. Under the Department of Commerce and Labor there is an amendment providing for the appropriation of $2,672. The succeeding amount is simply the aggregate.

I suppose these amendments are all based upon information which comes from the Departments, but I can not understand how the Departments should send the House information so inaccurate as to require when the Senate deals with this matter, which is a matter of record—judgments—that the appropriation should in some instances be absolutely double in the Senate what it is in the House.

Mr. HALE. Mr. President, this is done as it has always been done. Just before the consideration of the annual deficiency appropriation bill the Senate sends up a resolution directing that additional estimates for judgments of the Court of Claims shall be submitted in order to incorporate them in the bill. That was done yesterday by a Senate resolution, and the answer is to be found in documents the Departments have sent in, and that are in the room of the Committee on Appropriations. The Senate can see from them there that instead of putting them in the bill in detail we added the amounts referred to in those documents.

Mr. BACON. The Senator has not caught the point of my inquiry. I can understand, Mr. President, when an appropriation is for an estimated expenditure that there may be differences of estimate in the House and in the Senate; but these are appropriations for the payment of judgments, which are of record and must necessarily be of record, and the point of my inquiry is that as these appropriations relate not to estimates, but to judgments of record, how is it that the reports submitted to the House should be different from the reports submitted to the Senate, if they apply to records?

Mr. HALE. Mr. President, I can not tell the Senator. The Departments do not send us any definite recommendations, but send in the documents showing in detail what each judgment is for and the appropriations are for, judgments which have been rendered by the court since the House laid the foundation for this bill, some two months ago, I suppose. We always do that. But I can not tell the Senator why it is.

Mr. BACON. If the Senator means that this increase represents judgments which have been procured in the Court of Claims since the House bill was passed or since the House bill was made up——

Mr. HALE. Not since the House bill was passed, but since the House bill was made up.

Mr. BACON. Well, that is the information which I desired to have. The Senator will pardon me, Mr. President, if I say that while we have the most perfect and unbounded confidence not only in the industry but in the judgment of the Senators who are members of this great committee, there is not given to the Senate the information which enables Senators to vote intelligently on appropriations. Nine Senators out of ten in the Chamber vote exclusively upon the fact that they have confidence that the Senate Committee on Appropriations has acted wisely and properly; but so far as any individual judgment is concerned, in nine cases out of ten it is absolutely impossible for any Senator to form the slightest conception whether or not the appropriation is a proper one. We are guided exclusively and necessarily by the method of procedure, by the question of whether or not we have confidence in the committee, and we vote for bills solely upon that hypothesis. It must be apparent that Senators do not know as to these items the facts upon which the appropriations are based.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, beginning at the top of page 77, to insert:

JUDGMENTS IN INDIAN DEPREDATION CLAIMS.

For payment of judgments rendered by the Court of Claims in Indian depredation cases certified to Congress at its present session in Senate Document No. 370, $55,209; said judgments to be paid after the deductions required to be made under the provisions of section 6 of the act approved March 3, 1891, entitled "An act to provide for the adjustment and payment of claims arising from Indian depredations," shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of the Treasury, which certification shall be made as soon as practicable after the passage of this act, and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected; and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian Service: *Provided*, That no one of said judgments provided in this paragraph shall be paid until the Attorney-General shall have certified to the Secretary of the Treasury that there exist no grounds sufficient, in his opinion, to support a motion for a new trial or an appeal of said cause.

The amendment was agreed to.

The next amendment was, beginning at the top of page 87, to insert as a new section the following:

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1904 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 371, reported to Congress at its present session, there is appropriated as follows:

"CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

"Additional compensation to certain employees in the civil service at Washington, D. C., under joint resolution of February 28, 1867, $398.32.

"For salaries and expenses of agents and subordinate officers of internal revenue, $130.

"For Life-Saving Service, $200.

"CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

"For pay, etc., of the Army, $165.95.

"For encampment and maneuvers, organized militia, 1905, $441.26.

"For regular supplies, Quartermaster's Department, $150.

"For incidental expenses, Quartermaster's Department, $5.90.

"For transportation of the Army and its supplies, $1,303.16.

"For ordnance service, $25.

"For bringing home the remains of officers and soldiers who die abroad, $5.66.

"For headstones for graves of soldiers, $38.66.

"For pay, transportation, services, and supplies of Oregon and Washington volunteers in 1855 and 1856, $78.80.

"CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

"For pay of the Navy, $295.86.

"For pay, Marine Corps, $394.62.

"For contingent, Bureau of Ordnance, $1,548.65.

"For provisions, Navy, Bureau of Supplies and Accounts, $16.

"For construction and repair, Bureau of Construction and Repair, 13 cents.

"For indemnity for lost property, naval service, act March 2, 1895, $282.40.

"For indemnity for lost clothing, $53.58.

"For destruction of clothing and bedding for sanitary reasons, $9.

"For bounty for destruction of enemy's vessels, $76.95.

"For enlistment bounties to seamen, $166.69.

"CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

"For surveying the public lands, $11,872.22.

"For transportation of Indian supplies, $2.23.

"CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

"Legislative: For public printing and binding, $237.08.

"State Department: For salaries, chargés d'affaires ad interim, 1906, $302.08.

"For relief and protection of American seamen, $48.83.

"Department of Commerce and Labor: For salaries of keepers of light-houses, $23.98.

"For supplies of light-houses, $200.31.

"For repairs and incidental expenses of light-houses, $7.95.

"For expenses of light vessels, $75.34.

"For expenses of buoyage, $174.74.

"For expenses of fog signals, $1.20.

"For Point Arguello light station, California, $5.48.

"Department of Justice: For fees of clerks, United States courts, $22.88.

"For fees of commissioners, United States courts, $7.15.

"For fees of witnesses, United States courts, $13.80.

"CLAIMS ALLOWED BY THE AUDITOR FOR THE POST-OFFICE DEPARTMENT.

"For limited indemnity for lost registered mail, $9.

"For star transportation, $327.27.

"For miscellaneous items, first and second class offices, $122.45.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HALE. Mr. President, there are one or two other committee amendments. I offer the amendment which I send to the desk, to come in on page 28, after line 5.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 28, after line 5, it is proposed to insert:

For the destruction of a dangerous ice gorge in the Missouri River, near Vermilion, S. Dak., under the direction of the Secretary of War, $5,000.

The amendment was agreed to.

Mr. HALE. I offer the amendment which I send to the desk, to come in on page 80, line 1.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 30, line 1, after the first word "seven," it is proposed to strike out the second word "seven" and insert "one million two;" so as to read "$1,200,384.68."

The amendment was agreed to.

Mr. HALE. Mr. President, I submit the document which I send to the desk, and ask to have it printed in the RECORD in connection with the last amendment.

The VICE-PRESIDENT. The document will be printed as requested.

The document referred to is as follows:

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER-GENERAL,
*Washington, February 28, 1907.*

The appropriation for "Regular supplies" was less by $500,000 for the fiscal year 1907 than that for the fiscal year 1906. Notwithstanding every effort on the part of this office to curtail expenses, the increased cost of forage for the animals, fuel, and engine supplies for electric lighting and for electric lights, and power at sea-coast artillery posts, etc., together with the increase in the quantities of forage made necessary by the additional animals authorized for machine-gun platoons, mounts for field service, etc., and of fuel by the additional barracks, etc., recently completed and which require to be heated, made a deficiency estimate necessary. The amount, $300,000, is included in the $1,200,384.68 required on this account and for maneuvers and Cuban pacification, no appropriations having been made for the two latter purposes.

At a recent hearing on the deficiency bill, before the House Committee on Appropriations, it became apparent that the committee was reluctant to allow the amount in which the Department is deficient on account of its ordinary work. Since then there has been prepared, and is submitted herewith, a detailed statement showing the excess cost of fuel and forage for the present fiscal year over the previous one, $559,341.72. It appears that forage now costs, on an average, 6 cents per hundred, and coal 1⅞ cents per hundred more than last year, and wood about 51 cents more per cord.

The Department has been able to save in other directions, to some extent, but the deficiency estimated for is absolutely required, otherwise the contractors for fuel and forage must go unpaid for supplies now being delivered under contracts entered into under the provisions of section 3732, Revised Statutes.

In this connection it may be remarked that this Department can not, when preparing estimates far in advance, anticipate increase or decrease in the cost of fuel and forage supplies.

The matter being urgent, it is recommended that the necessary steps be taken to bring the condition of affairs to the attention of the Senate Committee on Appropriations; it appears to be too late to secure proper consideration in the House. The whole of the sum estimated for, $1,200,384.68, is absolutely needed.

In submitting the deficiency estimates it was not supposed that Congress would require, or desire, minute details, so that steps were only taken to furnish such general information as had heretofore usually been called for, and as would show that the deficiency was unavoidable in the conduct of the affairs of the Department under existing laws, regulations, and conditions. Immediately it was discovered that precise details were desired the work of compiling the data was begun, but the labor involved prevented the earlier completion of the task.

C. F. HUMPHREY,
*Quartermaster-General, U. S. A.*

*Statement of excess cost of fuel and forage purchased by the Quartermaster's Department from the appropriation "Regular supplies," fiscal year 1907 over fiscal year 1906.*

| | 1906. | | 1907. | |
|---|---|---|---|---|
| | Pounds. | Cost. | Pounds. | Cost. |
| Forage | 220,540,787 | $1,926,304.39 | 244,356,415 | $2,280,176.63 |
| Coal | 523,865,718 | 1,353,421.99 | 575,746,517 | 1,514,332.25 |
| Wood.....cords.. | 49,103 | 251,286.46 | 52,515 | 295,845.68 |
| Total | | 3,531,012.84 | | 4,090,354.56 |

| | |
|---|---|
| Cost for fiscal year 1907 | $4,090,354.56 |
| Cost for fiscal year 1906 | 3,531,012.84 |
| Excess fiscal year 1907 | 559,341.72 |

*Statement of excess cost of fuel and forage, etc.*—Continued.

FORAGE.

| Post. | 1906. | | 1907. | |
|---|---|---|---|---|
| | Pounds. | Cost. | Pounds. | Cost. |
| Adams | 1,166,000 | $11,799.52 | 1,513,000 | $16,252.50 |
| Alcatraz | 126,000 | 1,216.05 | 105,000 | 1,160.70 |
| Andrews | 30,000 | 345.50 | 62,000 | 712.89 |
| Apache | 1,450,000 | 27,400.00 | 1,850,000 | 34,915.00 |
| Armistead | | | | |
| Army Hospital, Hot Springs | | | | |
| Assiniboine | 4,175,000 | 43,667.50 | 5,180,000 | 54,897.50 |
| Augusta Arsenal | 21,100 | 252.00 | | |
| Baker | 136,000 | 1,411.55 | 210,800 | 2,446.40 |
| Banks | 106,000 | 1,176.70 | 106,000 | 1,169.71 |
| Barrancas | 187,500 | 1,768.30 | 228,000 | 2,708.40 |
| Bayard | 638,000 | 7,782.50 | 523,000 | 7,182.60 |
| Benicia Arsenal | 100,500 | 793.30 | 46,000 | 455.80 |
| Benicia Barracks | 207,000 | 2,071.60 | 210,500 | 2,651.18 |
| Bliss | 550,000 | 4,481.00 | 494,000 | 4,407.20 |
| Boise Barracks | 936,000 | 7,238.50 | 844,450 | 7,992.52 |
| Brady | 41,205 | 502.70 | 175,900 | 1,151.04 |
| Carroll | | | | |
| Casey | 148,000 | 1,249.00 | 139,000 | 1,256.60 |
| Caswell | 57,500 | 720.25 | 55,100 | 571.21 |
| Clark | 6,350,000 | 51,347.92 | 6,120,000 | 48,432.00 |
| Columbia | 36,500 | 346.00 | 70,000 | 736.80 |
| Columbus Barracks | 258,396 | 2,006.37 | 265,500 | 2,229.55 |
| Constitution | 50,600 | 620.92 | 59,700 | 679.94 |
| Crook | 180,000 | 1,488.00 | 886,000 | 5,676.00 |
| Dade | 107,000 | 1,238.20 | 134,000 | 1,528.00 |
| D. A. Russell | 3,970,000 | 30,634.50 | 7,825,000 | 64,470.50 |
| Davis | 189,000 | 1,819.40 | 126,000 | 1,599.15 |
| Des Moines | 6,430,000 | 41,837.00 | 8,840,000 | 64,337.00 |
| De Soto | 68,000 | 761.20 | 116,000 | 1,330.70 |
| Douglas | 2,945,000 | 27,228.25 | 743,000 | 6,241.73 |
| Duchesne | 1,430,000 | 24,290.50 | 1,940,000 | 26,832.50 |
| DuPont | 151,000 | 1,549.00 | 160,000 | 1,662.00 |
| Egbert | 742,000 | 7,474.27 | 711,000 | 9,239.93 |
| Ethan Allen | 8,510,000 | 74,012.50 | 12,570,000 | 119,558.00 |
| Flagler | 89,000 | 804.50 | 122,000 | 1,020.85 |
| Foster | | | | |
| Fremont | 65,000 | 737.90 | 73,600 | 992.00 |
| Gibbon | 10,778 | 358.36 | 193,000 | 2,113.05 |
| Greble | 96,400 | 1,077.02 | 79,300 | 884.75 |
| Hamilton | | | | |
| Hancock | 225,000 | 2,223.00 | 303,000 | 2,876.60 |
| Heath | 51,000 | 153.00 | 79,200 | 236.61 |
| Henry Barracks | | | | |
| H. G. Wright | 119,000 | 1,195.40 | 134,000 | 1,309.75 |
| Honolulu | | | | |
| Howard | 108,000 | 1,040.65 | 132,000 | 1,276.95 |
| Huachuca | 2,760,000 | 33,993.00 | 3,080,000 | 31,905.00 |
| Hunt | 82,600 | 1,081.26 | 80,700 | 970.78 |
| Jackson Barracks | 116,400 | 1,104.44 | 110,400 | 1,143.00 |
| Governor's Island | 170,000 | 1,477.63 | 191,500 | 1,629.54 |
| Jefferson Barracks | 6,223,000 | 50,275.10 | 4,040,000 | 36,848.00 |
| Keogh | 3,250,000 | 31,347.50 | 2,355,000 | 23,089.50 |
| Key West Barracks | 209,000 | 2,647.20 | 230,000 | 2,914.90 |
| Lawton | 388,000 | 3,121.44 | 1,202,000 | 10,462.85 |
| Leavenworth | 14,400,000 | 93,525.00 | 13,150,600 | 91,282.03 |
| Levett | | | | |
| Lincoln | 157,000 | 945.30 | 170,000 | 1,021.20 |
| Liscum | 670,000 | 6,677.50 | 712,000 | 9,777.53 |
| Logan | 1,055,000 | 7,462.50 | 505,000 | 4,335.00 |
| L. H. Roots | 273,000 | 2,184.70 | 260,000 | 2,108.50 |
| McDowell | 132,000 | 1,303.25 | 144,000 | 1,922.20 |
| McHenry | 110,000 | 1,099.15 | 90,000 | 897.35 |
| McIntosh | 369,000 | 2,895.35 | 436,000 | 3,350.85 |
| Mackenzie | 1,800,000 | 12,612.00 | 1,930,000 | 15,615.00 |
| McKinley | 225,755 | 2,259.51 | 165,000 | 1,808.95 |
| McPherson | 734,000 | 7,557.80 | 676,000 | 7,030.00 |
| McRee | | | | |
| Madison Barracks | 358,000 | 2,800.68 | 555,000 | 4,631.00 |
| Mansfield | 82,000 | 1,115.00 | 82,000 | 1,125.00 |
| Mason | 115,000 | 1,193.90 | 168,500 | 2,413.25 |
| Meade | 7,390,000 | 55,129.00 | 6,530,000 | 57,087.50 |
| Michie | | | 65,000 | 642.75 |
| Miley | 144,000 | 1,429.00 | 180,500 | 2,094.60 |
| Missoula | 600,000 | 5,342.00 | 620,000 | 6,042.50 |
| Monroe (Cuba) | 175,000 | 1,490.00 | 9,695,000 | 120,610.50 |
| Morgan | 168,000 | 1,630.00 | 169,600 | 1,722.00 |
| Mott | 109,000 | 1,123.95 | 105,000 | 1,068.70 |
| Moultrie | 184,000 | 1,864.20 | 213,000 | 1,775.90 |
| Myer | 6,895,000 | 71,329.50 | 6,530,000 | 67,625.00 |
| Niagara | 172,000 | 1,364.75 | 149,000 | 1,127.63 |
| Niobrara | 1,057,000 | 5,685.35 | | |
| Oglethorpe | 8,800,000 | 77,347.50 | 10,890,000 | 92,695.00 |
| Ontario | 166,900 | 1,366.17 | 210,000 | 1,811.30 |
| Pickens | | | | |
| Plattsburg Barracks | 332,000 | 2,941.10 | 379,000 | 3,229.10 |
| Porter | 75,000 | 660.00 | 138,000 | 1,334.00 |
| Preble | 123,800 | 1,348.25 | 123,700 | 1,406.88 |
| Presidio, Monterey | 1,670,000 | 13,957.50 | 3,895,000 | 43,315.50 |
| Presidio, San Francisco | 8,315,000 | 86,918.13 | 8,300,000 | 95,092.50 |
| Reno | 566,000 | 2,917.20 | 939,000 | 7,761.50 |
| Revere | 53,000 | 633.40 | 44,000 | 548.99 |
| Riley | 18,050,000 | 101,250.00 | 21,370,000 | 180,502.50 |
| Robinson | 7,990,000 | 50,437.00 | 5,700,000 | 25,328.75 |
| Ringgold | 670,000 | 6,741.00 | | |
| Rock Island Arsenal | | | | |
| Rodman | 97,800 | 1,048.10 | 97,800 | 1,057.20 |
| Rosecrans | 167,000 | 1,568.50 | 161,600 | 1,845.75 |
| St. Michaels | 196,000 | 1,917.55 | 64,000 | 981.50 |
| St. Philip | | | | |
| Sam Houston | 6,500,000 | 47,307.00 | 6,750,000 | 49,800.00 |
| San Juan, P. R | | | | |
| Schuyler | 115,000 | 1,087.50 | 178,000 | 1,641.17 |
| Smallwood | | | | |
| Screven | 190,000 | $2,119.60 | 215,000 | $2,621.80 |
| Sheridan | 5,496,120 | 57,481.50 | 3,312,600 | 30,539.87 |
| Sill | 4,750,000 | 35,290.25 | 2,490,000 | 19,720.50 |
| Slocum | 232,000 | 1,806.00 | 236,000 | 1,676.18 |
| Snelling | 7,630,000 | 51,153.00 | 6,230,000 | 41,592.75 |
| Springfield Armory | 54,400 | 590.24 | 54,400 | 602.72 |
| Stevens | 136,000 | 1,326.00 | 1,063,000 | 10,365.00 |
| Strong | 47,000 | 561.10 | 50,000 | 559.66 |
| Terry | 127,000 | 1,489.75 | 149,000 | 1,400.50 |
| Thomas | 382,350 | 3,863.04 | 645,700 | 7,142.88 |
| Totten | 272,000 | 2,667.40 | 302,000 | 2,848.30 |
| Trumbull | 120,000 | 1,289.50 | 19,000 | 183.00 |
| Vancouver Barracks | 3,450,000 | 30,208.73 | 3,392,000 | 31,330.76 |
| Wadsworth | 171,000 | 1,644.78 | | |
| Walla Walla | 2,795,000 | 28,405.20 | 3,670,000 | 34,878.95 |
| Ward | 59,000 | 503.50 | 66,000 | 589.95 |
| Warren | 72,000 | 814.50 | 67,000 | 695.44 |
| Washakie | 225,428 | 4,395.85 | 550,000 | 6,625.00 |
| Washington Barracks | 566,000 | 6,040.26 | 464,300 | 5,053.50 |
| Washington General Hospital | | | | |
| Watertown Arsenal | | | | |
| Washington, Fort | 186,000 | 2,040.14 | 260,000 | 3,100.63 |
| Watervliet Arsenal | 47,500 | 463.80 | | |
| Wayne | 269,180 | 2,364.51 | 120,600 | 1,066.14 |
| West Point | 4,690,000 | 36,637.50 | 3,750,000 | 28,484.62 |
| Wetherill | | | | |
| Whipple Barracks | 1,005,000 | 8,209.00 | 1,175,000 | 13,458.00 |
| W. H. Harrison | 545,000 | 5,175.50 | 582,000 | 5,613.80 |
| W. H. Seward | 301,000 | 2,823.75 | 289,500 | 3,752.03 |
| Williams | 101,000 | 1,101.40 | 103,000 | 1,822.50 |
| Wingate | 1,885,060 | 22,755.00 | 2,575,000 | 33,332.50 |
| Wood | 29,600 | 2,502.00 | 26,000 | 266.69 |
| Worden | 108,000 | 928.50 | 201,000 | 1,811.65 |
| Wright | 504,000 | 4,405.45 | 359,500 | 3,045.55 |
| Yellowstone | 2,300,000 | 23,400.00 | 2,280,000 | 21,692.00 |
| Wawona, Cal | 737,000 | 15,742.50 | 541,000 | 15,689.50 |
| Sequoia Park, Cal | 379,000 | 6,738.00 | 216,000 | 4,115.00 |
| Omaha Depot | 290,000 | 1,990.00 | 310,000 | 1,963.50 |
| Philadelphia Depot | 275,320 | 2,550.22 | 309,870 | 2,939.81 |
| New York Depot | 103,595 | 1,181.59 | 150,795 | 1,575.44 |
| Seattle | 30,832,500 | 326,106.75 | 14,000,000 | 185,300.00 |
| San Francisco Depot | 2,711,000 | 24,845.19 | 26,885,000 | 223,154.75 |
| Total | 220,540,787 | 1,926,304.39 | 244,356,415 | 2,280,176.63 |

*Statement of excess cost of fuel and forage, etc.*—Continued.

FORAGE—continued.

COAL.

| Post. | 1906. | | 1907. | |
|---|---|---|---|---|
| | Pounds. | Cost. | Pounds. | Cost. |
| Adams | 8,400,000 | $20,565.00 | 7,800,000 | $18,850.00 |
| Alcatraz | 8,500,000 | 27,415.00 | 6,050,000 | 24,785.00 |
| Andrews | 1,700,000 | 5,030.00 | 2,150,000 | 6,273.00 |
| Apache | | | | |
| Armistead | 130,000 | 413.40 | 72,000 | 208.80 |
| Hot Springs | 2,720,000 | 3,199.00 | 2,720,000 | 4,896.00 |
| Assinniboine | 12,000,000 | 25,800.00 | 23,000,000 | 49,450.00 |
| Augusta Arsenal | 105,000 | 405.00 | 170,000 | 678.00 |
| Baker | 2,500,000 | 11,250.00 | 2,500,000 | 11,630.00 |
| Banks | 3,410,000 | 9,817.37 | 2,950,000 | 7,600.26 |
| Barrancas | 4,800,000 | 8,862.50 | 3,908,000 | 9,126.00 |
| Bayard | 3,500,000 | 12,775.00 | 6,230,000 | 22,739.50 |
| Benicia Arsenal | 300,000 | 1,179.00 | 300,000 | 1,209.00 |
| Benicia Barracks | 1,550,000 | 6,559.00 | 600,000 | 2,790.00 |
| Bliss | 2,000,000 | 7,000.00 | 2,400,000 | 8,760.00 |
| Boise Barracks | 550,000 | 1,856.25 | 673,000 | 2,624.70 |
| Brady | 3,325,000 | 12,054.00 | 2,332,000 | 8,453.50 |
| Carroll | 150,000 | 477.00 | 76,000 | 216.60 |
| Casey | 2,400,000 | 7,200.00 | 2,400,000 | 7,760.00 |
| Caswell | 654,000 | 1,790.20 | 1,275,000 | 3,525.00 |
| Clark | | | | |
| Columbia | 1,000,000 | 3,050.00 | 1,130,000 | 4,661.25 |
| Columbus Barracks | 7,579,000 | 10,325.20 | 7,300,000 | 16,590.00 |
| Constitution | 1,300,000 | 5,163.00 | 350,000 | 1,202.50 |
| Crook | 6,800,000 | 16,704.00 | 6,800,000 | 17,450.00 |
| Dade | 2,200,000 | 4,657.00 | 200,000 | 755.00 |
| D. A. Russell | 8,000,000 | 15,600.00 | 8,000,000 | 15,800.00 |
| Davis | | | 1,000,000 | 5,880.00 |
| Des Moines | 11,000,000 | 19,350.00 | 8,500,000 | 22,625.00 |
| De Soto | | | | |
| Douglas | 6,000,000 | 13,800.00 | 5,000,000 | 12,625.00 |
| Duchesne | 1,300,000 | 4,717.50 | 1,600,000 | 7,200.00 |
| Du Pont | 4,200,000 | 10,360.00 | 4,300,000 | 7,785.00 |
| Egbert | | | | |
| Ethan Allen | 12,000,000 | 38,400.00 | 13,030,000 | 41,723.00 |
| Flagler | 1,800,000 | 4,320.00 | 3,000,000 | 9,825.00 |
| Foster | | | 73,000 | 328.50 |
| Fremont | 800,000 | 2,347.50 | 1,175,000 | 3,830.50 |
| Gibbon | | | | |
| Greble | 3,500,000 | 8,523.50 | 2,741,600 | 5,899.54 |
| Hamilton | 5,600,000 | 14,525.00 | 4,600,000 | 12,466.00 |
| Hancock | 4,700,000 | 13,301.00 | 5,000,000 | 14,000.00 |
| Heath | 51,000 | 153.00 | 79,200 | 236.61 |
| Henry Barracks | | | | |
| H. G. Wright | 3,880,000 | 10,423.00 | 3,800,000 | 10,300.00 |
| Honolulu | | | | |
| Howard | 6,200,000 | 10,310.00 | 7,300,000 | 12,293.00 |
| Huachuca | | | | |

*Statement of excess cost of fuel and forage, etc.*—Continued.

COAL—continued.

| Post. | 1906. | | 1907. | |
|---|---|---|---|---|
| | Pounds. | Cost. | Pounds. | Cost. |
| Hunt | 2,797,000 | $6,824.45 | 1,449,000 | $2,888.22 |
| Jackson Barracks | 1,350,000 | 2,712.50 | 1,460,000 | 3,492.00 |
| Governors Island | 9,500,000 | 21,775.00 | 10,000,000 | 23,640.00 |
| Jefferson Barracks | 9,900,000 | 12,282.00 | 18,200,000 | 22,380.00 |
| Keogh | 5,000,000 | 12,250.00 | 3,500,000 | 8,575.00 |
| Key West Barracks | 1,165,000 | 3,438.13 | 820,000 | 2,378.00 |
| Lawton | 1,170,000 | 4,080.00 | 1,725,000 | 4,916.25 |
| Leavenworth | 30,200,000 | 65,405.00 | 38,300,000 | 67,788.50 |
| Levett | 150,000 | 600.00 | 800,000 | 2,306.63 |
| Lincoln | 1,700,000 | 6,842.00 | 2,304,000 | 9,874.60 |
| Liscum | 2,000,000 | 11,000.00 | 1,500,000 | 4,650.00 |
| Logan | 9,000,000 | 17,437.50 | 5,300,000 | 9,050.00 |
| L. H. Roots | 1,200,000 | 2,630.00 | 1,200,000 | 2,860.00 |
| McDowell | 2,575,000 | 9,992.50 | 2,950,000 | 12,830.00 |
| McHenry | 2,460,000 | 6,519.00 | 1,400,000 | 3,570.00 |
| McIntosh | | | 1,000,000 | 1,935.00 |
| Mackenzie | 3,500,000 | 2,362.50 | 4,000,000 | 2,900.00 |
| McKinley | 5,500,000 | 19,295.00 | 5,800,000 | 19,000.00 |
| McPherson | 7,300,000 | 18,292.50 | 7,560,000 | 20,074.00 |
| McRee | 480,000 | 1,104.00 | 960,000 | 2,688.00 |
| Madison Barracks | 6,200,000 | 18,785.00 | 6,800,000 | 20,611.88 |
| Mansfield | 1,590,000 | 5,283.50 | 1,600,000 | 5,443.50 |
| Mason | 800,000 | 2,992.00 | 1,500,000 | 6,520.00 |
| Meade | 4,400,000 | 17,490.00 | 4,000,000 | 15,500.00 |
| Michie | 500,000 | 1,697.50 | 900,000 | 3,123.00 |
| Miley | 1,272,000 | 5,277.96 | 1,548,000 | 7,319.20 |
| Missoula | | | 150,000 | 468.75 |
| Monroe | 11,800,000 | 26,660.00 | 10,840,000 | 23,149.00 |
| Morgan | 5,210,000 | 11,004.00 | 6,950,000 | 20,335.00 |
| Mott | 2,100,000 | 5,880.00 | 2,300,000 | 7,130.00 |
| Moultrie | 2,886,000 | 7,064.43 | 4,555,000 | 13,538.63 |
| Myer | 8,580,000 | 23,058.75 | 7,400,000 | 19,517.50 |
| Niagara | 3,250,000 | 8,549.50 | 3,100,000 | 7,893.00 |
| Niobrara | 7,000,000 | 11,200.00 | | |
| Oglethorpe | 9,300,000 | 17,875.50 | 7,500,000 | 11,100.00 |
| Ontario | 2,700,000 | 7,251.00 | 2,700,000 | 6,750.00 |
| Pickens | 1,200,000 | 2,400.00 | 1,200,000 | 3,240.00 |
| Plattsburg Barracks | 7,700,000 | 26,350.00 | 8,100,000 | 25,160.00 |
| Porter | 2,100,000 | 6,188.00 | 2,250,000 | 6,150.00 |
| Preble | 2,100,000 | 6,195.00 | 2,000,000 | 5,880.00 |
| Presidio, Monterey | 1,100,000 | 5,544.00 | 1,100,000 | 6,370.00 |
| Presidio, San Francisco | 12,000,000 | 48,360.00 | 12,000,000 | 63,400.00 |
| Reno | 2,250,000 | 5,457.50 | 1,710,000 | 4,110.00 |
| Revere | 2,000,000 | 5,840.00 | 1,646,000 | 5,220.00 |
| Riley | 16,150,000 | 31,760.00 | 15,000,000 | 30,550.00 |
| Robinson | 11,010,000 | 23,600.00 | 10,024,000 | 19,000.00 |
| Ringgold | | | | |
| Rock Island | 1,400,000 | 2,330.00 | 1,300,000 | 1,965.00 |
| Rodman | 1,302,000 | 4,165.00 | 1,600,000 | 5,120.00 |
| Rosecrans | 2,000,000 | 8,250.00 | 1,824,000 | 11,292.00 |
| St. Michael | 3,000,000 | 7,200.00 | 3,000,000 | 7,436.00 |
| St. Philip | 980,000 | 3,363.00 | 500,000 | 1,810.00 |
| Sam Houston | 3,000,000 | 9,300.00 | 2,500,000 | 7,950.00 |
| San Juan | 1,600,000 | 4,107.41 | 1,290,000 | 3,464.00 |
| Schuyler | 3,020,000 | 7,558.00 | 3,396,000 | 8,682.00 |
| Smallwood | 100,000 | 270.00 | 60,000 | 204.00 |
| Screven | 4,500,000 | 12,737.50 | 1,980,000 | 5,729.00 |
| Sheridan | 12,290,000 | 38,274.20 | 12,100,000 | 37,975.00 |
| Sill | 2,250,000 | 6,487.50 | 1,970,000 | 5,658.00 |
| Slocum | 7,100,000 | 16,039.00 | 8,400,000 | 20,770.00 |
| Snelling | 11,500,000 | 34,625.00 | 15,000,000 | 46,500.00 |
| Springfield Armory | 392,000 | 1,147.64 | 392,000 | 1,237.60 |
| Stevens | 2,000,000 | 7,950.00 | 3,653,000 | 11,689.60 |
| Strong | 800,000 | 2,337.50 | 2,200,000 | 6,232.50 |
| Terry | 3,110,000 | 9,295.50 | 3,100,000 | 9,320.00 |
| Thomas | 7,900,000 | 16,890.00 | 8,500,000 | 19,365.00 |
| Totten | 8,460,000 | 20,648.80 | 13,600,000 | 34,952.00 |
| Trumbull | 4,000,000 | 8,000.00 | 4,000,000 | 8,000.00 |
| Vancouver Barracks | 8,000,000 | 18,560.00 | 12,300,000 | 35,362.50 |
| Wadsworth | 4,500,000 | 12,951.00 | 4,500,000 | 11,475.00 |
| Walla Walla | 2,000,000 | 5,000.00 | 2,900,000 | 8,337.50 |
| Ward | 350,000 | 1,050.00 | 420,000 | 13,121.50 |
| Warren | 3,000,000 | 9,137.50 | 3,500,000 | 9,716.25 |
| Washakie | 1,900,000 | 5,890.00 | 4,000,000 | 13,800.00 |
| Washington Barracks | 5,100,000 | 13,617.00 | 7,800,000 | 19,792.50 |
| Washington General Hospital | | | | |
| Watertown Arsenal | 645,000 | 1,942.50 | 650,000 | 1,950.00 |
| Washington, Fort | 6,700,000 | 12,507.50 | 6,142,100 | 13,547.70 |
| Watervliet Arsenal | 850,000 | 2,317.50 | 850,000 | 2,435.00 |
| Wayne | 4,130,000 | 12,390.00 | 2,400,000 | 7,188.00 |
| West Point | | | | |
| Wetherill | 95,000 | 475.00 | 100,000 | 400.00 |
| Whipple Barracks | 1,600,000 | 6,000.00 | 1,600,000 | 5,920.00 |
| W. H. Harrison | 5,000,000 | 9,000.00 | 5,000,000 | 9,500.00 |
| W. H. Seward | 4,300,000 | 19,050.00 | 4,970,000 | 25,625.75 |
| Williams | 6,700,000 | 16,636.00 | 6,700,000 | 16,686.00 |
| Wingate | 2,500,000 | 4,250.00 | 2,000,000 | 3,400.00 |
| Wood | 900,000 | 2,502.00 | 900,000 | 2,520.00 |
| Worden | 2,500,000 | 7,500.00 | 3,700,000 | 11,840.00 |
| Wright | 2,500,000 | 6,125.00 | 3,840,000 | 11,136.00 |
| Yellowstone | 1,500,000 | 4,500.00 | 1,350,000 | 4,185.00 |
| Wawona, Cal | | | | |
| Sequoia National Park | | | | |
| Omaha Depot | 1,700,000 | 4,515.00 | 1,940,000 | 6,446.20 |
| Philadelphia Depot | 3,695,518 | 6,953.99 | 4,933,616 | 10,348.76 |
| New York Depot | 2,717,200 | 6,254.81 | 10,550,000 | 25,085.00 |
| Seattle | | | | |
| San Francisco Depot | 4,000,000 | 16,520.00 | 1,800,000 | 8,340.00 |
| Total | 523,865,718 | 1,353,421.99 | 575,746,517 | 1,514,332.25 |

*Statement of excess cost of fuel and forage, etc.*—Continued.

WOOD.

| Post. | 1906. | | 1907. | |
|---|---|---|---|---|
| | Cords. | Cost. | Cords. | Cost. |
| Adams | | | | |
| Alcatraz | | | | |
| Andrews | | | | |
| Apache | | | | |
| Armistead | 8 | $48.00 | | |
| Army Hospital, Washington | 30 | 135.00 | | |
| Assinniboine | 1,200 | 8,376.00 | 850 | $5,270.50 |
| Augusta Arsenal | 60 | 375.00 | 80 | 420.00 |
| Baker | 100 | 926.59 | | |
| Banks | 30 | 300.00 | 16 | 160.00 |
| Barrancas | 1,338 | 7,818.50 | 940 | 5,755.00 |
| Bayard | 4,100 | 16,724.00 | 3,500 | 18,830.00 |
| Benicia Arsenal | | | | |
| Benicia Barracks | 25 | 199.75 | 18 | 179.82 |
| Bliss | 72 | 432.00 | | |
| Boise Barracks | 400 | 3,000.00 | 400 | 3,300.00 |
| Brady | 75 | 577.25 | 40 | 319.60 |
| Carroll | 10 | 79.80 | | |
| Casey | 1,000 | 3,084.10 | 1,000 | 3,294.86 |
| Caswell | 619 | 3,528.30 | 612 | 3,560.00 |
| Clark | 3,000 | 16,200.00 | 3,000 | 15,750.00 |
| Columbia | | | | |
| Columbus Barracks | | | 100 | 895.00 |
| Constitution | 35 | 290.00 | 25 | 215.00 |
| Crook | | | 20 | 120.00 |
| Dade | 158 | 923.00 | 280 | 1,825.00 |
| D. A. Russell | 100 | 800.00 | 175 | 1,400.00 |
| Davis | | | | |
| Des Moines | | | 380 | 1,824.40 |
| De Sota | 540 | 3,110.00 | 380 | 2,532.50 |
| Douglas | 200 | 1,498.00 | 180 | 1,431.00 |
| Duchesne | 1,400 | 7,350.00 | 1,400 | 16,050.00 |
| Du Pont | 95 | 499.60 | 100 | 562.00 |
| Egbert | 1,800 | 17,481.88 | 2,000 | 16,794.53 |
| Ethan Allen | 284 | 1,870.00 | 90 | 551.00 |
| Flagler | 800 | 3,392.00 | 500 | 2,070.00 |
| Foster | | | | |
| Fremont | 150 | 675.00 | 160 | 691.50 |
| Gibbon | 150 | 1,462.50 | 2,000 | 22,000.00 |
| Greble | 20 | 210.00 | 25 | 237.50 |
| Hamilton | 120 | 794.40 | | |
| Hancock | 75 | 488.75 | 140 | 964.00 |
| Heath | | | | |
| Henry Barracks | | | 420 | 1,512.00 |
| H. G. Wright | | | 80 | 690.00 |
| Honolulu | | | | |
| Howard | | | | |
| Huachuca | 1,500 | 8,587.50 | 1,700 | 11,305.00 |
| Hunt | 89 | 380.03 | | |
| Jackson Barracks | 270 | 1,641.00 | | |
| Governors Island | 200 | 1,286.00 | | |
| Jefferson Barracks | 84 | 499.80 | | |
| Keogh | 600 | 2,898.00 | 500 | 2,375.00 |
| Key West Barracks | 350 | 2,782.50 | 350 | 2,555.00 |
| Lawton | 1,000 | 2,300.00 | 1,100 | 2,530.00 |
| Leavenworth | 450 | 2,128.50 | 570 | 2,510.10 |
| Levett | 4 | 28.00 | 10 | 97.00 |
| Lincoln | 15 | 89.85 | | |
| Liscum | | | | |
| Logan | 160 | 840.00 | | |
| L. H. Roots | 160 | 760.00 | 40 | 210.00 |
| McDowell | | | | |
| McHenry | 120 | 657.60 | 76 | 304.88 |
| McIntosh | 900 | 4,050.00 | 850 | 3,655.00 |
| Mackenzie | | | | |
| McKinley | | | 60 | 680.20 |
| McPherson | 498 | 1,992.00 | 900 | 4,191.00 |
| McRee | 315 | 1,963.50 | 330 | 2,070.00 |
| Madison Barracks | 50 | 325.00 | 40 | 300.00 |
| Mansfield | | | | |
| Mason | | | | |
| Meade | 2,800 | 12,488.00 | 2,500 | 11,360.00 |
| Michie | 9 | 108.00 | 28 | 323.00 |
| Miley | 18 | 151.02 | 15 | 217.50 |
| Missoula | 2,000 | 7,360.00 | 2,000 | 7,726.00 |
| Monroe | 285 | 1,261.00 | 230 | 1,055.50 |
| Morgan | 174 | 1,044.00 | 150 | 970.00 |
| Mott | 60 | 480.00 | 25 | 197.50 |
| Moultrie | 250 | 1,950.00 | | |
| Myer | 228 | 1,254.00 | 267 | 1,652.90 |
| Niagara | 36 | 268.20 | 36 | 231.84 |
| Niobrara | 385 | 2,021.25 | | |
| Oglethorpe | | | 2,500 | 7,347.50 |
| Ontario | 60 | 595.00 | 50 | 445.50 |
| Pickens | 438 | 2,679.00 | 430 | 2,567.50 |
| Plattsburg Barracks | 120 | 663.00 | 120 | 630.00 |
| Porter | 120 | 685.00 | | |
| Preble | 120 | 766.20 | 34 | 219.35 |
| Presidio, Monterey | | | 5,000 | 27,250.00 |
| Presidio, San Francisco | | | 30 | 266.70 |
| Reno | 800 | 3,864.00 | 450 | 2,466.00 |
| Revere | 5 | 50.00 | 8 | 96.00 |
| Riley | | | 559 | 3,715.00 |
| Robinson | 1,200 | 6,401.20 | 1,000 | 5,323.00 |
| Ringgold | 1,200 | 2,076.00 | | |
| Rock Island Arsenal | | | | |
| Rodman | 5 | 32.50 | 25 | 175.00 |
| Rosecrans | | | 12 | 156.00 |
| St. Michael | | | | |
| St. Philip | 20 | 140.00 | | |
| Sam Houston | 4,050 | 17,700.00 | 3,600 | 17,632.00 |
| San Juan, P. R | 1,500 | 8,625.00 | 800 | 4,192.00 |

*Statement of excess cost of fuel and forage, etc.*—Continued.

WOOD—continued.

| Post. | 1906. | | 1907. | |
|---|---|---|---|---|
| | Cords. | Cost. | Cords. | Cost. |
| Schuyler | | | | |
| Smallwood | | | | |
| Screven | 700 | $1,270.00 | 600 | $1,020.00 |
| Sheridan | 1,250 | 9,387.00 | 850 | 7,545.00 |
| Sill | 1,000 | 5,190.00 | 900 | 5,040.00 |
| Slocum | 50 | 333.50 | 24 | 178.28 |
| Snelling | 300 | 1,719.00 | 400 | 2,428.00 |
| Springfield Armory | | | | |
| Stevens | 500 | 2,642.00 | | |
| Strong | 24 | 288.00 | 70 | 822.50 |
| Terry | 30 | 300.00 | 40 | 400.00 |
| Thomas | 60 | 360.00 | | |
| Totten | 200 | 1,315.00 | | |
| Trumbull | 30 | 217.50 | | |
| Vancouver Barracks | 2,000 | 5,942.00 | 1,500 | 4,826.00 |
| Wadsworth | 50 | 333.50 | 72 | 551.96 |
| Walla Walla | | | 200 | 1,120.00 |
| Ward | | | | |
| Warren | | | | |
| Washakie | | | | |
| Washington Barracks | 63 | 323.82 | 114 | 677.16 |
| Washington General Hospital | 48 | 313.92 | | |
| Watertown Arsenal | 50 | 221.50 | | |
| Washington, Fort | | | | |
| Watervliet Arsenal | | | | |
| Wayne | 89 | 729.50 | | |
| West Point | 150 | 787.50 | 150 | 840.00 |
| Wetherill | 80 | 360.00 | 60 | 297.00 |
| Whipple Barracks | | | | |
| W. H. Harrison | 200 | 1,080.00 | 200 | 1,020.00 |
| W. H. Seward | | | 700 | 241.50 |
| Williams | 60 | 388.20 | 60 | 523.80 |
| Wingate | 60 | 450.00 | | |
| Wood | 27 | 214.65 | | |
| Worden | 400 | 1,260.00 | 400 | 1,260.00 |
| Wright | | | | |
| Yellowstone | 1,000 | 4,100.00 | 850 | 3,825.00 |
| Wawona, Cal | | | | |
| Sequoia Park (California) | | | | |
| Omaha Depot | | | 8 | 52.80 |
| Philadelphia Depot | | | | |
| New York Depot | | | | |
| Seattle | | | | |
| San Francisco Depot | 30 | 238.80 | 20 | 300.00 |
| Total | 49,103 | 251,286.46 | 52,515 | 295,845.68 |

Mr. GALLINGER. Mr. President, I am about to submit an amendment that is clearly subject to a point of order if any Senator feels that it is his duty to make it. It is an amendment providing for temporary street railway facilities to the Union Station, so as to get transportation for the men, women, and children from all over the country who will come to Washington after the Union Station is completed and before we can get legislation to make a permanent extension of the existing street railway lines.

I do not care to discuss the matter. The Senate is fully aware of the efforts I have made to get permanent extensions, and those are impossible at this session of Congress. I offer the amendment with the hope that the Senate will allow it to go in the bill, so that we will not have a condition of things which will be a reproach to the city when the station is finished, which will be in a very few months.

The VICE-PRESIDENT. The Senator from New Hampshire proposes an amendment, which will be stated.

The SECRETARY. On page 26, after line 9, it is proposed to insert:

That the City and Suburban Railway of Washington be, and it hereby is, authorized to construct a double-track overhead electric temporary connection between its existing tracks at G and First streets NW. and Third and D streets NE. and at the northwest corner of Stanton square, the aforesaid temporary tracks to cross the Union Station plaza within 50 feet of the entrance to the Union Station.

That the Washington Railway and Electric Company be, and it hereby is, authorized to construct a double-track overhead electric temporary connection between its existing tracks at Delaware avenue and C streets NE. and the temporary tracks of the City and Suburban Railway of Washington hereinbefore authorized; also a double-track loop on the Union Station plaza connecting with the tracks herein authorized.

That the Capital Traction Company be, and it hereby is, authorized to operate its cars (under intercompany agreement) over the tracks, herein authorized, from Delaware avenue and C streets NE. to the Union Station: *Provided*, That immediately after the construction of such permanent street railway connections to the Union Station as may hereafter be authorized by law the several companies shall immediately remove all the overhead electric construction herein authorized.

Mr. HANSBROUGH. I should like to inquire of the Senator from Maine, who has been very industrious at this session, as he is at every session, in keeping general legislation off appropriation bills, if he thinks this amendment should be inserted?

Mr. HALE. I think, as the Senator who offered it said, it is subject to the point of order.

Mr. HANSBROUGH. I make the point of order.

The VICE-PRESIDENT. The Chair sustains the point of order.

Mr. ALDRICH. I offer an amendment, to come in on page 7.

The SECRETARY. On page 7, line 2, after the words "per annum," it is proposed to insert:

And the salary of each of the general appraisers of merchandise shall be at the rate of $10,000 per annum.

Mr. HALE. I make the point of order on the amendment offered by the Senator from Rhode Island, that it is a change of existing law and is legislation affecting salaries.

The VICE-PRESIDENT. The Chair is of the opinion that the point of order is well taken, and sustains it.

Mr. MCENERY. I offer the amendment I send to the desk.

The SECRETARY. It is proposed to insert at the bottom of page 76 the following:

That the Secretary of the Treasury, with the approval of the President, is hereby authorized to return to the Citizens' Bank of Louisiana the money taken from said bank by military order on June 19, 1862, and now in the Treasury, and a sum sufficient to do so is hereby appropriated.

Mr. HALE. I make the point of order that it is an old claim.

The VICE-PRESIDENT. The Chair sustains the point of order.

Mr. BACON. I offer the amendment I send to the desk, to be inserted at the end of the bill.

The SECRETARY. It is proposed to add at the end of the bill the following:

That jurisdiction be, and is hereby, given to the Court of Claims to adjudicate the claim or claims of any owner, or the legal representatives of any owner, to the proceeds of any abandoned or captured property which have heretofore been placed in the United States Treasury, notwithstanding any former suit to recover said proceeds may have been dismissed by said court for want of jurisdiction: *Provided*, That said claimant proves his or her right to such proceeds and brings suit to recover the same within two years from the passage of this act: *Provided further*, That no proof shall be required of the loyalty of the claimant or of the original owner of the property seized or taken by the United States at the time of its seizure.

SEC. 2. That any testimony, affidavits, reports of officers, and other papers on file in the Departments or in the courts relating to such claims shall be considered by the court as competent evidence and such weight given thereto as in its judgment is right and proper.

SEC. 3. That all judgments rendered in favor of claimants under the provisions of this act shall be paid out of the captured and abandoned property fund, as provided by section 3689 of the Revised Statutes.

SEC. 4. That all sales, transfers, or assignments of any claims against said fund heretofore or hereafter made, except such as have occurred in the due administration of decedents' estates, and all contracts heretofore made for fees and allowances to claimants' attorneys are hereby declared null and void, and all warrants issued by the Secretary of the Treasury in payment of such judgments shall be made payable and delivered only to the claimant or his lawful heirs, executors, or administrators, or transferred under administrative proceedings, except so much thereof as shall be allowed claimants' attorneys by the court for prosecuting said claims; and the Court of Claims in rendering judgment under this act shall in each case fix the amount of compensation to the attorney or attorneys prosecuting the claim in said court.

Mr. BACON obtained the floor.

Mr. HALE. I make the point of order——

Mr. BACON. Mr. President, I have the floor.

The VICE-PRESIDENT. The Senator from Georgia is entitled to the floor.

Mr. BACON. I will detain the Senate but a moment. I desire to say that this amendment, which was presented by me in the Senate day before yesterday and was referred to the Committee on Appropriations, is a copy of a bill pending in the House—No. 25400—which was introduced by Mr. WILLIAMS, of Mississippi, and I hold in my hand the report of the House committee on the subject of the propriety of the enactment into law of what is proposed in that amendment.

Without detaining the Senate to read it, I ask consent to have it printed in the RECORD in connection with the amendment.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The report is as follows:

[House Report No. 7540, Fifty-ninth Congress, second session.]

The Committee on War Claims, to whom was referred the bill (H. R. 25400) to give the Court of Claims jurisdiction of claims for captured and abandoned property which was sold and the proceeds thereof placed in the Treasury of the United States, beg leave to submit the following report and recommend that said bill do pass:

Under the acts of March 12, 1863, and July 2, 1864, known as the "captured and abandoned property acts," and other kindred measures, a large amount of property in the States declared in insurrection was seized by the military and other Federal authorities, without regard to its ownership or the political status of its owners, and subsequently sold and the proceeds paid into the National Treasury. The sum realized from this source at the close of the war, as shown by a report of the Secretary of the Treasury, amounted to something over $30,000,000.

The third section of the act of March 12, 1863, under which the greater portion of the property was seized, provided as follows:

"Any person claiming to have been the owner of any such abandoned or captured property may, at any time within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the Court of Claims; and on proof to the satisfaction of said court of

his ownership of said property, of his right to the proceeds thereof, and that he has never given any aid or comfort to the present rebellion, to receive the residue of such proceeds, after the deduction of any purchase money which may have been paid, together with the expense of transportation and sale of such property, and any other lawful expenses attending the disposition thereof." (12 Stat. L., 820.)

Under this provision of the statute a large number of suits were commenced in the Court of Claims by persons claiming to be the owners of property seized under this and similar statutes, and in cases in which the claimants could make the proof required by the act judgments were rendered in their favor for the net proceeds of their property paid into the Treasury, and by this and other means the fund in the Treasury has been reduced, so that the sum now on hand amounts to something over $10,000,000.

Many questions arose under the act of March 12, 1863, such as, "What constituted proof of loyalty?" "When was the rebellion suppressed?" and "When did the two years expire within which suit could be commenced?" All of which were vigorously contested, and in which the court ruled strictly and rigidly against the claimants, rendering appeals to the Supreme Court necessary, and by which the owners of the property were delayed or deterred from preferring their claims under the act.

In December, 1869, the Supreme Court of the United States decided, in Anderson *v.* The United States (9 Wall., 56), that the rebellion was suppressed on the 20th of August, 1866, the date of President Johnson's proclamation of pardon and amnesty, with restoration of civil and political rights, and the limitation of the right to commence suit took effect or expired on the 20th of August, 1868. And it thus appears that the period in which the claimants could bring suits to recover the net proceeds of their property had expired more than one year prior to the decision fixing the date of the close of the war was announced and when it was too late for the claimants to derive any benefit from the decision.

It was not till 1871 that the Supreme Court gave full consideration to this act of March 12, 1863. In December of that year, in the case of Klein *v.* The United States (13 Wall., 128), the court decided—

(1) That it was not the intention of Congress by the enactment of that statute that the title to property seized under it should be divested from the loyal owners.

(2) That the proceeds of the property should go into the Treasury without change of ownership.

(3) That the same intention prevailed in regard to the property of owners who, though then hostile, might subsequently become loyal.

(4) That it was for the Government itself to determine whether those proceeds should be restored to the owner or not.

(5) That the President's proclamation of pardon and amnesty, with restoration of rights of property, and particularly that of July 4, 1868, *was a decision on the part of the Government which decided affirmatively the right of the owners of such property to the proceeds thereof in the Treasury, and the restoration of the proceeds became the absolute right of the persons pardoned.*

(6) And that "the Government constituted itself the trustee for those who by that act were declared entitled to the proceeds of captured and abandoned property, *and for those whom it should thereafter recognize as entitled.*"

And in its opinion the court uses this language:

"That it was not the intention of Congress that the title to these proceeds should be divested absolutely out of the original owners of the property seems clear upon a comparison of different parts of the act.

"We have already seen that those articles which became by the simple fact of capture the property of the captor, as ordnance, munitions of war, and the like, or in which third parties acquired rights which might be made absolute by decree, as ships and other vessels captured as prize, were expressly excepted from the operation of the act, and it is reasonable to infer that it was the purpose of Congress that the proceeds of the property for which the special provision of the act was made should go into the Treasury without change of ownership. Certainly such was the intention in respect to the property of loyal men. That the same intention prevailed in regard to the property of owners who, *though then hostile, might subsequently become loyal* appears probable from the circumstances that no provision is anywhere made for confiscation of it, while there is no trace in the statute book of intention to divest ownership of private property not excepted from the effect of this act otherwise than by the proceedings for confiscation.

"It is thus seen that, except as to property used in actual hostilities, as mentioned in the first section of the act of March 12, 1863, no titles were divested in the insurgent States unless in pursuance of a judgment rendered after due legal proceedings. The Government recognized to the fullest extent the humane maxims of the modern law of nations, which exempt private property of noncombatant enemies from capture as booty of war. Even the law of confiscation was sparingly applied. The cases were few indeed in which the property of any not engaged in actual hostilities was subjected to seizure and sale.

"We conclude, therefore, that the title to the proceeds of the property which came to the possession of the Government by capture or abandonment, with the exceptions already noticed, was in no case divested from the original owner. It was for the Government itself to determine whether these proceeds should be restored to the owner or not. *The promise of the restoration of all rights of property decided that question affirmatively as to all persons who availed themselves of the proffered pardon.* * * *

"*The restoration of the proceeds became the absolute right of the persons pardoned* on application within two years from the close of the war. It was, in fact, promised for an equivalent. 'Pardon and restoration of political rights' were 'in return' for the oath and its fulfillment."

And then the court adds this strong language:

"To refuse it would be a breach of faith not less cruel and astounding than to abandon the freed people whom the Executive had promised to maintain in their freedom."

And in the prior case of The United States *v.* Padleford (9 Wall., 531) the court held that under the proclamation of pardon issued by President Lincoln, dated December 8, 1863, and the act of March 12, 1863, the Government is a trustee, holding the proceeds of the petitioner's property for his benefit, and having been fully reimbursed for all expenses incurred in that character, loses nothing by the judgment, which simply awards to the petitioner what is his own.

This decision in the Klein case settled the important questions in relation to the owners of captured and abandoned property and their rights under the act of March 12, 1863, and subsequent statutes relating to that subject, and it left nothing for Congress to do but provide a tribunal to which claimants might resort to establish their absolute right, in the language of the Supreme Court, to their share of the fund derived from the sale of such property.

In June, 1873, the case of Haycraft *v.* The United States was commenced in the Court of Claims to recover the net proceeds of certain property of the claimant. The suit was brought more than two years after the suppression of the rebellion, upon the theory that, as the Government held those proceeds *in trust*, as decided in the Klein case, it was liable outside of the act of March 12, 1863, upon an implied promise to pay to the claimant his portion of the fund; but the Court of Claims decided that the provision in that act limiting the right of the claimant to two years in which to prefer his claim was a limitation upon its jurisdiction, and thereupon it dismissed the petition. In January, 1875, this decision was affirmed by the Supreme Court, which held that the question was one of jurisdiction and not of limitation, and that Congress having legislated upon the subject, the Court of Claims did not possess jurisdiction to entertain suits of this character under an implied contract to refund to claimants the net proceeds of their property in the Treasury. (Haycraft *v.* The United States, 22 Wall., 81.)

While the Haycraft case was pending in the Court of Claims, and before its decision by the Supreme Court, a large number of suits were commenced in the former court upon the theory on which the Haycraft case was based, viz, that the Government was liable to the claimants for the net proceeds of their property, under an implied contract, and these cases were all continued upon the dockets of the court till the decision of the Supreme Court to which we have referred, when they were all dismissed for want of jurisdiction.

Here, then, was the difficulty which existed—*parties having rights which they were unable to enforce, for the reason that there was no tribunal to which to resort for their enforcement.* It requires no argument to prove that a right may exist where there is no remedy for its enforcement; and this was, and is to-day, the precise predicament of all persons claiming an interest in the captured and abandoned property fund. While the power of the Court of Claims in the premises had ceased to exist, the rights of the claimants had survived; and neither the court nor the claimants, in order to enable each to act, required anything more than this: *The one the privilege to sue and the other the right to entertain and determine such suits.*

To remedy the wrong which existed in this respect, and in order to make effective the decisions of the Supreme Court to which reference has been made, Congress enacted section 1059 of the Revised Statutes, giving the Court of Claims jurisdiction of four classes of claims. The fourth clause of said section reads as follows:

"Fourth. Of all claims for the proceeds of captured or abandoned property, as provided by the act of March 12, 1863, chapter 120, entitled 'An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States,' or by the act of July 2, 1864, chapter 225, being an act in addition thereto: *Provided*, That the remedy given in cases of seizure under the said acts, by preferring claim in the Court of Claims, shall be exclusive, precluding the owner of any property taken by agents of the Treasury Department as abandoned or captured property, in virtue or under color of said acts, from suit at common law, or any other mode of redress whatever, before any court other than the Court of Claims."

And Congress provided for the payment of any judgment the court might render in favor of claimants under said fourth clause by section 3689 of the Revised Statutes, which, under the head of "Permanent annual appropriations," among other things, provides as follows:

"For the return of proceeds from the sale of captured and abandoned property in insurrectionary districts to the owners thereof, who may, to the satisfaction of the Court of Claims, prove their right to and ownership of said property."

These provisions of the Revised Statutes construed together provided a complete and adequate remedy for the claimants under the act of March 12, 1863, and subsequent statutes relating to the subject. The statutes declare this was the law on the 1st of December, 1873, though they were not approved by the President till June 22, 1874, and were not published till in 1875. These provisions of the statutes were in force, though not published, when the Haycraft case, above cited, was decided by the Supreme Court, and it can hardly be doubted that the decision in that case would have been different if the court had been aware of the existence of the two clauses in sections 1059 and 3689 of the Revised Statutes.

To every unprejudiced mind the language of the fourth clause of section 1059 is clear and unambiguous, and requires no construction to arrive at the intention of the National Legislature. It could have had but one object, and that was to confer upon the Court of Claims a jurisdiction which had once existed and which Congress well knew had expired by limitation. While the provision confers no new rights upon those claiming the fund derived from the sale of their property, but, on the contrary, restricts those rights by making the jurisdiction exclusive, it provides a tribunal before which they can go to enforce existing rights, and that tribunal one specially provided for adjudicating claims against the Government. Acting upon the assumption that the Government can not be sued without its consent, the legal effect of the clause is to give that consent, with the proviso that the claimants shall be confined in the prosecution of their claims to the provisions of the acts of March 12, 1863, and July 2, 1864—that is to say, that they should only recover the net proceeds of the sale of their property after deducting all costs and charges. And this conclusion is strengthened when section 3689 is construed in connection with section 1059.

The act of March 12, 1863, provided for the payment of all judgments rendered under its provisions, and if by the fourth clause of section 1059 it was only intended to continue the jurisdiction of the Court of Claims as to suits then pending before it, then no additional legislation was necessary to provide for the payment of any judgments rendered by the court in favor of the claimants. Besides, the limitation of two years in the act of March 12, 1863, operated upon the claimants rather than upon the court. It gave them the two years in which to prefer their claims to the proceeds of their property, and the act nowhere provided that the jurisdiction of the court should terminate in two years, whether the cases then pending were disposed of or not. But when Congress came to confer a new jurisdiction upon the court without limitation as to time in which suits might be commenced, in order to make the remedy effective it was necessary to make provision for the payment of any judgments obtained by the claimants, and this Congress did by the enactment of section 3689 of the Revised Statutes.

The Court of Claims, however, adhering to its habit of ruling rigidly against claimants in that court, took a different view of sections

1059 and 3689, and in the case of Mary A. Wade, administratrix, and B. M. Martel, syndic, held that Congress did not intend by the above sections to repeal the two years' limitation in the act of March 12, 1863, and that these sections would not admit of such a construction, thus placing Congress in the ridiculous attitude of conferring jurisdiction upon the court and in the same clause limiting that jurisdiction to a period of time which had expired five years previously. This decision is based upon the ground "that the object of the revision of the statutes was not to change existing law, but to revise, simplify, arrange, and consolidate all statutes of the United States, general and permanent in their nature, which shall be in force at the time the commissioners should make the final report of their doings," and that the commissioners, "instead of reenacting the full language, for conciseness and condensation merely referred to the act and provided that the court should have jurisdiction of all claims for the proceeds of captured or abandoned property, as provided in the act of March 12, 1863."

Without stopping to criticise further this decision of the Court of Claims, it is sufficient to say that it completely nullifies the fourth clause of section 1059 of the Revised Statutes and defeats the will of the lawmaking power as expressed by that provision of the law. So long as that decision stands, even were there no other obstacles in the way, no suits can be maintained in the Court of Claims for the recovery of any portion of the captured and abandoned property fund, and the doors of that court, as well as all other legal tribunals, are closed against the claimants.

This is the condition and state of the law bearing upon this subject at this time as construed and defined by the courts, and it seems apparent that if this captured and abandoned property fund is ever to be distributed to its owners some additional legislation is necessary to that end. If the title of the owners of the property seized and sold under the captured and abandoned property acts has never been divested; if the Government holds the net proceeds of the property thus sold without any legal title thereto and as trustee for the owners, and if the President's proclamation of pardon and amnesty, including restoration to civil and political right, was a decision on the part of the Government which decided affirmatively the right of all owners of the property to the proceeds thereof in the Treasury, as the highest judicial tribunal of the nation has decided, then in equity and good conscience it ought not to retain the money, and the honor and dignity of the nation demand that some provision should be made by which the claimants of the fund may be enabled to enforce their rights thereto. For more than thirty years the Government has had the use of this money.

For more than thirty years the claimants have been appealing to Congress for relief; and if Congress in the discharge of more pressing duties has neglected this appeal, or if the remedy it provided has proved inefficacious, the stronger the reason for some action in this direction at the present time. The claimants are fast passing away, leaving as an inheritance to their children the prospect of litigation with their Government; and the witnesses upon whom the claimants must depend to establish their rights are being scattered and lost sight of, and to delay further is simply to rob and deprive these parties of their rights, some of whom are widows and orphans, while others are colored, or men of small means.

That Congress has from time to time felt the necessity for making some provision for the disposition of this fund is evident from the fact that at nearly every session special acts have been enacted for the benefit of claimants of this fund, thus doing justice to some at the expense of others; and it seems to your committee that common justice demands that a general law should be enacted by which all claimants to the fund may be relegated to some tribunal where they can establish their rights according to legal methods and each receive that portion of the fund to which he shows himself entitled.

Time and again favorable reports have been made by one House or the other upon bills having in view the same purpose as the bill now under consideration. In the Fifty-second Congress, first session, the Judiciary Committee of this House made such report on H. R. 455 (Report No. 1377).

In the Fifty-third Congress, second session, the Judiciary Committee upon a number of bills of like character adopted a report of the same committee made in the preceding Congress.

The same in the Fifty-fourth Congress, second session (House Report No. 2568, from the Committee on War Claims, on H. R. 7618).

The same in the Fifty-fifth Congress, third session (Senate Report No. 1634).

The same in the Fifty-seventh Congress, first session (Senate Report No. 1292).

The same in the Fifty-eighth Congress, second session (Senate Report No. 1861).

The same in the first session of the present Congress (Senate Report No. 3290).

Your committee report back the bill and recommend its passage.

Mr. BACON. Of course I recognize the fact that as the committee has failed to report it favorably the point of order made by the Senator from Maine will undoubtedly be sustained by the Chair. I have no question on that point; but this report absolutely demonstrates, I think, under the decisions of the Supreme Court of the United States not only the propriety, but the high duty of Congress to enact this legislation.

Mr. HALE. I insist on the point of order, Mr. President.

The VICE-PRESIDENT. The Chair sustains the point of order.

Mr. FORAKER. I offer an amendment extending the time for the completion of a local street railway.

The VICE-PRESIDENT. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. It is proposed to insert at the end of the bill the following:

That the time for the completion of the Anacostia, Surrattsville, and Brandywine Electric Railroad in the District of Columbia is hereby extended for twelve months from March 3, 1907.

Mr. HALE. As I am making these points of order, I must make it against this amendment. It is legislation.

Mr. FORAKER. I am sorry the Senator feels constrained to make the point of order against the amendment, because I think it will work a hardship.

The VICE-PRESIDENT. The Chair sustains the point of order.

Mr. FORAKER. I offer an amendment which I hope the Senator from Maine will accept.

The SECRETARY. It is proposed to insert at the end of the bill the following:

For the preparation of a table of contents and index to the final report of the Louisiana Purchase Exposition Commission, $350, the same to be immediately available.

The amendment was agreed to.

Mr. LODGE. I move to insert, on page 7, line 2, after the word "annum," the words:

And the salary of the appraiser of merchandise at the port of Boston shall be at the rate of $6,000 per annum.

Mr. HALE. Mr. President——

Mr. LODGE. Before the Senator from Maine makes the point of order against the amendment, I wish to say one word on the matter of the salaries of the appraisers. I have made many attempts to get the salary of the appraiser at the port of Boston increased. It is very low. It is only half what it is proposed to make the salary at New York. The work is just as onerous and it is just the same kind of work. The responsibilities are just as great and the expenses of living are no less.

I have been told year after year, when I have made the attempt, that never under any circumstances were salaries to be increased on an appropriation bill; and I was told particularly that the House would never permit the increase of a salary on an appropriation bill; that it was something the House could not endure. Now I observe the House has increased very largely the salary of the appraiser of merchandise at the port of New York. I dare say it is entirely deserved and entirely proper, but I do not think there should be a different rule applied to one port from that applied to all others, and that the House should put on these increases of salary and we be denied, at all other ports and in all other cases in the country, any opportunity to get increases where they are greatly needed.

The salary of the chief appraiser at the port of Boston is now $4,000. I do not know what it is in New York at this moment, but I think it is $6,000. I move to make the salary of the appraiser at Boston $6,000, not to pay the New York salary, though that ought to be given.

Mr. HALE. If the Senator had moved to insert "six" instead of "eight" in the New York item, that, of course, would not be subject to the point of order. But I must make the point of order that the amendment is not in order here to raise the salary, changing the present law.

Mr. LODGE. I have no desire to cut down the New York salary. I have no doubt it is perfectly proper. But I think we ought to have some arrangement which would be reasonably fair to the members of both Houses.

The VICE-PRESIDENT. The Chair is of opinion that the point of order is well taken, and sustains it.

Mr. BRANDEGEE. I call the attention of the chairman of the committee to the language on page 61, line 1:

Employees on * * * the session rolls on the 1st day of January.

I am informed by a member of the committee that the roll in the House is made up as of the 1st day of February. I wanted to ask the Senator from Maine whether, if there is any doubt about it, it would not be wise to change the date from January to February, and then the matter could be adjusted in conference according to the fact.

Mr. HALE. The Senator from Iowa, the chairman of the committee, looked into that in connection with a case that came up and found that, so far as was known, everybody that could be covered would either be upon the rolls of the House or the Senate. So this provision covers every case.

Mr. BRANDEGEE. Very well.

Mr. OVERMAN. I have an amendment which I suppose is subject to a point of order, but I ask the Senator if he will not agree to accept the amendment. It merely extends the time to the State to be reimbursed, as others have been reimbursed, for expenses incurred in raising volunteer soldiers for the Spanish war. A great many States have been unable to get a settlement with the Auditor, and this only extends the time for the settlement. The time limit under the act has expired, and this merely extends the time. I wish the Senator would let it go in.

The VICE-PRESIDENT. The Senator from North Carolina proposes an amendment, which will be stated.

The SECRETARY. It is proposed to insert at the end of the bill the following:

The general appropriation provided for in the act approved July 8, 1898, entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to

raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," is hereby continued in effect, and it shall be available for payment of all amounts heretofore allowed or which may hereafter be allowed by the Auditor for the War Department or the Comptroller of the Treasury, under the provisions of said act and the acts amendatory thereof, or by the Court of Claims, for expenses of the States incurred in raising, organizing, supplying, or equipping volunteers for said Volunteer Army.

Mr. HALE. I just made the same kind of a point against the amendment of the Senator from Ohio. I must insist upon the point of order.

The VICE-PRESIDENT. The amendment is in contravention of the rule. The Chair sustains the point of order.

Mr. HEYBURN. I desire to offer an amendment.

The SECRETARY. On page 47, after line 10, it is proposed to insert:

That section 5 of the act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902, be amended by adding thereto the following proviso:

"*Provided*, That upon the expiration of five years from the date of the entry of said lands by said entryman, upon proof of residence and cultivation of said land as required under the homestead laws of the United States and proof of cultivation as required by this act, and upon the payment by said entryman to the receiver of the United States land office for the district in which the said land is situated of all installments due or to become due upon said land under the provisions of this act, whether in payment for the said lands or for water rights thereon, said entryman shall be entitled, without further delay, to receive a patent from the United States for the said land, and to be discharged from all liabilities for any other or further residence upon said lands or payments for said lands or water except maintenance charges under this act."

Mr. HEYBURN. Mr. President, this is the reverse of the ordinary amendment. This is an amendment asking for the privilege of *paying* to the Government several million dollars before it is due. It is hardly within the spirit of the ordinary amendment. It asks that these parties may be permitted to pay to the Government five years before it is due sums that amount to several million dollars in order that their titles may be clear. It seems to me that, inasmuch as the Senate adopted this amendment to the agricultural appropriation bill and it went out because it not was not considered by the conferees germane to the bill, the Senator should hardly raise a point of order against the amendment, proposing as it does to allow people to pay money to the Government when they are anxious to pay it and the Government will have the fund and get the benefit of the interest.

Mr. HALE. All the same, it is general legislation, Mr. President.

The VICE-PRESIDENT. The point of order is well taken, and the Chair sustains it.

Mr. SCOTT. I have a very small amendment that I am sure the Senator from Maine will not object to, because it is so evidently just and proper.

The VICE-PRESIDENT. The Senator from West Virginia proposes an amendment, which will be stated by the Secretary.

The SECRETARY. It is proposed to insert at the end of the bill the following:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the sixty-nine Capitol police of the Senate and House the sum of $150 each as additional compensation to the salary they now receive.

Mr. HALE. I make the point of order that the amendment increases an appropriation; that it is not estimated for, and that it is not reported by a committee.

The VICE-PRESIDENT. The amendment is clearly against the rule, and the Chair sustains the point of order.

Mr. LODGE. I have no desire to reduce the sum proposed for the appraiser in New York, but I should like to have the matter before the conference committee, so that the conferees may consider the case of the Boston appraiser, who now has a salary of $4,000, in comparison with the salary at New York, which I think is a proper one. I therefore move to strike out "eight" and insert the word "seven," and, after "thousand," to insert "five hundred." That is in order, for it is to reduce an appropriation.

The VICE-PRESIDENT. The Senator from Massachusetts proposes an amendment which will be stated.

The SECRETARY. On page 7, line 1, before the word "thousand," it is proposed to strike out "eight" and insert "seven;" and, after the word "thousand," to insert "five hundred."

Mr. HOPKINS. I should like to have the clause read as it will read if the amendment is adopted.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

Hereafter the salary of the appraiser of merchandise at the port of New York shall be at the rate of $7,500 per annum.

The amendment was agreed to.

Mr. PATTERSON. The junior Senator from Wisconsin [Mr. LA FOLLETTE] introduced a proposed amendment to this bill. He is ill at home, and at his request I offer the amendment.

The VICE-PRESIDENT. The Senator from Colorado on behalf of the junior Senator from Wisconsin offers an amendment which will be stated.

The SECRETARY. It is proposed to insert at the end of the bill the following:

That section 2 of the deficiency appropriation act approved May 18, 1872 (17 Stat. L., p. 134), is hereby revived and continued in force and made applicable to all labor performed in excess of eight hours per day by all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States since the 19th day of May, 1869, the date of the proclamation of the President concerning such pay: *Provided*, That all of the said claims for labor so performed in excess of eight hours per day be, and they are hereby, referred to the Court of Claims, to be adjusted upon the basis that eight hours constitute a working day, and they are to be paid for at the price per day as provided in said act and judgment given against the United States in favor of each claimant for the amount found to be due, shall be paid as other judgments of the Court of Claims against the United States, and no statute of limitations or payment made or receipt given for a less sum per day than the full price of a day's work, as provided in said act, shall affect the right of recovery, nor shall any contract or agreement made by any such laborer, workman, or mechanic, whether for piecework, stintwork, taskwork, or any other kind of work, affect such right: *Provided further*, That all suits under this act shall be commenced within two years from and after its passage, and any number of claimants may join in the same suit: *And provided further*, That whenever a sufficient number of claimants of any one class shall join in one suit, so that the amount claimed shall in the aggregate exceed the sum of $5,000, the said claimants shall have the right of appeal to the Supreme Court of the United States: *And provided further*, That the heads of the proper and respective departments of the Government are hereby authorized and required to furnish, upon call duly made by or through the Court of Claims, a complete statement of all the laborers, workmen, and mechanics referred to above, who have performed labor under the direction of the said departments in excess of eight hours per day, during the period covered by this act, stating the amount of the excess of labor above eight hours in each case and the rate of pay per diem, respectively.

Mr. HALE. The amendment is a great body of general law, and I must make the point of order against it.

Mr. PATTERSON. Mr. President, I wish to make just a short statement.

Mr. HALE. Very well. I will withhold the point of order for a moment.

Mr. PATTERSON. This identical bill was reported favorably from the Committee on Education and Labor the 2d of February, 1903, but no action was taken upon it in that Congress. However, a few days ago, on the 27th of February, a like measure to provide for the payment of overtime claims of letter carriers was adopted by the Senate. The only reason why this amendment has not been reported from one of the standing committees of the Senate to the Committee on Appropriations is because the chairman of the Committee on Education and Labor has been absent and no meetings have been held. The junior Senator from Wisconsin [Mr. LA FOLLETTE] hoped that under those circumstances the point of order would not be made against it.

The VICE-PRESIDENT. The proposed amendment is forbidden by the provisions of Rule XVI as an amendment to a general appropriation bill. The point of order is well taken, and the Chair is obliged to sustain the point of order.

Mr. CULBERSON. Mr. President, I would not ask the question I am about to ask if I had had the time to read the bill. It has just been reported, and the print we have is that of the subcommittee. I therefore ask the Senator from Maine if there is any provision in the bill to pay for the remaining expenses of the constitutional convention of Oklahoma?

Mr. HALE. There is.

Mr. MCLAURIN. I should like to ask the Senator who has the bill in charge a question regarding the amendment found on page 64, at line 8:

To reimburse the Hon. REED SMOOT for expenses incurred in the matter of the protest against his right to retain his seat in the Senate of the United States, $15,000.

I should like to ask the Senator of what items this consists?

Mr. HALE. The committee has followed the rule in all contested cases in putting on the amendment offered by the committee that had charge of the case. The expenses of the Senator in that case were greatly in excess of $15,000. The counsel fees alone, as I remember, amounted to this sum. It is a large sum; but instead of being like other cases, where we have reported $5,000 and other sums, cases that have occupied only a session of Congress, this investigation, as Senators know, dragged through two entire Congresses. The appropriation does not in any way make good the expenses of the Senator from Utah, but the committee thought it was advisable to put in this amount to partially compensate him for his expenses.

Mr. MCLAURIN. The question I desire to have answered is of what items the appropriation consists.

Mr. HALE. As I remember it, the payment of counsel fees amounted to $15,000, aside from other expenses.

Mr. SUTHERLAND. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Utah?

Mr. HALE. Certainly.

Mr. SUTHERLAND. The expenses of counsel fees alone amounted to $20,000. I happen to know about that.

Mr. HALE. I was under the impression that the expenses of counsel amounted to only $15,000; but the Senator is correct; they amounted to $20,000. However, the committee allowed him only $15,000.

Mr. McLAURIN. The Senate by its action yesterday declared that it was not the policy of the Government to pay costs, and I think if that policy is to be pursued in one particular it ought to be followed in all.

Personally I should like to see the Senator from Utah get the amount, because personally I like the Senator from Utah; but it seems to me that this is a pretty loose way of appropriating the public money.

Mr. BLACKBURN. Will the Senator from Mississippi allow me to ask the Senator from Maine, in charge of the bill, a question?

Mr. McLAURIN. Certainly.

Mr. BLACKBURN. I ask the Senator in charge of the bill whether this item is predicated upon a report made by the Committee on Privileges and Elections?

Mr. HALE. I thought I had stated that it was.

Mr. BLACKBURN. I understood the Senator to say that the committee had followed the usual rule. That rule, as I understand it, is to predicate the amount upon a report made from the committee that tried the case.

Mr. HALE. That is the case here.

Mr. McLAURIN. I have not read the bill through, but I should like to know another thing. I should like to know whether any amount has been allowed to those who prosecuted the protest against the admission of the Senator from Utah to a seat in the Senate.

Mr. HALE. Of course there has been no claim presented to Congress, because there was no contestant. Heretofore in cases where there have arisen contests between sitting members and contestants the Senate has appropriated money for both, but in this case no claim of that kind has been put forward because there was no contestant for the seat.

Mr. McLAURIN. Do I understand the Senator to say that the Committee on Privileges and Elections have recommended the payment of this amount?

Mr. HALE. Fifteen thousand dollars. The amendment was introduced from the committee. It is on that basis.

Mr. McLAURIN. The Committee on Privileges and Elections?

Mr. HALE. The Committee on Privileges and Elections.

Mr. HANSBROUGH. I offer an amendment to come in after line 25, on page 48. I move to insert as a separate paragraph:

For maintenance of the Indian school at Bismarck, N. Dak., $15,000, or so much thereof as may be necessary.

I will state——

Mr. OVERMAN. Will the Senator from North Dakota yield to me for a moment?

Mr. HANSBROUGH. Certainly.

Mr. OVERMAN. I wish to correct one matter stated here. While I am not objecting to the item in the bill, I wish to state that there has been no meeting of the Committee on Privileges and Elections, so far as I know; that I received no notice of any meeting. There must be some mistake about a recommendation of this amount by the Committee on Privileges and Elections. They might have done it, but there has been no meeting of the committee. Other Senators bear me out in my statement. If there has been any call, we were not notified.

Mr. HALE. I am mistaken in my statement. I thought that the amendment was offered by the Committee on Privileges and Elections. I am told by the chairman that that was not the case. I was wrong about it. But there is no question about the amount.

Mr. HANSBROUGH. I was about to state that the Indian school building at Bismarck, N. Dak., is now in process of construction and will be completed early in the fall. This sum of $15,000 is for maintenance between the time of completion and the end of the fiscal year. Of course if it is not completed the money will not be used. Therefore I have added the words "or so much thereof as may be necessary."

Mr. HALE. I know nothing about this matter. Has it been estimated for by the Department, or is it a bill that has passed the Senate? If not, of course it is subject to a point of order. I do not know about that. The Senator must tell us about it.

Mr. HANSBROUGH. Of course it is a matter that would hardly come in the estimates. The situation was only recently discovered by the Department. My attention was called to it by an officer of the Department a few days ago. Certainly the matter had been overlooked by the Department itself. I hardly think it comes within the rule.

Mr. GALLINGER. Mr. President, the white people of Washington have been put to a great deal of inconvenience, and I think the Indians can suffer slightly in the same direction. I make the point of order against the amendment.

The VICE-PRESIDENT. The point of order is sustained.

Mr. SPOONER. On page 45, after line 13, I move to insert:

To enable the Secretary of the Interior to purchase from the reporter of the Supreme Court of the United States, at $3 per copy, 576 copies of a digest prepared by him of opinions contained in volumes 187 to 202, inclusive, of the reports of said court, and to distribute such digests in the same manner and to the same persons as the 576 copies of reports of said court are now distributed by him under the several acts of Congress relating thereto, and that the amount necessary to pay for said digests is hereby appropriated out of any money in the Treasury not otherwise appropriated; in all, $1,728.

Mr. HALE. This is entirely new. Has it been estimated for or has it been a bill passed by the Senate or recommended by any committee?

Mr. SPOONER. If the Senator will allow me a moment, I agree with him entirely that the amendment is subject to a point of order. That it is subject to a point of order, I think, is due entirely to an oversight of my own. It was before the Committee on the Judiciary in my charge and I overlooked it. I have no doubt the committee would have authorized a favorable report upon it.

The purpose appears upon the face of the amendment. Under existing law 576 copies of the report are distributed to judicial and quasi-judicial officers of the United States. It is very important, of course, everyone knows, that officers discharging judicial functions or quasi-judicial functions, like the land officers and district attorneys, should have the digest. This brings the decisions up from volume 182 to volume 202.

I will say to the Senator, if he will let it go in and the conference committee feel that it is not well justified, it can be stricken out. I think it is important.

Mr. HALE. On the statement of the Senator, I will not make the point of order.

The amendment was agreed to.

Mr. McLAURIN. I offer the following amendment, to come in immediately after the word "dollars," line 11, on page 64:

*Provided*, That the same amount shall be appropriated to defray the expenses of those who prosecuted the protest.

I have just been informed that the women of the country made up $7,500 to employ attorneys to prosecute the protest. They do not seem to have been able to raise as large an amount by very nearly one-third as was raised by the contestee or protestee; but, I think, if the protestee is to receive $15,000 to defray his expenses, those who opposed him ought to receive an equal amount for prosecuting the protest, which they did in good faith.

Mr. SPOONER. The Government has paid $25,000 of the expenses.

Mr. McLAURIN. I did not hear what the Senator from Wisconsin said.

Mr. HALE. I was just going to say what the Senator from Wisconsin has already said. The United States has already paid more than $25,000 to these parties.

Mr. McLAURIN. I can not hear what the Senator from Maine says.

Mr. HALE. The United States has already paid for the benefit of the parties who were making this contest, who were the contestants, more than $25,000. That has already been paid, but nothing has been paid to the Senator from Utah.

Mr. McLAURIN. I will ask the Senator if he will yield to me for a question?

Mr. HALE. Certainly.

Mr. McLAURIN. How was the money paid to these protestants?

Mr. HALE. I do not know to whom it was paid, but it was paid to cover their expenses in the way of witness fees and traveling expenses of witnesses who were summoned here.

Mr. McLAURIN. I will ask if the same thing was not done for the witnesses for Senator SMOOT?

Mr. HALE. Not unless they were summoned by the committee.

Mr. McLAURIN. My understanding is that the same thing was done for the witnesses for the protestee and that the United States paid his witnesses. That is my understanding.

The VICE-PRESIDENT. The Chair does not understand that the Senator from Maine has interposed a point of order.

Mr. HALE. I think it is better to take the vote of the Senate. I have some doubt about it.

Mr. McLAURIN. I should like to know what the point of order is, if it is to be made.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. I ask that the amendment may be read.

The VICE-PRESIDENT. The amendment will be again stated.

The SECRETARY. On page 64, line 11, after the word "dollars," insert:

*Provided*, That the same amount shall be appropriated to defray the expenses of those who prosecuted the protest.

Mr. BACON. Mr. President, I think there is a good deal in what the Senator from Mississippi suggests to the Senate in this regard, though I do not think the amendment is in proper shape. I think it has been the universal custom in each House when there has been a contested election, which is analogous to this case, to pay a certain sum, but which is considered not as compensation. I suppose the Senator from Maine inadvertently used the word "compensation" when he meant "reimbursement." It is to pay a certain sum of money to reimburse each side for expenses incurred in the contest. I think it would not be proper to adopt an amendment which should stipulate that a certain sum equal to that which was paid to reimburse the Senator from Utah should be paid to those who occupied an opposing attitude to him, but I do think it would be proper to pay an amount to reimburse them within certain limits for such expenditures as they made in the prosecution of the contest.

Mr. WARREN. Will the Senator permit me to ask him a question?

Mr. BACON. Certainly.

Mr. WARREN. Of course a contest between two men who both believe they are entitled to the same seat in Congress makes some foundation upon which to rest the payment of the expenses of both; but would the Senator from Georgia undertake or consent to establish a precedent here now by paying John Doe and Richard Roe, who make claim for no one for a seat in this body, so that hereafter any persons, no matter whether it is any of their business or not, can attack any Senator on this floor and be paid for making such attacks?

Mr. BACON. I certainly would not desire to encourage any capricious attack on the right of a Senator to a seat on this floor, but nobody will contend that this was a capricious attack. It was one which very deeply interested the entire American people, and there is not pretense that it was a capricious attack on the right of a Senator to his seat on this floor. I think it was evidently done in the utmost good faith. Whereas there may have been some zealous parties who may have possibly been influenced by motives rather more extreme than we would sustain or approve, at the same time the general proposition which was made and upon which this most notable contest was founded can not be classed among those attacks which may be said to be capricious, and an undue attack upon the right of a Senator to his seat on this floor.

Mr. CARMACK. I wish to ask the Senator if those who prosecuted this protest against the Senator from Utah have made any request for reimbursement?

Mr. BACON. They have not, so far as I know.

Mr. CARMACK. Then it seems to me the Senate certainly ought not to volunteer to make reimbursement.

Mr. BACON. If the Senator had permitted me to proceed I possibly would have made a suggestion in that regard which would have relieved him of that inquiry. I had previously said that I did not think the amendment was in proper form.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. BACON. I would prefer if the Senator will allow me to proceed with my reply, and then I will yield.

Mr. McCUMBER. I merely wanted to ask the Senator a question.

Mr. BACON. I wish to reply first to the suggestion of the Senator from Tennessee. I can not reply to both at once. Then I will yield with pleasure to the Senator.

I was proceeding to say when interrupted that I would think it unfortunate if any action should be taken by the Senate at this time which would negative the propriety of the reimbursement within certain limitations of the parties who made expenditures in the prosecution of the question as to the right of Senator SMOOT to retain his seat.

As I understand it, the Government has paid the expenses of witnesses on both sides, which I think was eminently proper to be done. I understand further that the appropriation in this bill is to reimburse Senator SMOOT for expenditures made by him outside of the matter of procurement of witnesses, in the payment of his counsel and other expenses, and I think that is an eminently proper appropriation to be made. I think it also proper, if we knew the amount, to reimburse the parties who we must be assured made expenditures upon the same line in the prosecution. But in the absence of any information on that subject, I do not think we could properly adopt the amendment offered by the Senator from Mississippi.

So the Senator from Tennessee and myself are in accord on that matter. My sole purpose was to prevent any action by the Senate which would seem to negative the right of these parties at some future time to make known what demands they may have in reference to the matter.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. I promised to yield to the Senator from North Dakota.

Mr. HALE. If the Senator is not through, I do not wish to interfere.

Mr. BACON. I promised to yield to that Senator.

Mr. McCUMBER. I simply wish to ask the Senator a question. Is it not true that all the witnesses have been paid?

Mr. BACON. I think so.

Mr. McCUMBER. Then, the sum that is sought to be paid by this amendment is for the attorneys. Is it not also true that the attorneys have been paid?

Mr. BACON. I am sure I do not know. They were not paid by the Government, I presume.

Mr. McCUMBER. No; but if they have been paid by anyone who employed them, why should the Government pay them again?

Mr. BACON. I understand that this appropriation is to reimburse the Senator from Utah.

Mr. McCUMBER. I am not speaking about the Senator from Utah, but of the amendment. The amendment proposes to appropriate $15,000 to pay some other expenses; and inasmuch as the Government has already paid the expenses of the witnesses, most of the appropriation must necessarily be for expenses of counsel. It is my understanding that the counsel for the prosecution were taken care of and that their expenses and fees have been paid.

Mr. BACON. Now, Mr. President, that is, I presume, the question of the Senator from North Dakota. As I understand it, the Senator from Utah has paid his counsel, and this is to reimburse him for that expenditure. On the other hand, I suppose it is true really that those who prosecuted this question as to the right of the Senator from Utah to his seat have also paid their counsel. I simply contended that when a proper presentation was made they should within certain limitations be reimbursed; but, so far as this amendment is concerned, I myself could not vote for it, because we have no evidence as to what was paid or the persons by whom it was paid. I think that makes clear my position in the matter.

Mr. HALE. I move to lay the amendment on the table.

Mr. DUBOIS. Mr. President——

Mr. HALE. I am so very desirous of getting the bill through and getting it over to the House to avoid a night session that I must make the motion.

Mr. DUBOIS. I can clear up a little of this question in just a few words, if the Senator from Maine will allow me.

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Idaho?

Mr. HALE. I will yield briefly to the Senator.

Mr. DUBOIS. I knew nothing about the amendment which the Senator from Mississippi has proposed. I was not consulted about it at all and I had nothing whatever to do with it. But the facts are that the women organizations of the country and the ministerial association paid the attorneys $7,500. That amount was paid and it was paid by those organizations. That answers the question of the Senator from Tennessee.

Mr. CARMACK. Let me ask the Senator how the money was paid?

Mr. DUBOIS. It was paid directly to the attorneys through the ministerial organization and the woman's organizations of the country.

Mr. CARMACK. They collected the money, I suppose?

Mr. DUBOIS. They collected the money from their people.

Mr. CARMACK. And will give it back?

Mr. DUBOIS. If it is given back to them I have no doubt it will be used in good work, in missionary work, and works that they carry on.

Mr. HALE. Mr. President, I have already moved to lay the amendment on the table.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Maine to lay the amendment on the table.

The motion was agreed to.

Mr. McLAURIN. Mr. President, I offer another amendment, and I wish to address a few remarks to the Senate on it, before anybody else gets the floor.

The VICE-PRESIDENT. The amendment proposed by the Senator from Mississippi will be stated.

The SECRETARY. At the same point in the bill it is proposed to insert the following proviso:

*Provided*, That $7,500 be appropriated to defray the expense of those who prosecuted the protest.

Mr. McLAURIN. Mr. President, in reference to the form of the amendment, I should myself prefer to put it in different phraseology if I had time, but I did not see this provision in the bill until a few minutes ago, and I have not had an opportunity while this discussion has been going on to prepare an amendment which meets in some respects my idea of the justice of this case. If I had time to prepare an elaborate amendment, I should prepare one that probably would be in better phraseology than this.

In reference to the suggestion of the Senator from Tennessee [Mr. CARMACK] that this is a mere voluntary act, I think an act of justice ought always to be voluntary, and I do not think that the Senate of the United States or the Congress of the United States ought to wait until demand is made to do an act of justice when it is apparent that it ought to be done.

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. McLAURIN. With pleasure.

Mr. CARMACK. Does the Senator from Mississippi claim that the United States ought to pay money to any person who is not even asking for it?

Mr. McLAURIN. I think if it owes the money or if it is just, that it ought to. I think the United States Government, like an individual, ought not to wait to be dunned. I think when an individual has the money and owes a just debt that the individual ought to pay it, and so, I think, with the Government. Here is a proposition to pay one of the contestants, and in that same proposition there is a proposition, which I make, to pay the other.

Mr. BACON. Will the Senator permit me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. McLAURIN. I do, if the Senator from Tennessee is through with his question.

Mr. CARMACK. I intended to ask the Senator one other question.

Mr. McLAURIN. Very well.

Mr. CARMACK. The money which has been used by the opponents or the contestants against Senator SMOOT was collected, as I understand the Senator from Idaho [Mr. DUBOIS], from people all over the country. How are we going to get this money back to the people who really paid it?

Mr. DUBOIS. No, Mr. President; the Senator misunderstood me. It was this woman's organization which expended this money in this good work, and they would expend it again in good work if the amount is refunded to them.

Mr. CARMACK. For other purposes?

Mr. DUBOIS. In good work, missionary work. The money originally came from this organization.

Mr. McLAURIN. That I think answers the question of the Senator from Tennessee.

Mr. CARMACK. No, sir; the money might be expended for other purposes.

Mr. BACON. Mr. President, I desire to ask the Senator from Mississippi a question.

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. McLAURIN. With pleasure.

Mr. BACON. I desire to ask the Senator from Mississippi this question: If this amendment should be adopted, who is the person who will be authorized to go to the Treasury and draw the money?

Mr. McLAURIN. Is that the question the Senator propounds?

Mr. BACON. Yes.

Mr. McLAURIN. The person who paid the money for the prosecution.

Mr. BACON. But it must be paid to somebody.

Mr. McLAURIN. If the Senator from Georgia or anybody else can draw an amendment that will make it more explicit, I shall take pleasure in accepting such an amendment.

Mr. BACON. If the Senator from Mississippi will pardon me, I would do so if I knew the names of the parties and the amounts paid by them; but I would not be in favor of paying them any amount larger than was expended by them. I do not know what the amount is nor the parties by whom the expenditure was made, and I do not see how any amendment could be framed which would meet the case.

Mr. TILLMAN. Somebody must receipt for it before they can get the money out of the Treasury.

Mr. McLAURIN. I believe that by law that is certain which is capable of being made certain—id certum est quod certum reddi potest. I believe that is one of the legal maxims, and I think that about covers the case. The parties who paid the amount would present their claim, and that amount could be returned to them. It does not seem to me that there is so much trouble about the ascertainment of the ones to whom this money should go, as there is about the willingness to pay the amount to them.

Here is $15,000 to be paid to one of the parties to this contest and $7,500 is asked for the other parties to the contest. Because one party——

Mr. CLAY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. McLAURIN. With pleasure.

Mr. CLAY. I will ask the Senator has there been any contest at all?

Mr. McLAURIN. Then, I will say "protest." There has been a protest.

Mr. CLAY. If the Senator will allow me, if somebody else had been a candidate for United States Senator against Senator SMOOT and had claimed that he, instead of Senator SMOOT, had been elected, though Senator SMOOT had received the certificate of election, and such a contestant had come here and contested the seat of Senator SMOOT, then there would have been a precedent for paying both the contestant and the contestee; but simply to say that because numerous persons have protested against the Senator from Utah holding a seat in this body, the Senate should pay them for their expenses is simply inviting assault upon the titles of Senators and Representatives to their seats.

Mr. McLAURIN. If A should sue B in court, there would be two litigants, and the litigation would probably end by the success of one and the defeat of the other; but that does not disprove the proposition where a protest is filed, as in this case, and the protest has been prosecuted by the protestant and defended by the protestee, that there is a contest. There was a contest here between the protestant and the protestee, and it does not make any difference whether the parties were called protestants and protestees or whether it be called a contest; it is an effort on the part of the protestants to keep out of the Senate a man who is supposed by them not to be worthy of a seat in the Senate, and the junior Senator from Georgia, who has just taken his seat [Mr. CLAY], did not believe that this was a frivolous protest—the prosecution of the protest against the seating of the claimant to his seat—because, as I recollect, he voted for excluding the Senator from Utah from his seat and voted to uphold the protest made by these protestants.

Mr. MALLORY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Florida?

Mr. McLAURIN. With pleasure.

Mr. MALLORY. I desire to ask the Senator from Mississippi if he does not see the difference in the case of a contest for a seat in the United States Senate between a contestant and a contestee who was seated, and the case of parties who come here protesting against the seating of an individual or who come here with a protest showing why they think he ought not to be seated? Does the Senator from Mississippi see no distinction between those two cases?

Mr. McLAURIN. Of course there is a distinction; but when a Senator comes with a certificate showing that he is duly elected and the contestant comes with a contest and fails, the contestant is allowed money for his expenses in the contest. It is a distinction without a difference.

Mr. MALLORY. Why do these protestants ask for this money?

Mr. McLAURIN. I suppose it is because they want to get the money out of the Treasury. I do not know of any other reason. It seems to me the justice of the matter would be to allow these litigants to stand upon their merits just as any other contestants in election cases are allowed to stand upon their merits. Like any other contestants prosecuting a contest,

they should not be denied the amount expended in defraying the expense of the litigation. That is my idea about it.

Mr. MALLORY. I will not interrupt the Senator to go into an exposition of my views of the matter.

Mr. McLAURIN. I should be very glad if the Senator would do so, because I always like to hear the Senator speak.

Mr. MALLORY. There is a very wide distinction between the two cases. The Senate pays a contestant in case of a contest, because it is proper and right that those who think themselves duly elected to this body should not be deterred from contesting their seats just because they may not have the means to do so and have no certainty of reimbursement; but that is a very different thing from a case in which there is no contest whatever brought into the Senate, but just simply a protest filed. If we set a precedent of this kind, there is no telling how many protests may be filed against any Senator who comes here, duly elected, simply for the purpose of getting the compensation which may be awarded to the protestant.

Mr. McLAURIN. A frivolous protest would be treated as a frivolous suit or a frivolous prosecution in court would be treated. The prosecutor would be taxed with the costs.

Mr. DANIEL. Was the money that it is proposed to reimburse to these people the money of those by whom it was expended?

Mr. McLAURIN. I do not know that the Senator from Utah paid out of his own pocket his expenses. I do not know that the Mormon Church did not pay them; I do not know anything about that; but I know if it is just to pay the expenses of the protestee it is just to pay the expenses of the protestants.

Mr. DANIEL. The Senator does not know that they had any? That is the question I asked him.

Mr. McLAURIN. They have already paid——

Mr. DANIEL. Seven thousand five hundred dollars, I believe.

Mr. McLAURIN. It is said that they paid $7,500 to the lawyers.

Mr. DANIEL. Are there any other expenses?

Mr. McLAURIN. I did not ask whether there were any other expenses. This amendment does not propose to pay the lawyers. It proposes to refund to the protesting women the money they paid to the lawyers.

Mr. DANIEL. The lawyer, then, has been paid, according to his contract?

Mr. McLAURIN. Certainly.

Mr. DANIEL. And you propose to pay him a bonus?

Mr. McLAURIN. No, sir; I do not propose to pay the lawyer.

Mr. DANIEL. Who is to be paid?

Mr. McLAURIN. It is to reimburse those who have paid the lawyer to prosecute the protest.

Mr. DANIEL. Who paid for their own legal expenses?

Mr. McLAURIN. Certainly. The committee amendment proposes to reimburse the protestee for his own legal expenses, and if that is done the protestants should be reimbursed their legal expenses.

Mr. DANIEL. Was the $7,500 gathered up by small contributions?

Mr. McLAURIN. It was stated by the Senator from Idaho to be from organizations.

Mr. DANIEL. Did the organizations gather it by contribution?

Mr. McLAURIN. I am not in the confidence of the organizations. I do not know about it; but it does not make any difference to me who gathered it, where they gathered it, or how they gathered it. They used it for what they considered a good purpose, a just purpose, and a purpose that was moral. Furthermore, they were women, and because they were women they ought not to be cut out. That is my idea about it.

Mr. BURROWS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Michigan?

Mr. McLAURIN. With great pleasure.

Mr. BURROWS. Mr. President, I perhaps ought to state the facts, so far as I know them. When this investigation commenced it was asked at the outset if anyone appeared for the contestants, and Mr. Tayler, now Judge Tayler, said he appeared for the contestants, who were nineteen gentlemen from the city of Salt Lake who signed the protest. The question was asked if anyone appeared for Senator SMOOT, and Mr. Worthington, an attorney of this city, and also Mr. Van Cott, of Salt Lake City, said they appeared for him and desired to be heard.

Mr. Carlisle was also announced to appear for the protestants and did appear, and he conducted the latter part of the hearing. The hearing was a protracted one, as the Senate knows. Over one hundred witnesses were subpœnaed. Of course the witnesses were all paid by the Government their traveling expenses and the usual per diem allowance. Mr. Tayler remained in the case until he went on the Federal bench, and then Mr. Carlisle concluded the case. What was paid by the contestants for Mr. Tayler's services and for Mr. Carlisle's services I have no knowledge. I have stated the simple facts of the case, and that is all there is to it.

Mr. McLAURIN. Mr. President, there has been handed to me a list of the expenses, which is as follows: Witnesses $22,641.40; stenographer $4,124.43; marshal $181.34. Then there is a little item which I can not make out, of $14.20; aggregating $26,961.44.

The thing that occurs to me is that it is bad policy for the Government to pay expenses of either party to this protest; but, inasmuch as the expenses of the protestee are to be paid, and inasmuch as extravagant counsel fees are to be allowed—because it does seem to me that in a case of this kind $15,000 is rather extravagant for counsel and attorney's fees—if the organization of women who fought this case thought that the morals of the country required that there should be a protest entered against the admission of a man into the Senate who belonged to an organization that recognized polygamy; if they thought that the admission of one who belonged to an organization that recognized polygamy was to strike at the homes of the country; prosecuted in good faith that protest and expended this amount of money, and it can not be charged that it was a frivolous prosecution, it does seem to me that the actual amount of money that they expended, inasmuch as it is only half of that that is appropriated for the protestee, ought to be appropriated in their behalf. That is my idea about it, and I submit it to the Senate.

As I have said before, I can not believe it is good legislation or that it is good policy for the Government to pay either party to this contest. So far as the principle is concerned, while there is an apparent distinction between a contestant contesting for a seat and a contestee contesting for the retention of his seat, that distinction is merely in words, because the principle is exactly the same.

In one case the contestant says, "I am entitled to this seat and the other man is not entitled to it, and he ought not to be permitted to legislate for the country, because he has not been elected to represent the State whose credentials he brings purporting to authorize him to represent it," whereas in the other case the protestants say, not that they want a seat, but that good government requires that the man who occupies the seat ought not to be entitled to the seat until an adjudication can be had of the question of his election, of the returns of his election, and of his qualifications. If they say that because of a deficiency in either one of these he is not entitled to his seat, they have a right to present their protest, whether it is to the election, to the returns, or qualifications, and they have a right to bring it before the Senate of the United States and ask the Senate to pass upon the qualifications. Whether it is decided by the Senate that the only qualifications are those negatively named in the Constitution or whether all matters tending to justify his expulsion may be considered, is a matter immaterial to this question.

Mr. HALE. Mr. President, the House of Representatives is waiting to receive this bill, and therefore I am constrained to move to lay the amendment of the Senator from Mississippi on the table.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

Mr. HANSBROUGH. I offer the amendment which I send to the desk to come in on page 63, after line 3.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 63, after line 3, it is proposed to insert:

For increase in salary of the Secretary of the Senate, from March 4 to June 30, $833.33, and for the fiscal year of 1908, $2,500.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from North Dakota. [Putting the question.] The "noes" appear to prevail.

Mr. HANSBROUGH. I should like to have the question again put.

Mr. HALE. I would rather the amendment would go in, and I will make no point on it.

The VICE-PRESIDENT. The Chair will again put the question. The question is on the amendment proposed by the Senator from North Dakota [Mr. HANSBROUGH].

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes; further insists upon its disagreement to amendments Nos. 4, 10, 11, 12, 68, 69, 80, 82, 83, 87, 96, 97, 98, 99, 117, and 126 to the bill; recedes from its disagreement to the amendments of the Senate Nos. 78 and 79; agrees to a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. TAWNEY, Mr. SMITH of Iowa, and Mr. TAYLOR of Alabama managers at the conference on the part of the House.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10305) to provide for the repayment of certain customs dues.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes, and it was thereupon signed by the Vice-President.

THE MERCHANT MARINE.

Mr. GALLINGER. Mr. President, it will be recalled that there was an agreement that the shipping bill should go over until 5 o'clock, it being understood that it would not interfere with appropriation bills. I now rise to make a request for unanimous consent that the further consideration of that matter shall be postponed until 11 o'clock to-morrow morning.

Mr. BLACKBURN. That is agreeable, Mr. President.

Mr. GALLINGER. I understood it would be agreeable to the opponents of the bill.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New Hampshire? The Chair hears none; and it is so ordered.

HOMESTEAD SETTLERS IN ALABAMA.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 6704) to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905, which was, on page 4, line 2, after the word "aforesaid," to insert:

*Provided*, That such homesteader or vendee or successor in interest of either of said railroad companies shall not be permitted to select more than 160 acres of lands in one section nor more than 320 acres of contiguous lands.

Mr. PETTUS. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

STANDING AND SELECT COMMITTEES OF THE SENATE.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the standing and select committees of the Senate as constituted at the end of this session be, and they are hereby, continued until the next regular session of Congress, or until their successors are elected.

PAYMENT OF CLAIMS.

Mr. PETTUS. I desire to make a few remarks to the Senate, and I promise that I will try my best to deserve the praise that was given to Red Jacket, who was famed as a speaker; and the secret of his mastery was that his speeches were short, so Halleck says.

I desire to ask unanimous consent for the present consideration of the bill (S. 5951) to repeal section 3480 of the Revised Statutes of the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PETTUS. Mr. President, I desire to thank the Senators, and especially the President of the Senate, for the indulgence and kindness which they have extended to me ever since I have been here. The Senate may possibly be afflicted with my presence for the next eight years. I have been treated here with as much kindness and consideration as I have at my home, and the Lord knows that has been abundant.

Now, as to this question, here is a statute which has been virtually abrogated ever since the President made his proclamation of amnesty. Some Senators, impressed with the idea that that was not so, have objected to this bill, but they have had the magnanimity and kindness to yield their notions on that subject when they had the advice of lawyers in whom they had confidence, and I thank them for so yielding.

Mr. President, this act was enacted years ago, just after the war. It was one of the penal statutes, but I propose to prove now in a very short way that it has been abrogated by the President of the United States in his general amnesty. Here I have the authorities, which I will not trouble the Senate to read, except the headnote:

The President's proclamation of the 25th December, 1868, granting "unconditionally and without reservation to all and every person who directly or indirectly participated in the late insurrection or rebellion a full pardon and amnesty for the offense of treason against the United States, etc., with restoration of all rights, privileges, and immunities under the Constitution, and the laws which have been made in pursuance thereof," granted pardon unconditionally and without reserve; and enables persons otherwise entitled to recover from the United States the proceeds of captured and abandoned property, under the abandoned and captured property act, to recover it though no proof be made, as was required by that act, that the claimant never gave any aid or comfort to the rebellion. (Armstrong *v.* U. S., 13 Wallace.)

There is another case following this to exactly the same effect. These two decisions of the Supreme Court decide without any qualification that the act which I seek to have repealed has been abrogated. There were some gentlemen who doubted this matter, but they consulted counsel in whom they had confidence.

This bill has been approved by every member of the Judiciary Committee except one, and that is the distinguished Senator from Pennsylvania [Mr. KNOX]. He was not present. But he has thoroughly examined the question and has convinced those who were opposed to the bill on the legal grounds that there was no foundation for it. This statute has been virtually destroyed by these decisions, as the Committee on the Judiciary has unanimously agreed.

Mr. President, the statute being of no force or effect, you might ask me, "Why do you want it repealed if it is of no force or effect?" It has been published as the law of the land ever since, and there are various men affecting to know all about the law who now act upon it.

During Mr. Cleveland's Administration the Comptroller of the Treasury refused to pay a small warrant issued by the Secretary of the Interior because it was to a southern man and there was no proof of his loyalty; and that stood, although the Secretary of the Interior tried his best to get it allowed.

Mr. President, this thing of pardon is not usually very well considered by anybody except the lawyers. If I had lived north of Mason and Dixon's line in 1861 I would quote the Bible for you. I would say:

Let the wicked forsake his way and the unrighteous man his thoughts; and let him return unto the Lord, and He will have mercy upon him; and to our God, for He will abundantly pardon. (Isaiah lv, 7.)

I myself do not say that, but I say if I lived north of Mason and Dixon's line I would put in that plea.

Mr. President, all I have to say in conclusion is that this statute has been virtually repealed by the amnesty proclamation of the President. All lawyers who thoroughly examine the case agree that it was virtually repealed by that act. I would not ask to have it repealed, but it is acted on by many people who think they know more law than Chief Justice Marshall, although they never looked into a law book.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL DISTRICT JUDGE IN CALIFORNIA.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 25692) to provide for an additional district judge for the northern and southern districts of California; which was read the first time by its title and the second time at length.

Mr. SPOONER. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. SPOONER. I move to amend the bill by striking out all after the enacting clause and inserting in lieu thereof what has passed the Senate, on the recommendation of the Judiciary Committee, at an earlier stage of the session.

The VICE-PRESIDENT. The Senator from Wisconsin proposes an amendment, which will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That there shall be in the northern district of California an additional district judge, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall possess the same qualifications and have the same powers and jurisdiction and receive the same compensation provided by law in respect to other district judges.

SEC. 2. That the senior circuit judge of the ninth circuit or any circuit judge within the State of California shall make all necessary orders for the division of business and the assignment of cases for trial in said district.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to provide for an additional district judge for the northern district of California."

ORDER OF PROCEDURE.

Mr. HALE. I ask that at the conclusion of the eulogies which are set for to-day, the Senate take a recess until 11 o'clock to-morrow morning.

Mr. DANIEL. Just a suggestion, Mr. President——

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that at the conclusion of the eulogies this evening the Senate take a recess until 11 o'clock to-morrow morning. Is there objection to the request?

Mr. DANIEL. I rose to make an observation—to see, if it consisted with the views of the Senators who have in charge the regulation of business; I should like to have the Senate proceed with the eulogies at 8 o'clock to-night, if it be agreeable, and I hope it may be. We have deferred them that they might not interfere with other business.

Mr. CARTER. I suggest that a recess be now taken until 8 o'clock.

Mr. HALE. Then let me see if I can modify my request. Of course we have to take a recess. We can not adjourn. This session must be carried on until Monday forenoon.

Mr. CULLOM. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Illinois?

Mr. HALE. I am trying to do my best. The trouble is that if the eulogies come on at 8 o'clock nobody will be here——

Mr. DANIEL. This evening at 8 o'clock?

Mr. HALE. Yes; but I say nobody will be here if we take a recess from now until 8 o'clock—two hours—and nothing is to be done but the eulogies. Therefore I have to get the agreement now.

Mr. ALDRICH. What is the suggestion of the Senator from Maine?

Mr. HALE. I do not know how the Senator himself may be, but the Senator from Wisconsin and others have stated that they will go right on——

Mr. DANIEL. Some gentlemen are not ready, though.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from California?

Mr. FLINT. Before any action is taken——

Mr. HALE. I will make this proposition, that the Senate now take a recess——

Mr. ALDRICH. I suggest 6.30, so as to have an executive session.

Mr. HALE. What else does some one else want?

Mr. WARREN. The Senator asks what some one else wants. There are a few small matters, a conference report or two, and one or two small matters to which there can be no objection. It seems to me they ought to be cleaned up between now and 8 o'clock. So I think we ought not to take a recess until 8 o'clock.

Mr. FLINT. Before any action is taken——

Mr. HALE. If we are going into general business——

Mr. LODGE. Which will keep us all here.

Mr. CULLOM. I want to make a statement.

Mr. HALE. I am no more interested in this than is anybody else. We have got to do——

Mr. CULLOM. I was about to move an executive session.

Mr. KEAN and others. Oh, no.

Mr. HALE. Let us have an agreement. I will make this proposition. I ask unanimous consent that the Senate take a recess until 8 o'clock——

Mr. DANIEL. When?

Mr. HALE. Now—that the Senate take a recess until 8 o'clock, and then at the close of the evening session the Senate shall take a recess until 11 o'clock to-morrow morning.

Mr. ALDRICH. I ask for a modification of the request—that at 6.30 o'clock the Senate take a recess. That will enable the Senate to have an executive session, which I am told on all hands is very desirable.

Mr. CULLOM. It will last only a few minutes.

Mr. ALDRICH. Let us take a recess until 8 o'clock, with the understanding that at the session this evening there shall be nothing but eulogies, and on the conclusion of the eulogies a recess shall be taken until 11 o'clock to-morrow morning.

Mr. HALE. Then, I will modify my proposition——

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from California?

Mr. HALE. Yes.

Mr. FLINT. I should like to ask what in the meantime becomes of the unfinished business, the conference report on Senate bill 5133?

Mr. HALE. It goes over until to-morrow.

Mr. FLINT. Then, I should like to have unanimous consent that it shall be taken up immediately——

Mr. HALE. It will be up.

Mr. LODGE. It is privileged, anyway.

Mr. HALE. I will see if I can get this agreement—that at the conclusion of the executive session the Senate take a recess until 8 o'clock this evening, and that at the close of the night session it take a recess until 11 o'clock to-morrow morning.

Mr. ALDRICH. And that at the evening session there be nothing but eulogies.

Mr. HALE. Of course, the evening session to be devoted to eulogies.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that at the close of the executive session the Senate take a recess until 8 o'clock this evening, then to reassemble and listen to eulogies, and that at the close of the eulogies the Senate take a recess until 11 o'clock to-morrow morning.

Mr. HALE. That is it.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. TILLMAN. No other business to be transacted this evening but the eulogies.

Mr. OVERMAN. I rise to inquire, as it understood that no business is to be conducted after the eulogies to-night?

The VICE-PRESIDENT. That is the purport of the unanimous-consent agreement.

Mr. HALE. Yes.

DEATH OF H. BOWYER M'DONALD.

The VICE-PRESIDENT laid before the Senate the following communication; which was read:

UNITED STATES SENATE,
OFFICE OF THE SECRETARY,
*March 2, 1907.*

*To the President of the Senate:*

It becomes my painful duty to advise you of the death of H. BOWYER MCDONALD, Chief Clerk of the Senate, and for upward of thirty-four years an employee of this body.

Respectfully,

CHARLES G. BENNETT, *Secretary.*

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess until 8 o'clock p. m.

## EVENING SESSION.

The Senate reassembled at the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908, recedes from its disagreement to the amendments to the bill numbered 86 and 88, further insists on its disagreement to the residue of the amendments, agrees to a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WADSWORTH, Mr. SCOTT, and Mr. LAMB managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

S. 4964. An act for the relief of Thomas F. Walters;

S. 5660. An act for the relief of William N. Hughes;

S. 5869. An act for the relief of Larvan Gordon;

S. 6134. An act providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society;

S. 6729. An act authorizing the President to appoint Webb C. Maglathlin a second assistant engineer in the Revenue-Cutter Service;

S. 7550. An act for the relief of Harry A. Young;
S. 7840. An act granting an increase of pension to Lewis A. Towne;
S. 8303. An act to establish the Foundation for the Promotion of Industrial Peace;
S. 8427. An act to annul certain titles to land acquired by judicial proceedings in courts of the United States in Texas, and for other purposes;
S. 8540. An act to ratify a certain lease with the Seneca Nation of Indians;
S. 8580. An act granting land to Anna Johnson;
H. R. 3268. An act for the relief of Henry C. Bassett, heir of Henry Opeman Bassett, deceased;
H. R. 8699. An act for the relief of James A. Carroll;
H. R. 10095. An act making certain changes in the postal laws;
H. R. 10305. An act to provide for the repayment of certain customs dues;
H. R. 11401. An act granting an increase of pension to William Kling;
H. R. 13418. An act for the relief of W. S. Hammaker;
H. R. 15859. An act ceding lands to Colorado State Agricultural College;
H. R. 19500. An act for the relief of Indian traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier, a Menominee Indian trader, with the Menominee Indians of Wisconsin;
H. R. 19751. An act to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.;
H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Homason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;
H. R. 22588. An act for the relief of homestead entrymen who have paid more than the lawful purchase money;
H. R. 24816. An act to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906;
H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company;
H. R. 25437. An act to grant American registry to the German bark *Mariechen;*
H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same;"
H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River;
H. R. 25801. An act granting an honorable discharge to Seth Davis;
H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River in Louisiana;
H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River, near the village of Mottville, St. Joseph County, Mich.;
H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals;
S. R. 92. Joint resolution to authorize the Secretary of War to permit José March Duplat to receive instruction at the Military Academy at West Point; and
H. J. Res. 236. Joint resolution authorizing the Secretary of the Navy to furnish metal for a bell.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE RIXEY.

The VICE-PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions of the House, as follows:

IN THE HOUSE OF REPRESENTATIVES,
*February 25, 1907.*

*Resolved*, That as a mark of respect to the Hon. JOHN F. RIXEY, late a Member of this House from the State of Virginia; and in pursuance of the order heretofore made, the business of the House be now suspended to enable his associates to pay fitting tribute to his high character and distinguished services.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk be, and he is hereby, instructed to send a copy of these resolutions to the family of the deceased.

Mr. DANIEL. Mr. President, I beg leave to offer the resolutions which I send to the desk.

The resolutions were read and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of Hon. JOHN F. RIXEY, late a Representative from the State of Virginia.

*Resolved*, That the business of the Senate be now suspended in order that a fitting tribute may be paid to his memory.

Mr. DANIEL. When two days hence the Fifty-ninth Congress shall cease and the term of the Sixtieth Congress shall begin, there will be names accredited to the new roll which will have none to answer thereto. Death has been busy in this Congress. Four Senators and five Representatives have ceased to be. This day three weeks ago JOHN FRANKLIN RIXEY, of Culpeper, Va., Representative of the Eighth district, was numbered amongst them. He was the able and effective Representative of that district for ten years. He had been chosen, although absent from the State by reason of his sickness, to succeed himself. No need for his presence. The people knew him and were for him. The voice of the Ruler of the Universe has overruled the voice of the people and has disposed the purposes of man.

Mr. RIXEY was born in Culpeper, near the county seat which bears the county name, on the 1st day of August, 1854. He died in this city on the 9th day of February of the present year, at the home of his brother, Surgeon-General Rixey, of the Navy. His body, attended by the committee of the two Houses of Congress which had been appointed to pay to him the last honors, and followed by many mourning friends, was borne to his home and consigned to his native dust.

There is a brief sketch of him in the Congressional Directory, which recites as follows: That he was educated in the common schools, at Bethel Academy, and the University of Virginia; is a lawyer and farmer; was Commonwealth's attorney for Culpeper County twelve years; was elected to the Fifty-fifth, Fifty-sixth, Fifty-seventh, and Fifty-eighth Congresses, and reelected to the Fifty-ninth Congress, receiving 7,986 votes to 2,443 for his opponent. To this account should be added that he was reelected to succeed himself at the Congressional election of November, 1906.

For five terms he had faithfully served his people with diligence and with successful attention to every duty committed to his hands.

It is probable that there is no district in the United States, unless it be the Congressional district of Maryland which adjoins the District of Columbia, which has so many affairs to be attended to in Washington as has this Eighth district of Virginia. Many of its people have located here. Many who are engaged in Washington on official or other business have located there. Many of them find employment here by reason of their proximity and convenient access. The Representative of the district has therefore entailed upon him multifarious duties such as are but lightly shared by Representatives from distant places.

With patience, with alacrity, with faithful and affectionate regard for his people, as well as with a loyal and devout sense of obligation to his country, Mr. RIXEY bestowed a constant and unrelaxing devotion to his tasks.

The feelings of a past generation have died out save in honor of the past. There is nothing of public sentiment in Virginia that is not in unison with the United States. Congressman RIXEY, though in boyhood he knew war in its sternest and bitterest ways, represented to-day and to-morrow as much as ever his brother, who heads the Medical Corps of our Naval Department.

As a member of the Naval Committee of the House he distinguished himself by his knowledge of naval affairs, and he was always to be found at the post of duty. His interest in and attention to agriculture led to the measure that established the experimental agricultural station in Alexandria County, just across the Potomac River.

Of a fine mind, well trained in the schools, and with an earnest and energetic nature which was tireless and ceaseless in pursuing the ends it aimed at, few men have been so concentrative in their endeavors or so successful in their attainment.

His boyhood was spent at the very focus of the active scenes of war. From his father's house, where were the headquarters of the Federal Army in the town of Culpeper, General Grant, on the 3d of May, 1864, rode forth to the battle of the Wilderness. During the four years while the storm of conflict raged over northern Virginia scenes of swift recurring battles were familiar to his eyes and the diapason of the cannonade familiar to his ears. When war ended, the territory which he represented and that adjoining had come to be known as "the Flanders of the War."

When the surviving Confederate soldiers returned to their

homes. Maj. Albert G. Smith, who had been wounded in Pickett's charge at Gettysburg, and who I have heard described by his comrades as standing on the heights with the hilt of a sword in his hand, which had been broken by some hurtling missile of the battle, established the Bethel Academy near the town of Warrenton, in Fauquier. As Lee went to the head of Washington College, which became Washington and Lee University, so Major Smith now devoted himself to training the boys of the countryside in the ways of peace. Not forgetting that peace must always be prepared for war, and instinctively knowing that "to ride, to shoot, and to tell the truth" was the maxim of his people for the instruction of youth not less than the ancient Persian, he made it a military as well as a classical and mathematical academy. At one time one of his tutors was Major Jenkins, of South Carolina, afterwards distinguished at Santiago, and many of his boys went forth with the Army of the United States to the Spanish war.

In the Berkley School and in this academy young RIXEY received his early education, and then repaired to the University of Virginia and to the study of law.

He was ere long elected Commonwealth's attorney for Culpeper County, and then commenced the Congressional career which has been so unhappily closed by his death.

For scenic and for dramatic things and for those which attract conspicuous notice, Mr. RIXEY displayed but little taste. His was a businesslike and practical mind, that looked to the accomplishment of results rather than to ostentation or parade on the road to them.

He was a lover of the country, and lived at a beautiful home near Brandy Station, which overlooks the field of the great cavalry battle of June 9, 1863, between Stuart and Pleasanton. A third of the war was fought in Virginia. The Eighth and the adjoining districts, with that around Richmond and Petersburg were its centers. Within view of the summit on which stands his home are many other battlefields and scenes identified with the great strife which on each side made ambition virtue.

As success came to him he increased his holdings of land. A farm was to him the spot of most attractiveness. On the scarred Manassas field, scene of great wrestlings, as well as in his native county of Culpeper, he rejoiced to see the grass grow and his flocks and herds feed amidst scenes of pastoral beauty.

His was a wholesome as well as an active and busy life. The domesticity of his nature manifested itself in his pursuits and apirations whenever public cares relaxed.

He was an able lawyer; well read in the books, and well practiced in his profession. He established high rank at a bar where he was brought into competition and conflict with many of the brightest and ablest minds of the State.

When he entered politics he soon became a leader of the people. The successive times that he was chosen to represent them here attest their fidelity to him even as his own career attests his fidelity to them.

If deep conviction, thorough devotion, and the enthusiasm of service make the partisan, such, then, must Mr. RIXEY be counted. But he was not a man offensive either in words or ways to those opposed to him. Standing for the independence and honesty of opinion, for free action and free speech, he respected those whose opinions were different from his own. He observed the wisdom that comes from the heart. He obeyed the wise counsel so well given by Allen G. Thurman, "the old Roman," when he said: "Keep a civil tongue in your mouth."

Such is the characteristic of all well-mannered, self-respecting, and well-poised men, who remember that by the very truths on which their own rights are founded rest also side by side with them the equal rights of others. "So use thine own as not to hurt another" is a maxim of our common law, borrowed from the broad-minded and deep-hearted jurisprudence of ancient Rome, that lays its inflexible injunction on the tongue as well as on the hand of man, and keeps him within the bounds of his own domain in the moralities, decencies, and civilities of life as well as in his dealings with respect to material things.

Partisan he may have been—most of us are—but he never trenched by word upon the character, as he did not by deed, upon the belongings of another.

The Eighth district of Virginia is one of the most historic regions of the United States. If its history were written it would involve the writing of the history of the whole country from its colonial days to the present time.

When one considers even the names of the counties which Mr. RIXEY represented he sees in them the names drawn from memory of the motherland rather than from the new inspirations of the Republic.

Culpeper County, of which he was a native and a resident, was formed in 1748 and named after Lord Culpeper, one of the colonial governors of Virginia.

Fairfax County dates its origin to 1742 and bears the name of Lord Fairfax, who held an immense grant from the English Crown. Fauquier County, separated from Prince William in 1759, was called after Charles Fauquier, colonial governor from 1758 to 1767. King George County, formed in 1720 from Richmond County, takes its name from the English King. Loudoun County, formed in 1757 from Fairfax, gets its name from the Earl of Loudoun, who commanded the British forces during the latter part of the French war. Prince William County, named after an English prince, was created from Stafford and King George. Stafford, formerly a part of Westmoreland, was formed in 1675. Louisa, created in 1742 from Hanover, and Alexandria, the newcomer—all alike bear the ancient names. I have not examined to see, but, unless in New England, I doubt if there is another Congressional district in the United States where so many counties bear the old colonial names which they bore when independence was declared. Alexandria County has the fine flavor of the ancient days, which it acquired from the venerable city which was the home of both Washington and Lee.

The traits of the fatherland are in them. But they are Americans all; founders and lovers of freedom as the greatest of human possessions; patriotic to the core; upholders of home rule, but filled with the splendid aspiration of the reunited nation.

They are lovers of the land, and on isolated plantations they have planted pleasant homes. They have taken part not only in the Indian wars that antedated the Revolution, but in every war with which this country has been identified. I noted not long since, in traversing some of the reminiscences of Culpeper, that George Washington was surveyor of that county when he was a youth of 17, in the service of Lord Fairfax, making his own living and going out into the adventures of life before he had yet become a man. In the records of that county there is this entry:

> 20th July, 1749, George Washington, Gent., produced a commission from the president and members of William and Mary College, appointing him to be surveyor of this county, which was read, and thereupon he took the usual oaths to His Majesty's person and Government and took and subscribed the abjuration oath and test, and then took the oath of surveyor, according to law.

Four of our great Presidents are identified with its history. Washington's tomb is in Fairfax. Madison lived and rests in Orange. Monroe for a time had his seat at Oak Hill, in Loudoun. Zachary Taylor was born in Orange.

When the Revolution broke out the Culpeper minutemen made a name for themselves, not only in the swift patriotism with which they responded to the call of Governor Patrick Henry, but by their conduct upon the field of battle. The Culpeper minutemen turned out for war the last time in the Spanish war. From the day of the Revolution to this hour they have always been ready to respond at a moment's warning to their country's call. They float on their flag the picture of a rattlesnake, with the legend, "Don't tread on me!" Those Culpeper minutemen and the men of the adjoining counties were soon formed into a regiment. Lawrence Taliaferro, a kinsman of the distinguished Senator now representing Florida in this body, was its colonel.

Stevens was its lieutenant-colonel, afterwards a general. Thomas Marshall, father of the great Chief Justice, was its major, and serving as a lieutenant was the incipient Chief Justice himself.

There is a story told of this regiment at the battle of the Great Bridge which I like to refer to, because it is characteristic of the great people who inhabit the region of Virginia along the Potomac, and which those going westwardly in the State and beyond it have carried with them. This regiment encountered in the battle of the Great Bridge a regiment of the British regulars. They were behind earthworks, and when the British regulars charged them they were beaten back. Swift to heal, as quick and steady to fight, the Virginians leaped over the breastworks and helped to bind the wounds which they had made.

The people of this whole section are high spirited, chivalrous, brave, quick to resent insult, firm and strong in resistance to wrong, but at the same time one of the sweetest-tempered and most hospitable people that one could meet upon a summer's day. They are lovers of the land. They rejoice in the scenes of the countryside, in the fields, in the streams, in the woods. In their libraries are good books that abound not in sensations. They are good hunters and fine marksmen and they are hospitable

hosts. The refinements of life abide amongst them and they are as gentle in peace as they are fierce and dauntless in war.

Mr. RIXEY was a representative man of this countryside. His father was a landholder. He himself had that land thirst which made him buy and cultivate the land whenever he was able to do so. He bespoke a people who loved home, who imbibe principles of love of country from the fireside. They respect character above all things; never call without reverence the name of woman.

The Representatives of this district have always been men of mark. The district looks upon its Representative as a man who must be one fit to hold a great and responsible office and worthy to discharge its trust and duty. Since the reconstruction period but six men have represented it: Elliot Braxton, descended from a signer of the Declaration of Independence; Eppa Hunton, renowned first in his service in the legislature of his State and in the State convention and then as a soldier, who led the ironsides of battle; John S. Barbour, accomplished in many ways—in the studies of the academy; as president of a great railroad; as chairman of a great party; equal in mental grasp and in social dignity to any of the higher tasks of life. Then William H. F. Lee, a brave soldier and a noble gentleman, a man whose beautiful attachment to his every duty was like the esprit de corps which converts the soldier to the cause which commands his allegiance; then Elisha Meredith, a younger man of a new generation, but one of a most noble and manly type; manly and vigorous mold, generous, active, a true friend, a hardy champion, a man of hope who died too young, and then succeeding him came JOHN F. RIXEY, whom we mourn to-day.

Three of these Representatives have died while they served in the House of Representatives, Lee and Meredith, and now, also, RIXEY. Two of them became Senators of the United States, John S. Barbour and Eppa Hunton, and the former was borne from this Chamber to his last home. The latter survives, venerated of all. Who will be Mr. RIXEY's successor no man knows, but we all know that these six gentlemen who have represented their State in the halls of Congress have represented it and their country well and that their successor has worthy exemplars before him.

Mr. RIXEY's home life was a happy one. He wedded Miss Barbour, daughter of James Barbour, who was a lawyer, legislator, and publicist, who was distinguished by the abilities which have characterized the family to which he belonged. For many years they dwelt together in the holy estate and in the quiet hospitable home. We pause at its threshold. But to its inmates go forth our deepest sympathy for the loss irreparable. We can neither retrieve nor heal it; we can only bow before Him whose mercy endureth forever.

In the fifty-fourth year of his age, while his ripened faculties, cultivated by experience as well as by education, were at maturity, and when they might have been of most benefit to his country, to his family, and to his kind, he has been cut down. There were premonitions of his end. A year ago, when Congress adjourned, it was known that he was ailing. It seemed that that dreadful disease, tuberculosis, had menaced if not yet fully attacked him. He went to the wholesome climate of Colorado seeking relief. But he sought it there in vain. He returned to his home. During his absence he had been chosen as his own successor. But it was not to be. He was for several months an invalid, and it became evident that the hand of the destroyer could not be stayed. Patient, submissive, meeting the fate in store for him with the fortitude with which he had contemplated all the tasks and dangers and tribulations of life, peacefully, at his brother's home in this city, on the 9th day of last month he breathed his last.

It is a characteristic of our race, Mr. President, and one worthy to be cultivated and preserved, that they do not make loud lamentations over the dead and do not seek ostentatious funerals. When their time has come, they step aside for the generation that presses upon their heels. They would not add one memory of grief and sorrow to those left behind. It can be said of JOHN F. RIXEY that he performed a man's part in life, and did it well and faithfully. It is enough.

His kindred, his companions, and his people honored him. Those dear to him loved him. Such was his reward. He proved equal to all the tasks which he assumed. He has passed hence, leaving a name to be cherished by those who loved him and to be honored and respected by those who knew him.

Mr. HOPKINS. Mr. President, death is ever an unwelcome guest. He is no respecter of person, no respecter of time or place. The laughing schoolboy feels the clutch of his icy fingers and passes from the pleasures and pastimes of childhood into the great unknown. The gray-haired man, who has conquered every obstacle that appeared in his pathway during a long and strenuous life, though surrounded by every comfort and luxury that wealth can bring, responds to the call that death sends to him, and leaves all and follows death out into the shadows and across the dark waters that separate this life from a future existence.

However long may be the struggle, however fierce the contest, all alike must sooner or later yield to that grim-visaged monster.

JOHN F. RIXEY has trodden the path prepared for him by death long before his exit from this world, and has passed into the great unknown. Many years before death finally claimed him for his own he recognized that he was stricken with a mortal disease and, like the Christian philosopher that he was, prepared to meet his final conqueror with that perfect resignation that comes from a realization of a well-spent life here and an assurance that the transition from this life to another will take him to that better world where all Christians are taught the just will meet.

Death achieved no mastery over him. He fought the battle as becomes a true Christian, and when the inevitable hour approached welcomed death more in the spirit of a victor than that of the vanquished. Dearly as he loved this life, his family and friends, his native State and his country, he believed that he was passing into that higher and holier existence that we are all taught is the fortune of those who follow the simple precepts of a Christian life.

I first met Mr. RIXEY in the House of Representatives in the Fifty-fifth Congress. He had just been elected to the House from the Eighth Virginia district, and I had been reelected from the then Eighth district of Illinois. I had had a service of some years in the House of Representatives and was well acquainted with many of the older Members of Congress from that State. That great Commonwealth and her public men have always had a great interest for me. The Northwest Territory, from which the State of Illinois was carved, was once a possession of Virginia, and all loyal citizens of Illinois take a natural pride in that State and her public men. Mr. RIXEY was a typical Virginian. He had inherited that love of country life that is characteristic of the great men of that State from the time of Washington and Jefferson to that of Lee and Wise. The men of mark in that State have been men who were passionately fond of country life.

Mr. RIXEY did not possess the brilliant qualities of mind that made Patrick Henry the first orator of his time and Robert E. Lee one of the greatest military geniuses of his age. His attainments were of the solid, substantial kind, that were so marked in the type of men like James Madison in the earlier history of the State, and more recently in men like the late Senator Barbour.

In his brief biographical sketch that he prepared for the Congressional Directory, he described himself as a lawyer and a farmer. To men residing in great cities like Chicago, New York, or Philadelphia this combination of farmer and lawyer seems inconsistent, but it accurately described the life that was led by Mr. RIXEY. He was a country-bred lawyer, and when he was not engaged in court or over his law books in the preparation of a case for trial, was out upon his plantation enjoying to the fullest limit the pleasures of rural life. It is said that he was very successful at the bar. From my knowledge of him as a Member of Congress, I can well appreciate the fact of his great success with courts and juries. He had an air of honesty that disarmed opposition, and possessed a clearness of speech and a cogency of reasoning that must have made him very effective with the jury of twelve or with the judge.

His experience upon his farms in coming in close touch with nature gave him keener perceptions and a nicer judgment on all questions of right and justice than can be acquired in a smoky law office in a great city. There is something about life in the country that broadens and enlightens the mind. Men who follow intellectual pursuits are greatly strengthened and broadened by this contact with nature that one derives from country life. John Marshall would never have given to the country and to the world those marvelous opinions construing the Constitution of our common country had he been deprived of the benefits and influences exerted upon him in that ideal country life that he enjoyed during the thirty-odd years that he was Chief Justice of the Supreme Court of the United States.

The late Judge Drummond, of Chicago, is a man whose name is revered and loved by all lawyers who had the good fortune to practice in the circuit court of the United States at Chicago—the court over which he presided. I have often heard it said by those who were most familiar with him, that whenever he was troubled over legal questions that were argued before him or when his mind was clouded or uncertain on what course he should adopt on litigation pending before him, he would go out

into the country to his little farm and there, while he was overseeing the care of his cattle and sheep and hogs and horses, he solved the problems that perplexed him while in his court room in the great city; and when he came back to his court he came with a mind clarified and broadened by his country experience and administered the law in a spirit of fairness and justice that has placed his name among the greatest judges of this or any other country.

Mr. RIXEY naturally, from his mode of life, took a deep interest in politics, and that he should eventually represent his people in Congress was as natural and as inevitable as that night follows day. His practice at the bar in the circuit carried him over many of the counties of his district. The people in the court room learned of his high character, his candor, and his fidelity to duty, and when the time came in his career when he felt that he could abandon in whole or in part his law practice the people of the Eighth Virginia district honored themselves by electing him to the House of Representatives of the United States. The repeated elections which followed his first show how well he met the expectations of his constituents and how fully he discharged all of the duties of a Representative in Congress. I found him during the Fifty-fifth, Fifty-sixth, and Fifty-seventh Congresses, in which I served with him, always alert when the interests of his constituents or of his State were involved. He was a broad-minded, patriotic citizen, and while he never forgot the people of his district or of his State, he was always quick to respond to any question that involved the true interests of his country.

Mr. President, Virginia will undoubtedly have in the future, as she has had in the past, men to represent her in the Congress of the United States of marvelous oratorical ability, but she will have no one, in my judgment, who will be more faithful to her interests or more true to his ideals than was JOHN F. RIXEY.

Mr. HEMENWAY. Mr. President, I desire to add a few words of tribute to the memory of JOHN FRANKLIN RIXEY. I served with him in the Lower House of Congress, and there learned to respect and admire him. He was a member of the Committee on Naval Affairs, and my position on the Committee on Appropriations frequently brought me in personal contact with the members of his committee, and I shall never forget the industry, patience, and patriotism with which Mr. RIXEY discharged his duties as a Representative of the great State of Virginia. We differed in politics, but above partisanship there always shone out from his character the higher and nobler sentiments of a patriotic American citizen.

He was a typical Virginian, and he was proud of her history. He knew Virginia as the great State that she is, that has furnished to our country some of our most noted statesmen and greatest jurists. He was born in Culpeper County, August 1, 1854, during the days when public sentiment was arraying itself on one side or the other of the question that seven years later resulted in the greatest war the world has ever witnessed. His earlier impressions were formed during the days when men thought deep and strong, when martial music filled the air and soldiers were marching to war. Though he lived in a section of the country where the fruits of war were most bitter, and where the hand of destruction fell most heavily, yet in his life and public service there was naught but the broadest statesmanship that rejoices in a great united country.

Words of eulogy can not add to or detract from the fame of any man, but when offered as they are to-day they do credit to those who speak them. Perhaps no higher tribute can be paid a man in public life than the tribute that he labored earnestly and faithfully to bring about matters of public benefit, and perhaps no public man who had an ambition to serve the people faithfully and earnestly would desire a greater compliment than have it said of him "he succeeded."

Measured by this test, Mr. RIXEY's life was complete. He not only served his people diligently and faithfully and accomplished much good, but he made many friends, who shall always remember him pleasantly and kindly.

Mr. CARMACK. Mr. President, the death of JOHN F. RIXEY was to me a personal grief. I served with him as a Member of the House, was brought into close and frequent contact with him in committee, and learned to know him—head and heart. We entered the House together. We became friends almost as soon as we became acquaintances. This friendship, upon my part, was based upon the only sure and enduring foundation of friendship, an admiration for the solid qualities of the man. I observed in my association with him that his conscientiousness in the performance of public duties was marked and exceptional. He loved to know things thoroughly and to do things well. He sought with earnest purpose to know his premises perfectly before he reasoned to the conclusion. He brought to the consideration of public questions a mind that was lucid, clear, and logical. It seemed to me that he labored to cast out of his thought all prejudice and preconceived opinion when he had to deal with a particular case. He had fixed principles which he held, not for show nor for purposes of academic discussion. They were to him rules of life, and he made his opinions and his conduct in particular cases conform rigidly thereto. Truth and right and justice were always present with him.

In dealing with public matters his thought was directed to the merits of the question in debate rather than to the temper or disposition of his audience, and his power of persuasion lay in the force of his reasoning, the lucidity of his statement, and his clear comprehension of the subject. He was a man of ability—of much more than usual ability—and yet it was his character more than his intellect that commanded respect. The same might be said of every man who is truly great. It was true of Washington; it was true of Lee; it was true of Alfred. JOHN F. RIXEY had a character which made him love the right; he had an intellect which enabled him to understand and defend it.

He therefore could always command attention. While never a rhetorical, he was always an interesting speaker, for he brought to the discussion of every question that most compelling of all faculties, earnestness—an evident sincerity and a strong conviction. His intellectual abilities would not have made him what he was if they had not been coupled with love of truth and justice. I saw and observed this quality in him when we were members of the Committee on Claims in the House of Representatives. No false or unjust demand upon the public Treasury could evade his relentless questioning; but he was as eager to do justice to the claimant as he was to the Government, and every honest claim found in him an earnest champion.

Before he entered public life he had won distinction as a lawyer in competition with a bar famed for legal lore and skilled in forensic combat. There were perhaps many of those whom he met in such combat who had, in the popular sense of the term, a greater gift of eloquence than he. He was a match for the best of them, because he was learned in the law, industrious in the preparation of his cause, and clear and logical in its presentation, and had that indescribable power of character which gives double power to the intellectual faculties. Those who knew him as a lawyer not only testify to his ability, but to the fidelity with which he observed the ethics and honorable traditions of a noble profession. This was a part of his character as a gentleman, born and bred.

From my first acquaintance with JOHN F. RIXEY he seemed a man in feeble and failing health, whose mental energies held disease at bay. In the latter years of his service this fatal disease made steady progress upon him, but he clung heroically to his post of duty, disregarding the warnings of his physicians and the pleadings of his friends that he might be faithful—faith-to the last—to his trust. He felt that the high honors his people had bestowed upon him demanded of him a great sacrifice in their service. He made that sacrifice to the uttermost—"greater love hath no man than this."

JOHN F. RIXEY was not only esteemed and respected, but by those who knew him he was loved. He had that charm of manner which goes with a pure and upright soul—the charm which, unconsciously and without effort, sheds itself abroad, a charm which all men feel, but which none can define.

It is to me a melancholy pleasure to lay my humble wreath upon the coffin of so grand a man. I hope the few but earnest words I speak may be of some comfort to his family and his friends. Whenever such a life goes out there is the comforting thought that such a character and such a life can never be in vain. The pure spirit of JOHN F. RIXEY has passed beyond the bounds of this mortal life; but he lives, not alone in the loving hearts of friends and family, but in the blessed influence he left behind, which will help to make in his own image the lives of those who come after him.

### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE ADAMS.

The VICE-PRESIDENT laid before the Senate the following resolutions from the House of Representatives; which were read:

IN THE HOUSE OF REPRESENTATIVES,
*February 24, 1907.*

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. HENRY C. ADAMS, late a Member of this House from the State of Wisconsin.

*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career the House, at the conclusion of the exercises of this day, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. SPOONER. Mr. President, I offer the resolutions which I send to the desk, and ask their adoption.

The VICE-PRESIDENT. The resolutions will be read.

The resolutions were read, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. HENRY C. ADAMS, late a Member of the House of Representatives from the State of Wisconsin.

*Resolved*, That the business of the Senate be now suspended, in order that fitting tribute be paid to his memory.

Mr. SPOONER. Mr. President, the angel of death has been very busy among the Members of the Fifty-ninth Congress. Many times we have been summoned, giving pause to the public business, to stand by the open grave of a comrade in the public service who has died in the line of duty. In this roll of the dead is the name of one of Wisconsin's best-loved and most-trusted citizens, the Hon. HENRY CULLEN ADAMS, late a Member of the House of Representatives from the Second district, who was stricken on his journey homeward, and in Chicago on Monday, the 9th of July last, sank into "that sinless, stirless rest which we call death."

It is my belief that but for his spirit of self-sacrifice and unyielding devotion to duty as a legislator he might have been still among us. I saw him often during the last week of the session, ill and weary, but intensely interested, as a leading member of the Committee on Agriculture, in the pure food and agricultural appropriation bills, each containing novel and important propositions which he deemed of vital consequence to the people, and the success of which he promoted with unflagging spirit and unceasing personal effort. The end of the session left him, in the reaction from its activity and excitement, an easy victim to any acute physical ailment. In our last conversation he spoke of his unutterable longing for the rest and companionship of home and its surroundings of rare beauty. In the providence of God he was never again to behold it, but his wasted body was borne by loving hands, amid the tears of the thousands who had known and loved him, to the resting place which he had long ago chosen.

Mr. ADAMS was born November 28, 1850, at Verona, Oneida County, N. Y. He removed with his parents to Wisconsin in 1851, attended the Albion Academy one year and the University of Wisconsin three years, being compelled by frail health to forego the ambition to graduate with honor in his class, which no one doubted he would have attained.

He was a member of the Wisconsin legislative assembly two terms, from 1883 to 1887, and from the beginning of his service was a distinguished and useful member of that body.

He served a time as State superintendent of public property, and was dairy and food commissioner of Wisconsin from 1894 to 1902. It is safe to say that there was not in any State a dairy and food commissioner who excelled him in aptitude for the work or in ability to perform it, if, indeed, his equal was anywhere to be found.

He was elected to the Fifty-eighth Congress and reelected to the Fifty-ninth Congress from the Second district, his home being at Madison, the capital of the State, which also is the home of my colleague and myself.

Mr. ADAMS was married on the 15th of October, 1878, to Miss Anna B. Norton, and his home life was always a charming and happy one.

He could look back upon an ancestry in which were great names celebrated for learning, eloquence, and distinguished public service to the whole country. I knew his father well and entertained for him great admiration. He was a scientific farmer, many times a member of the legislature, and a man of mark and individuality in a body in which were a large number of the ablest men in the State. He was an entrancing speaker. His voice was musical and his diction perfect. A very modest man, who never talked of himself, it used to be marveled that "Farmer Adams" was so scholarly and so eloquent. But Benjamin Franklin Adams was one of the earlier graduates of Hamilton College, New York, and for some years professor of Greek and Latin in that institution. He would have been eminent at the bar or in public life, but he preferred the life of the farm and the intelligent and scientific pursuit of agriculture. The last time I ever saw him was at a Psi Upsilon banquet, the first he had attended for over forty years and at which he was the guest of honor. In an hour he grew young again and made an address of great beauty. In a little time he died.

On the farm and under the tutelage of such a father, HENRY CULLEN ADAMS spent his youth, and was well taught before entering college in history, the languages, literature, rhetoric, and agriculture in its theoretical and practical phases. Here he imbibed an abiding love for agriculture, a thorough knowledge of the needs of the farmer, and a sincere devotion to his interests. His life work was largely dedicated to the service of agriculture. He was a man of large constructive ability, an admirable logician, of analytical, yet broad, mind, and the author of many laws enacted in Wisconsin and other States in the interest of agriculture. He spoke in many States in advocacy of pure-food laws and of the dairy interests of the country. There was no field or phase of agriculture in which he had not been a student and upon which he could not write and speak instructively and with great ability.

He was a Republican always. He loved politics of a decent, manly sort, and he was one of the most interesting and popular exponents of the principles and policies of the party which he loved who ever appeared upon the hustings in the Northwest.

He was a broad-minded man, full of charity for all men and tolerant of differences of opinion, and, although a partisan, he found no warrant because of difference of opinion upon party principles and public policies for impeaching the patriotism or sincerity of his opponents.

It had been, Mr. President, to my knowledge, the ambition of his life to become a member of the national House of Representatives, and he was admirably equipped in every way to render to the country great and conspicuous service as a national legislator. During the too brief period which he served here he exhibited in a high degree strength as an original thinker, an eloquent and resourceful debater, a high order of constructive statesmanship, an unconquerable spirit, a geniality which won the affectionate regard of his associates in both parties, and made it certain that, with health and years of service, he could easily achieve a lofty eminence in the field of national legislation. His whole life, Mr. President, was pathetic in this, that it was the constant struggle of a dauntless spirit with bodily weakness.

In the last session which he attended he made great impression upon the body of which he was a member, and won the respect and admiration of the President and members of his Cabinet. I have more than once dwelt with peculiar pleasure, since he was laid to rest at "Forest Hill," near by the home which he had builded for himself and family, and in which he had spent so many happy years, upon the fact that I was able in the last conversation I had with him, as we sat in our cloak room, to repeat in his presence the friendly and flattering words spoken of him by the President in conversation with me an hour before. They brought color into his pale cheeks and a new light to his tired eyes.

He spoke always with persuasive eloquence, and when aroused, with great power, and with a vocabulary which was simple and quite classic.

His body was frail, but his will was strong; his ambition was keen and honorable, and his spirit was unconquerable. He possessed a rare sense of humor and was a delightful companion, a faithful friend, and quick and tender in his sympathies.

It was altogether characteristic of him and of his life that the first legislative purpose which he developed and pursued in Congress to successful consummation was an enlargement of the appropriation for the support of agricultural colleges and experiment stations, the value of which to the farmers of the country, and therefore to the people of the country, he knew as well, if not better, than any other man of my acquaintance.

He was a man of strong convictions, and when committed upon a policy or principle which he thought was right he was absolutely unshakable. He was opposed to the compulsory joinder of two Territories into one State, and no power or pleading could move him from his position. And that, Mr. President, was characteristic of him, although he was as free from what men commonly call obstinacy as any man I ever knew.

He died too soon, but—

Death is the dropping of the flower that the fruit may swell.

Wisconsin will not forget his shining qualities and his splendid public services, and her good people will tenderly cherish his memory.

My colleague [Mr. LA FOLLETTE], who was a lifelong friend of Mr. ADAMS, is, to his sorrow, prevented from joining in the tribute to him this evening because of illness.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE KETCHAM.

The VICE-PRESIDENT laid before the Senate the following message from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES,
*February 24, 1907.*

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon JOHN H. KETCHAM, late a Member of this House from the State of New York.

*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the

House, at the conclusion of the memorial exercises of this day shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk communicate these resolutions to the family of the deceased.

Mr. DEPEW. Mr. President, I offer the resolutions I send to the desk.

The VICE-PRESIDENT. The Senator from New York submits resolutions, which will be read.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of the Hon. JOHN H. KETCHAM, late a Representative from the State of New York.

*Resolved*, That the business of the Senate be now suspended, that fitting tribute may be paid to the memory of the deceased.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the Senator from New York.

The resolutions were unanimously agreed to.

Mr. DEPEW. Mr. President, those of us who have been here for many years have experienced during this Congress and others how frequently death comes where there are 90 Senators and 386 Members of the House. As a rule, the colleague who has departed did not have the qualities of mind or distinction in public life which raised him sufficiently above the average of his fellows for him to be distinguished beyond them all. Now and then there is a rare character who does possess these qualities and has achieved this unique success.

I know of no one in my long acquaintance with public men, covering now more than half a century, who without being spectacular, without calling to himself the attention of the whole country, yet had such a remarkable career as Gen. JOHN H. KETCHAM. He lived in the district adjoining the one in which I was born and passed most of my life, and during the whole of his public career he was my intimate friend. I knew him in his private, business, and political life. He had the distinction of being for thirty-four years a Member of the House of Representatives, a period longer than any other man has served since the formation of the Republic, and in the changing conditions, increased population, and greater competition of our times and those which will succeed, I doubt if that record will ever be equaled, and I think he will always stand as the man who spent more years in the public service in the popular branch of our Government than any other one who ever served there.

His career presents a beautiful example of American life. He was born in modest circumstances. He became a farmer in early life, upon a moderate patrimony, and proceeded at once, with the qualities which made his success, to impress himself upon his community. The advantages of education to him were only those of the common school and the local academy, but they sufficed to overcome all obstacles and to enable him to surpass all his contemporaries.

He was a member of the local legislature of his county as a supervisor from his town the year he became of age. Two years afterwards he became a member of the lower house of the legislature of the State of New York, and at 25 he was a State senator. He was reelected, and then came the civil war.

The manner in which the volunteer regiments were raised in our State was that in each Congressional district three citizens were appointed to take charge of the recruiting. In his Congressional district they were Benson J. Lossing, the distinguished historian; Judge Emmett, one of the most eminent members of our supreme court, and this young senator. The work of this recruiting service devolved upon this young man, who had already become a familiar figure upon every farm and in every household in the district. In three weeks the One Hundred and Fiftieth New York was raised. They were men of his own age, of his own period, his intimate friends, his political allies and associates, and their demand was that he should go with them as their leader to the front, and they elected him their colonel.

He was a young married man with a little family—very young—yet he did not hesitate a moment. He assumed the responsibility of command of the regiment—a farmer's boy who knew nothing whatever of military tactics and who had never been connected with a military organization. But with the same persistent energy and grasp of things with which he had to do that made his success, he drew about him the best military talent available and studied night and day, and used the same efforts with his regiment, until when it came to the front it was a disciplined organization with a competent leader.

During all the years of the civil war it was the characteristic of the One Hundred and Fiftieth New York that it was equal to any duty it might be called upon to perform. It was in all the campaigns of the Army of the Potomac and afterwards in those of the Army of the West, and as in different battles its ranks were depleted they were recruited again from these same farmer boys of the district which its colonel had represented in the legislature.

He was wounded at Gettysburg, his life despaired of, and from that wound he suffered during his life. But when he could once more move, though he had ample excuse to retire, he was with Sherman, at the head of the One Hundred and Fiftieth New York, and marching through Georgia to the sea.

In 1865 the boys, writing home from the regiment of their colonel, who was always caring for their comfort regardless of his own, whether it was in camp or on the battlefield or in the hospital, created a sentiment in the district that he should represent them in Congress, and he was practically unanimously elected. For four terms he was in the lower House, covering eight years.

Then came one of the most remarkable contests which has ever occurred in our country. It was in 1872. The candidacy of Horace Greeley had demoralized for the time the Republican party, which had been brought up on the New York Tribune, and demoralized the Democratic party which had nominated its most distinguished, able, and bitter opponent as its candidate for the Presidency. The Democratic party then undertook to defeat Colonel, Brigadier-General, Major-General, and Congressman KETCHAM. They selected a millionaire opponent, and the contest developed election methods to an extent never before or since known.

In those days we had no civil-service and no corrupt-practices acts. In those days when the courts met and the judge charged the grand jury on the statutory clauses, among which was bribery at the polls, it received no other attention than a smile in the court room. In this contest, which attracted the attention of the country, and especially of our State, General KETCHAM was defeated by a few hundred votes. But it was known and admitted that the contest had cost the successful candidate more than a quarter of a million dollars, and when the grand jury met again and the judge solemnly charged, no smile was seen in the court among the grand jury, the petit jurymen, the litigants, the lawyers, or the witnesses, because all knew the facts, and many of them were disgracefully connected with them.

No investigation followed and no action was taken, and no public interest in the matter shown. We hear much in praise of the good old times and regrets that they can not return, but such a canvass and election would be impossible now in our State or any other.

General Grant knew and appreciated General KETCHAM as a soldier, and came, during the General's eight years in Congress, to recognize his talents for affairs, and instantly called upon him to serve the Government in the new organization of the District of Columbia, appointing him on the commission with Governor Dennison, of Ohio, and Henry T. Blow, of Missouri, two eminent executive officers. The General made a deep and profound study of the capital problem. He became familiar with the plan of that remarkable genius, L'Enfant, who was selected by General Washington to lay out this city, then a city of magnificent distances, so well described by that phrase.

During his three years as Commissioner he energetically advanced the plans since carried out and expanded which have made Washington remarkable, and in the full development of which this city will become the most beautiful capital in the world.

But after three years without its old Representative his district found it did not have the same distinction and service as with General KETCHAM, and it again called on him to represent its people in the House of Representatives. The second time he was a Member for sixteen years, eight times consecutively reelected, generally without any opposition, though it was one of the most doubtful districts in our State, and often Democratic. But frequently he would be unopposed in order that his forceful genius and efforts might not prevail in the local campaign.

At the end of sixteen years his health failed, and he retired for three years, but the district again demanded him. It would have no one else. He was unanimously called upon and remained in Congress for eight years more, until his death.

One of the most pathetic and beautiful tributes which can be paid to a man was that which crowned his life. It was known that he was in desperate health; it was known that he was paralyzed; that he could perform little or no service for his district or the country, and yet the convention of his party unanimously nominated him, and it was understood that there would be no opposition; but unhappily he died ten days before election.

Mr. President, here is the life of a man who was fifty-one years in the public service, who was thirty-four years in Con-

gress, who served with distinction in the legislature of his State, who won approbation as a Commissioner of this capital District of the country, and who as a soldier received the commendation of his brigade and division commanders for distinguished services in the field, and who left the Army a major-general.

Now, what were the peculiarities, what were the characteristics, which made this very remarkable career? He served in Congress under the leadership of Thaddeus Stevens, James G. Blaine, James A. Garfield, William McKinley, David B. Henderson, and JOSEPH G. CANNON; and while the RECORD might display little of what he did, he was a most valuable assistant to each one of them. He was in Congress with every President from Lincoln to Roosevelt, and while occupying but little space in the public press he was constantly invited to the White House for his assistance and advice.

It was known that while orators might speak and leaders might direct, there was no Member of Congress in KETCHAM'S time who could accomplish so much for the success of any measure or the defeat of any bill which was before the House. If he could have written his reminiscences and autobiography, giving the unwritten story of party measures and policies and the secret of success and of failure of leaders during his long term, what a valuable contribution it would have been to our political history.

In New York, which probably more than any other State in the Union has been for a century in both parties subject to dominant leadership, he was always a stalwart. He was in office when the famous partnership of Seward, Weed, and Greeley was dramatically dissolved, and continued during Greeley's temporary leadership and the control of Thurlow Weed. He was in office when Conkling and Fenton had their bitter fight, first Fenton in command and then the autocratic domination of Conkling, and so on down to the time of his death. He never shifted from one side to the other as leaders changed. His own side might be in a minority in the State organization, but his hold upon his own district, from the affection which the people had for him, was such that the State organization could never wrest from his hands the organization of his Congressional district.

He was a politician of the old school. He believed in machines. He believed in patronage. He believed in getting all that was possible of positions for his friends. I do not think any man who lived in his time, or any twenty, had so many men in office as General KETCHAM. He had an instinctive knowledge when there was a vacancy in any Department of the Government, and he had a man ready to fill it and generally got him in. The President or a Cabinet minister or the bureau head knew perfectly well when General KETCHAM came in that the desired position had to be surrendered before the General retired. He did not confine his activities to political appointments in taking care of his friends. There was scarcely a firm or corporation in the State with a large force of employees which was not subject to his activities. The New York Central Railroad had the Hudson River division running on one side of his district and the Harlem division on the other, and during the period of nearly twenty years while I was its executive officer if a vacancy occurred in his district General KETCHAM knew it before I did—before it was reported to the president—and he was in my office with a candidate for the place, and usually secured it.

I will say in this connection that his selections were always men fitted for the duties. There was no distinction with him as to politics in securing positions. If the candidate was a young man whom he believed deserving or a middle-aged man with whom fortune, for no fault of his own, had somehow gone wrong, he would do for him what he could. Fathers were succeeded by sons grateful to this old general who had either given them in youth a lift in life or saved the family in hard luck from distress.

He had an utter contempt for the holier-than-thou patriot. He had an inexpressible and infinite loathing for the man who believed that he was lifted as he tore down reputations.

Now, then, what constituted his enormous success? How did he remain fifty-one years in public life? How did he rise to be a major-general in the hot battles of the civil war? Why was it he could never be defeated, except in that one extraordinary canvass against him, in his own district? Why was he as fortunate in business as in politics? Because under all circumstances and at all times he was a man of such wise judgment and good sense that he knew a situation before other people; because of tireless industry, which was spurred to greater effort by failure and often won victory from defeat.

He never made a speech, and yet he was more successful than great orators. He never wrote a magazine article or a contribution for the newspapers, and yet he had more influence with the public opinion of his district than all orators or editors or magazine writers.

Mr. President, this farmer, legislator, Senator, Congressman, soldier had ideals. He had ideals about his home, and it was a beautiful one, with wife and children. He had ideals about the public service, and he did his full part in the great measures which for the last fifty years have been before the Congress of the United States. He had his ideals as a soldier, and he met the commendation of those great soldiers whose names will be forever connected with the most glorious part of the history of our country. He had ideals of public life—that he should be true to his country, his friends, and his own manhood and independence.

So Gen. JOHN H. KETCHAM lived and died. For fifty years he was in the open and before the public. Important investigations were held while he was upon the platform, but he was never brought in. Great scandals smirched both Houses of Congress while he was in office, but he was never touched. Continually on the platform and in the public eye, his record was always honorable, and he had the highest consideration of his associates, his friends, and his enemies.

I know of no example of a man so inconspicuous and yet so great which furnishes such a noble lesson of the possibilities of American citizenship to the youth of our country as that of Gen. JOHN H. KETCHAM.

Mr. HOPKINS. Mr. President, I served for eighteen years in the House of Representatives with General KETCHAM. During that period I learned to know him well. I ask the privilege of printing in the RECORD my estimate of his character and his public services.

The VICE-PRESIDENT. Without objection, permission is granted.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE FLACK.

The VICE-PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The resolutions were read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
*February 24, 1907.*

*Resolved*, That the business of the House be now suspended and that opportunity be now afforded Members to pay tribute to the memory of Hon. WILLIAM H. FLACK, late a Representative from the State of New York.

*Resolved*, That as a special mark of respect and esteem for Mr. FLACK, the House, at the conclusion of these proceedings, adjourn.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. DEPEW. Mr. President, I submit the resolutions which I send to the desk, and I ask for their adoption.

The resolutions were read and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of Hon. WILLIAM H. FLACK, late a Representative from the State of New York.

*Resolved*, That the business of the Senate be now suspended in order that a fitting tribute may be paid to his memory.

Mr. DEPEW. Mr. President, when a man has passed his limit of three score and ten, and four score is near, his death is not an interruption, but the sudden checking of ultimate possibilities. We mourn his loss as we have in the last hour that of General Ketcham, who died at 74. But when the dread event comes in the early forties it is more than an ordinary calamity. The citizen who is in his meridian and has accomplished something of success is a valuable asset of his community and of the State. He has cleared the obstacles and difficulties from his pathway, his judgment has ripened, experience has made him wise, and the course before him is clear.

Mr. WILLIAM HENRY FLACK commenced the struggle early, with no advantages other than those afforded by the common school. He made his fight in the battle with the world in the community where he was born. At 46, when he died, he had been a success in business, a trustee and president of his village, chairman of his party committee in the county, and twice a Member of Congress from the district comprising the counties of St. Lawrence, Franklin, Essex, and Clinton. In the usual course of events he should have possessed thirty years more for service to his country and rewards for himself.

The difficulties which surround a country boy who aspires not only to business success, but to a political career, are greater than those which meet the son of the city. This is peculiarly the case where political distinction is desired. The man of the town is absorbed in the hot competitions of his vocation. The theater, the club, and other social diversions claim his spare time. It is only in periods of excitement about public questions that his attention is diverted to political matters. Public

opinion in great cities is dormant unless aroused by some crisis in the affairs of the municipality, the State, or the nation. After a period of feverish and passionate activity the people settle down again to the normal conditions with less interest in public affairs than in those which pertain immediately to their welfare. In the city there is no neighborhood. The citizen rarely knows who lives on his street or who are the occupants of the other apartments in his apartment house. Many a man who has been distinguished and looked up to by his neighbors in the country, who has been a local oracle and in a measure the pride of the people, has come to the metropolis for a larger field for his talents and activities. I have had the ex-judge and the ex-Senator or ex-Congressman say to me: "I do not know who lives on either side of me or across the way. I am a stranger in the elevator to those who are going to their offices in the vast building. I am jostled in the streets and crowded on the cars. Few call upon my family, and we might almost as well be in the Desert of Sahara. I miss the attention and recognition to which I have been accustomed, and that most delightful flattery in the world, the respect and admiration of men, women, and children, which I had at home, and we are going back. No pecuniary rewards compensate for the loss of that human contact and brotherly feeling which constitute the larger part of the pleasures of life." Under these conditions the organization more than the individual governs his career, unless he can control the organization.

In the country, however, the circle of the citizen enlarges with his activities and he becomes socially and politically well known, first in the town, then the county, and afterwards the district; but he must be somebody and do something which raises him above the average in order to receive recognition as a leader. Happily for our institutions, politics in these rural communities are not the spasmodic and often wild passions or crazes of the hour, but they are the thought and the pursuit of everyone all the year round. The newspapers are not read for the stock market or telegraphic news or cablegrams, but for editorials, transactions of conventions, and speeches of public men. Magazines are on the table of the sitting room not for ornament, but to be read. The lecture hall takes the place of the theater, and there the greatest questions of religion, politics, and sociology are discussed. The interval between the morning and afternoon service on Sunday is utilized as a sort of Chautauqua for the interchange of views, and they promote general education. It is to the credit of Mr. FLACK that he made his career in such a community. There is no community more typical of the very best conditions of rural life in the country than the district which Mr. FLACK represented in Congress. Its common and high schools, its academies and its college, are of the foremost educational rank. Its people have always been noted for their public spirit, interest in public affairs, and pronounced convictions. In the best sense they are all politicians, and the schoolhouse is as much a political primary as it is a primary school. Men of State and national fame have been its representatives. No ordinary man could command the suffrages of these counties. The difficulties in the way of success are greater because they are overwhelmingly of the same party, and a nomination is an election, and the competition is infinitely keener than where a nomination means a doubtful fight.

Mr. FLACK possessed not only the confidence of the people, which led to his being so often honored, and each time with promotion, but he had in a peculiar degree the love as well as the respect of all. He possessed a personality so agreeable and a disposition so charming that they won to him everyone with whom he came in contact. His illness, unfortunately, prevented continued activities in the House of Representatives, but while here he was a conscientious worker and had the confidence and respect of his associates. He leaves an honorable record for his family and for the representation of New York in the Congress of the United States.

Mr. DEPEW. I move that the Senate do now take a recess.

The motion was agreed to; and (at 9 o'clock and 32 minutes p. m.) the Senate took a recess until to-morrow, Sunday, March 3, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate March 2, 1907.*

COLLECTORS OF CUSTOMS.

Reginald Branch, of New Jersey, to be collector of customs for the district of Burlington, in the State of New Jersey, in place of I. Snowden Haines, resigned.

William B. Boone, of New Jersey, to be collector of customs for the district of Bridgeton, in the State of New Jersey, in place of George W. McCowan, whose term of office expired by limitation February 23, 1907.

Walter Fifield, of New Jersey, to be collector of customs for the district of Great Egg Harbor, in the State of New Jersey. (Reappointment.)

Charles F. Leach, of Ohio, to be collector of customs for the district of Cuyahoga, in the State of Ohio. (Reappointment.)

APPOINTMENTS IN THE ARMY.

*General officers.*

Col. Alfred C. Markley, Thirteenth Infantry, to be brigadier-general from March 2, 1907, vice Jocelyn, retired from active service.

Col. Charles B. Hall, Eighteenth Infantry, to be brigadier-general, vice Duggan, to be retired from active service.

PROMOTIONS IN THE ARMY.

*Corps of Engineers.*

Lieut. Col. John G. D. Knight, Corps of Engineers, to be colonel from March 2, 1907, vice Heuer, retired from active service.

Maj. George W. Goethals, Corps of Engineers, to be lieutenant-colonel from March 2, 1907, vice Knight, promoted.

Capt. Herbert Deakyne, Corps of Engineers, to be major from March 2, 1907, vice Goethals, promoted.

First Lieut. Michael J. McDonough, Corps of Engineers, to be captain from March 2, 1907, vice Deakyne, promoted.

Second Lieut. Ernest Graves, Corps of Engineers, to be first lieutenant from March 2, 1907, vice McDonough, promoted.

*Cavalry Arm.*

Second Lieut. Arthur J. Lynch, Fifteenth Cavalry, to be first lieutenant from February 28, 1907, vice Duncan, Fourteenth Cavalry, retired from active service.

APPOINTMENTS IN THE ARMY.

Maj. Gen. Fred C. Ainsworth, The Military Secretary, to be The Adjutant-General with the rank of major-general from April 23, 1904.

Brig. Gen. William P. Hall, military secretary, to be adjutant-general with the rank of brigadier-general from April 23, 1904.

Col. Henry O. S. Heistand, military secretary, to be adjutant-general with the rank of colonel from July 22, 1902.

Col. George Andrews, military secretary, to be adjutant-general with the rank of colonel from August 7, 1903.

Col. William A. Simpson, military secretary, to be adjutant-general with the rank of colonel from August 18, 1903.

Col. Henry P. McCain, military secretary, to be adjutant-general with the rank of colonel from April 23, 1904.

Col. James T. Kerr, military secretary, to be adjutant-general with the rank of colonel from June 17, 1905.

Lieut. Col. Alexander O. Brodie, military secretary, to be adjutant-general with the rank of lieutenant-colonel from June 10, 1905.

Lieut. Col. Benjamin Alvord, military secretary, to be adjutant-general with the rank of lieutenant-colonel from June 17, 1905.

Maj. Eugene F. Ladd, military secretary, to be adjutant-general with the rank of major from June 23, 1905.

PROMOTIONS IN THE ARMY.

*Adjutant-general with the rank of lieutenant-colonel.*

Maj. Eugene F. Ladd, adjutant-general, to be adjutant-general with the rank of lieutenant-colonel from March 2, 1907, to fill an existing vacancy.

*Deputy surgeon-general with the rank of lieutenant-colonel.*

Joseph Y. Porter, late captain and assistant surgeon, United States Army, to be deputy surgeon-general with the rank of lieutenant-colonel from March 2, 1907.

POSTMASTERS.

CALIFORNIA.

Clyde F. Baldwin to be postmaster at Whittier, in the county of Los Angeles and State of California, in place of Lindley M. Baldwin. Incumbent's commission expired February 9, 1907.

Oliver H. Duvall to be postmaster at Claremont, in the county of Los Angeles and State of California. Office became Presidential January 1, 1907.

KENTUCKY.

James N. Coffey to be postmaster at Columbia, in the county of Adair and State of Kentucky. Office became Presidential January 1, 1907.

ILLINOIS.

Charles F. Douglass to be postmaster at Ashland, in the county of Cass and State of Illinois, in place of Charles F. Douglass. Incumbent's commission expired February 23, 1907.

Karl Miller to be postmaster at Winchester, in the county of

Scott and State of Illinois, in place of Karl Miller. Incumbent's commission expires March 3, 1907.

B. Reinbach to be postmaster at Waverly, in the county of Morgan and State of Illinois, in place of James M. Joy. Incumbent's commission expired February 23, 1907.

INDIANA.

Henry P. Hardie to be postmaster at Anderson, in the county of Madison and State of Indiana, in place of Robert P. Grimes, resigned.

NEW JERSEY.

Charles C. Cowperthwait to be postmaster at Mount Holly, in the county of Burlington and State of New Jersey, in place of Charles C. Cowperthwait. Incumbent's commission expired February 26, 1907.

Thomas C. Elvins to be postmaster at Hammonton, in the county of Atlantic and State of New Jersey, in place of Marcellus L. Jackson. Incumbent's commission expires March 2, 1907.

Arthur Winner to be postmaster at Palmyra, in the county of Burlington and State of New Jersey, in place of John E. Morton, resigned.

MASSACHUSETTS.

George Abbott to be postmaster at East Douglass, in the county of Worcester and State of Massachusetts, in place of George Abbott. Incumbent's commission expired February 11, 1907.

Frederick H. Greene to be postmaster at Ashburnham, in the county of Worcester and State of Massachusetts, in place of Ermina L. Evans, resigned.

MICHIGAN.

Frederick A. Roethlisberger to be postmaster at Hillsdale, in the county of Hillsdale and State of Michigan, in place of Edwin J. March. Incumbent's commission expired February 19, 1907.

MISSOURI.

Walter A. Coon to be postmaster at Republic, in the county of Greene and State of Missouri. Office became Presidential January 1, 1907.

John M. Eaton to be postmaster at Fayette, in the county of Howard and State of Missouri, in place of James Taylor. Incumbent's commission expired January 13, 1907.

PENNSYLVANIA.

Clara E. Fessenden to be postmaster at Roulette, in the county of Potter and State of Pennsylvania. Office became Presidential January 1, 1907.

OKLAHOMA.

W. S. Cade to be postmaster at Shawnee, in the county of Pottawatomie and Territory of Oklahoma, in place of George E. McKinnis. Incumbent's commission expired January 13, 1907.

TEXAS.

William J. Miller to be postmaster at Hallettsville, in the county of Lavaca and State of Texas, in place of William J. Miller. Incumbent's commission expires March 2, 1907.

J. S. Wells to be postmaster at Bowie, in the county of Montague and State of Texas, in place of William C. Smith, removed.

WISCONSIN.

James W. Meiklejohn to be postmaster at Waupun, in the county of Fond du Lac and State of Wisconsin, in place of James W. Meiklejohn. Incumbent's commission expired February 26, 1907.

## WITHDRAWAL.

*Executive nomination withdrawn from the Senate March 2, 1907.*

Henry P. Hardie, sent to the Senate to-day, to be postmaster at Anderson, Ind.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 2, 1907.*

UNITED STATES MARSHAL.

George H. Green, of Texas, to be United States marshal for the northern district of Texas.

REGISTER OF LAND OFFICE.

William Farre, of Oregon, to be register of the land office at Burns, Oreg.

PROMOTIONS IN THE NAVY.

Commander Thomas B. Howard to be a captain in the Navy, from the 24th day of February, 1907.

Passed Asst. Paymaster Francis J. Painter, United States Navy, retired, with the rank of lieutenant, to be a paymaster on the retired list of the Navy, with the rank of lieutenant, from the 29th day of June, 1906, in accordance with the provisions of an act of Congress approved on that date.

Professor of Mathematics Harry McL. P. Huse, to be a commander on the active list of the Navy from the 25th day of February, 1907, to take rank next after Commander William L. Rodgers, in accordance with the provisions of an act of Congress approved February 15, 1907.

PROMOTIONS IN THE ARMY.

Joseph Y. Porter, deputy surgeon-general and lieutenant-colonel.

Maj. Gen. Fred. C. Ainsworth, adjutant-general and major-general.

*To be adjutant-generals.*

Col. William P. Hall, with the rank of brigadier-general.
Col. Henry O. S. Heinstand, with the rank of colonel.
Col. George Andrews, with the rank of colonel.
Col. William A. Simpson, with the rank of colonel.
Col. Henry P. McCain, with the rank of colonel.
Col. James T. Kerr, with the rank of colonel.

Lieut. Col. Alexander O. Brodie, with the rank of lieutenant-colonel.

Lieut. Col. Benjamin Alvord, military secretary, to be adjutant-general with the rank of lieutenant-colonel from June 17, 1905.

Maj. Eugene F. Ladd, adjutant-general, to be adjutant-general with the rank of lieutenant-colonel from March 2, 1907, to fill an existing vacancy.

Maj. Eugene F. Ladd, with the rank of major.

*Colonels to be brigadier-generals.*

Alfred C. Markley.
Charles B. Ball.

*Corps of Engineers.*

Col. John G. D. Knight to be colonel.
Maj. George W. Goethals to be lieutenant-colonel.
Capt. Herbert Deakyne to be major.
First Lieut. Michael J. McDonough to be captain.
Second Lieut. Ernest Graves to be first lieutenant.

*Cavalry Arm.*

Second Lieut. Arthur J. Lynch to be first lieutenant.

COLLECTORS OF CUSTOMS.

William B. Boone to be collector of customs at Bridgeton, in the State of New Jersey.

Reginald Branch to be collector of customs at Burlington, in the State of New Jersey.

Walter Fifield to be collector of customs at Great Egg Harbor, in the State of New Jersey.

POSTMASTERS.

COLORADO.

Augusta Reardon to be postmaster at Victor, in the county of Teller and State of Colorado.

CONNECTICUT.

Walter B. Cheney to be postmaster at South Manchester, in the county of Hartford and State of Connecticut.

ILLINOIS.

Karl Miller to be postmaster at Winchester, in the State of Illinois.

B. Reinbach to be postmaster at Waverly, in the State of Illinois.

Charles F. Douglas to be postmaster at Ashland, in the State of Illinois.

INDIANA.

Virgil A. Geiger to be postmaster at Cherubusco, in the county of Whitley and State of Indiana.

W. O. Nash to be postmaster at Jacksonville, in the county of Green and State of Indiana.

IOWA.

Charles H. Hoyt to be postmaster at Fayette, in the county of Fayette and State of Iowa.

KANSAS.

John K. Cochran to be postmaster at Pratt, in the county of Pratt and State of Kansas.

John Gilman to be postmaster at Madison, in the county of Greenwood and State of Kansas.

Robert D. Rodgers to be postmaster at Syracuse, in the county of Hamilton and State of Kansas.

Lisse H. Shoup to be postmaster at Cimarron, in the county of Gray and State of Kansas.

MICHIGAN.

William H. Goodman to be postmaster at Allegan, in the county of Allegan and State of Michigan.

John T. P. Smith to be postmaster at Clarkston, in the county of Oakland and State of Michigan.

MINNESOTA.

Thomas M. Paine to be postmaster at Glencoe, in the county of McLeod and State of Minnesota.

Mark Swedberg to be postmaster at Luverne, in the county of Rock and State of Minnesota.

MISSISSIPPI.

Robert Burns to be postmaster at Brandon, in the county of Rankin and State of Mississippi.

MISSOURI.

Archie T. Hollenbeck to be postmaster at Westplains, in the county of Howell and State of Missouri.

William W. Wagner to be postmaster at Jefferson City, in the county of Cole and State of Missouri.

NEBRASKA.

James N. Brooks to be postmaster at Rushville, in the county of Sheridan and State of Nebraska.

William Cook to be postmaster at Hebron, in the county of Thayer and State of Nebraska.

William T. Mauck to be postmaster at Wahoo, in the county of Saunders and State of Nebraska.

John F. Nesbit to be postmaster at Tekamah, in the county of Burt and State of Nebraska.

NEVADA.

William B. Graham to be postmaster at Ely, in the county of White Pine and State of Nevada.

NEW JERSEY.

James E. Sherman to be postmaster at Frenchtown, in the county of Hunterdon and State of New Jersey.

NORTH DAKOTA.

James D. McKenzie to be postmaster at Milnor, in the county of Sargent and State of North Dakota.

OREGON.

William H. Lachner to be postmaster at Baker City, in the county of Baker and State of Oregon.

Thomas P. Randall to be postmaster at Oregon City, in the county of Clackamas and State of Oregon.

James S. Van Winkle to be postmaster at Albany, in the county of Linn and State of Oregon.

PENNSYLVANIA.

Ada U. Ashcom to be postmaster at Ligonier, in the county of Westmoreland and State of Pennsylvania.

W. F. Balsbach to be postmaster at Bellwood, in the county of Blair and State of Pennsylvania.

Barnett C. Fretts to be postmaster at Scottdale, in the county of Westmoreland and State of Pennsylvania.

SOUTH DAKOTA.

John Reich to be postmaster at Scotland, in the county of Bonhomme and State of South Dakota.

Delbert W. Wilmarth to be postmaster at De Smet, in the county of Kingsbury and State of South Dakota.

VIRGINIA.

James Carter to be postmaster at Chatham, in the county of Pittsylvania and State of Virginia.

R. W. Garnett to be postmaster at Farmville, in the county of Prince Edward and State of Virginia.

John B. Grayson to be postmaster at Warrenton, in the county of Fauquier and State of Virginia.

William H. Parker to be postmaster at Onancock, in the county of Accomac and State of Virginia.

Thomas H. Smith to be postmaster at Manchester, in the county of Chesterfield and State of Virginia.

WISCONSIN.

James W. Meiklejohn to be postmaster at Waupun, in the State of Wisconsin.

David B. Worthington to be postmaster at Beloit, in the county of Rock and State of Wisconsin.

## REJECTION.

*Executive nomination rejected by the Senate March 2, 1907.*

POSTMASTER.

CONNECTICUT.

Joseph T. Elliott to be postmaster at Middletown, in the county of Middlesex and State of Connecticut.

## PECUNIARY CLAIMS.

The injunction of secrecy was removed March 2, 1907, from the ratification of a convention signed on August 13, 1906, by the delegates of the Governments represented at the Third International Conference of American States, continuing in force, with the exception of its third article, the convention providing for the arbitration of pecuniary claims signed on January 30, 1902, by the delegates to the Second International Conference.

# HOUSE OF REPRESENTATIVES.

SATURDAY, *March 2, 1907.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had passed without amendment joint resolution and bills of the following titles:

H. J. Res. 236. Joint resolution authorizing the Secretary of the Navy to furnish metal for a bell;

H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals;

H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana;

H. R. 25801. An act granting an honorable discharge to Seth Davis;

H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company;

H. R. 22588. An act for the relief of homestead entrymen who have paid more than the lawful purchase money;

H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;

H. R. 19751. An act to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.; and

H. R. 15859. An act ceding certain lands to Colorado State Agricultural College.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 25437. An act to grant American registry to the German bark *Mariechen.*

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 54.

*Resolved by the Senate (the House of Representatives concurring),* That the President be requested to return the bill S. 5623, entitled "An act granting an increase of pension to Nicholas M. Hawkins."

Also:

Senate concurrent resolution 53.

*Resolved by the Senate (the House of Representatives concurring),* That the President be requested to return the bill S. 7822, entitled "An act granting an increase of pension to William N. Bronson."

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 8622. An act granting an increase of pension to William N. Bronson.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 16659. An act to correct the military record of Tobe Holt.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 8328. An act to permit the laying of two water pipes from Bayonne, N. J., to Staten Island, New York—to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 24925. An act making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes; and

H. R. 24991. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 23551. An act making appropriation for the support of the Army for the fiscal year ending June 30, 1908;

H. R. 24925. An act making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 24991. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; and

H. R. 15909. An act for the relief of the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the U. S. Army transport *Meade*.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. TAWNEY. Mr. Speaker, I present a conference report on the sundry civil appropriation bill. I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Minnesota presents a conference report, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 18, 19, 20, 28, 29, 33, 57, 58, 62, 63, 65, 88, 101, 102, and 109.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 7, 8, 9, 13, 14, 15, 23, 24, 25, 26, 27, 30, 31, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, 53, 54, 55, 59, 60, 61, 64, 66, 67, 70, 71, 72, 75, 76, 77, 84, 85, 86, 89, 90, 91, 92, 93, 94, 100, 104, 105, 106, 107, 108, 112, 113, 114, 115, 116, 118, 119, 120, 121, 123, and 124, and agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Strike out all after the word "available" in line 5 of said amendment; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out all after the word "available" in line 4 of said amendment; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "for his information and action thereon;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Point Cabrillo light and fog-signal station, California: For completing a light and fog-signal station at or near Point Cabrillo, California, twenty-five thousand dollars."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "February," insert the word "twenty-sixth;" strike out the fourth line of said amendment, and in lines 6 and 7 of said amendment strike out the words "at a cost not to exceed;" and the Senate agree to the same.



Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For light and fog-signal station at or near the west end of the draw near the Lehigh Valley Railroad bridge at Passaic, N. J., fifteen thousand dollars."

And the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 2 of said amendment strike out the word "islands;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For light keepers' dwellings and appurtenant structures, including sites therefor, within the limit of cost fixed by said act approved February twenty-sixth, nineteen hundred and seven, seventy-five thousand dollars."

And the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For completion of building, including everything necessary for occupation, exclusive of nurses' home, and in addition to the two following sums, fifty-six thousand four hundred dollars, to be immediately available."

And the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with amendments as follows: On page 95 of the bill, in line 11, after the word "dollars," insert the words "to be immediately available;" and on page 95 of the bill, in line 19, after the word "dollars," insert the words "to be immediately available;" and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "one hundred thousand dollars;" and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Road to national cemetery, Keokuk, Iowa: For repairs to approach roadway to the Keokuk, Iowa, National Cemetery, one thousand five hundred dollars: *Provided*, That the city of Keokuk improve and agree to maintain in proper repair the road leading south from the main driveway of the city cemetery to the point where the road herein authorized to be improved begins."

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: Add after the word "appropriated," at the end of said amendment, the following: "This appropriation is made upon the express understanding that it is in full of all just claims against the United States and the District of Columbia on account of the reconstruction of said hospital, and that neither the United States nor the District of Columbia shall hereafter be called upon to pay any further sum on account of such reconstruction or debts incurred in connection therewith;" and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four hundred and one thousand seven hundred dollars;" and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four million five hundred and twenty-eight thousand and forty-four dollars;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: On page 190 of the bill, in line 5, strike out the words "present session" and in lieu thereof insert the words "first session of the Fifty-ninth Congress;" and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125,

and agree to the same with an amendment as follows: Restore the matter stricken out by said Senate amendment, amended as follows: On page 197 of the bill, in line 19, after the word "be," insert the words "approved by the Commission and then;" and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 4, 10, 11, 12, 22, 68, 69, 78, 79, 80, 82, 83, 87, 96, 97, 98, 99, 117, and 126.

J. A. TAWNEY,
WALTER I. SMITH,
GEO. W. TAYLOR,
*Managers on the part of the House.*
W. B. ALLISON,
EUGENE HALE,
JAMES H. BERRY,
*Managers on the part of the Senate.*

The Clerk read the statement, as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for the sundry civil expenses of the Government for the fiscal year 1908, submit the following written statement in explanation of the effect of the action agreed upon and submitted in the accompanying conference report on each of said amendments, namely:

On amendments numbered 1, 2, 3, 5, 6, 7, 8, 9, and 10, relating to public buildings: Increases the amount for the public building at Asheville, N. C., from $30,000 to $45,000, as proposed by the Senate; inserts the provision proposed by the Senate relative to the expenses incident to the occupancy of the building at Cedar Rapids, Iowa; appropriates $5,000, as proposed by the Senate, for additional land for the public building at Erie, Pa.; and appropriates $25,000, as proposed by the House, for the public building at Fairmont, W. Va., instead of $25,000, as proposed by the Senate, for the purchase of the site; appropriates $70,000, as proposed by the Senate, for the public building at Lynchburg, Va., and makes a verbal correction in the provision for the public building at Richmond, Va.

On amendment numbered 13: Appropriates $5,000, as proposed by the Senate, for a telephone line from the Umpqua River life saving station, Oregon.

On amendments numbered 14, 15, 16, and 17: Inserts the appropriations proposed by the Senate for the construction of two revenue cutters, a seagoing tug, and a boarding vessel for the Revenue-Cutter Service.

On amendments numbered 18, 19, 20, 21, 23, and 24: Makes verbal corrections in the text of the bill; fixes the compensation of three employees at the Bureau of Engraving and Printing at $1,600, $1,400, and $1,200, respectively, as proposed by the Senate.

On amendments numbered 25, 26, and 27: Appropriates, as proposed by the Senate, for a general inspector of supplies for public buildings at $3,000, an inspector of furniture and other furnishings for public buildings at $2,500, and an inspector of furniture at $1,600.

On amendments numbered 28 and 29: Appropriates $3,800,000, as proposed by the House, instead of $3,700,000, as proposed by the Senate, for expenses of collecting revenue from customs during the fiscal year 1908, and repeals the indefinite appropriation for the customs service to take effect at the close of the fiscal year 1907, as proposed by the House, instead of 1908, as proposed by the Senate.

On amendment numbered 30: Appropriates $1,500, as proposed by the Senate, instead of $1,200, as proposed by the House, for expenses of local appraisers' meetings.

On amendment numbered 31: Appropriates $540, as proposed by the Senate, for addition to the Prudence Island light station, Rhode Island.

On amendments numbered 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56 strikes out the appropriation of $100,000, as proposed by the Senate, for a light station at the easterly end of Gull Island, Lake Superior, Wisconsin, and appropriates for certain other light stations authorized by the act approved February 26, 1907, and for light keepers' dwellings in the sums proposed by the Senate.

On amendments numbered 57, 58, 59, 60, 61, and 62, relating to the Light-House Establishment: Appropriates $800,000, as proposed by the House, instead of $825,000, as proposed by the Senate, for repairs of light-houses; $950,000, as proposed by the House, instead of $1,000,000, as proposed by the Senate, for salaries of keepers of light-houses; $700,000, as proposed by the Senate, instead of $650,000, as proposed by the House, for expenses of buoyage; $375,000, as proposed by the Senate, instead of $350,000, as proposed by the House, for lighting of rivers, and $15,000, as proposed by the House, instead of $25,000, as proposed by the Senate, for oil houses for light stations.

On amendments numbered 63 and 64: Appropriates for a chief of division of naturalization, $3,500, as proposed by the House, instead of $4,000, as proposed by the Senate.

On amendment numbered 65: Strikes out the appropriation of $50,000, proposed by the Senate, for compensation of special agents for carrying on the work of the division of naturalization.

On amendment numbered 66: Appropriates $50,000, as proposed by the Senate, for the division of information in the Bureau of Immigration and Naturalization.

On amendment numbered 67: Appropriates $5,000, as proposed by the Senate, to ascertain the conditions under which to refuse permission to certain aliens to enter the United States.

On amendment numbered 70: Appropriates $720,000, as proposed by the Senate, for the Senate office building.

On amendments numbered 71 and 72: Appropriates, as proposed by the Senate, $7,500 for metal cases for the office of the clerk of the Supreme Court, and $3,000 for ventilating machinery in the attic of the Senate Chamber.

On amendments numbered 73 and 74: Appropriates $56,400, instead of $114,000, as proposed by the Senate, for completing the new Freedman's Hospital building.

On amendment numbered 75: Makes the appropriation for resurvey of Wyoming boundary line immediately available.

On amendments numbered 76, 77, and 81: Appropriates $100,000, instead of $150,000, as proposed by the Senate, for gauging streams and determining the water supply of the United States, and limits the investigation of structural materials by the Geological Survey to such as are for the use of the United States, as proposed by the Senate.

On amendments numbered 84 and 85: Appropriates $25,200 to continue the work of reproducing the official records of the offices of the surveyor-general and register and receiver at San Francisco until December 31, 1907, and $2,000 for rent of office room for said force.

On amendment numbered 86: Makes the appropriation for the Mesa Verde National Park immediately available.

On amendment numbered 88: Strikes out the provision proposed by the Senate placing the control of the expenditure of the appropriation for reindeer in Alaska under the Commissioner of Immigration.

On amendments numbered 89, 90, 91, 92, 93, and 94: Fixes the price per lamp per annum for electric lights in the public parks at $85, as proposed by the Senate, instead of $80, as proposed by the House.

On amendment numbered 95: Appropriates $1,500 for road to national cemetery at Keokuk, Iowa.

On amendment numbered 100: Makes the appropriation heretofore made for enlargement of the Fort Sheridan Military Reservation available for additional land.

On amendments numbered 101 and 102: Appropriates $40,000, as proposed by the House, instead of $50,000, as proposed by the Senate, for the Chickamauga and Chattanooga National Park.

On amendment numbered 103: Appropriates $130,629.67, as proposed by the Senate, for Providence Hospital.

On amendment numbered 104: Appropriates $6,500, as proposed by the Senate, for renewal of plumbing in Garfield Hospital.

On amendment numbered 105: Makes appropriation of $15,000, heretofore made for moorings in Hampton Roads and adjacent waters available also for temporary beacons and buoys during the Jamestown Exposition.

On amendments numbered 106 and 107: Appropriates $45,000, as proposed by the Senate, for improving sewerage system at the Soldiers' Home at Togus, Me.

On amendments numbered 108, 109, 110, and 111: Appropriates $6,500, as proposed by the Senate, for pipe line to water system at the Pacific Branch of the Soldiers' Home, and strikes out the appropriation of $8,325 proposed by the Senate for an iron fence at said Home.

On amendment numbered 112: Makes the appropriation for the Red Cross conference immediately available.

On amendments numbered 113, 114, and 115: Appropriates, as proposed by the Senate, $1,800 for rent of an additional building for the Department of Justice; $1,000 for furniture, and $3,000 for miscellaneous expenses of said Department.

On amendment numbered 116: Appropriates $30,000, as proposed by the Senate, instead of $20,000, as proposed by the House, for a court-house and jail at Nome, Alaska.

On amendments numbered 118, 119, 120, and 121: Makes cer-

tain appropriations for the reform school for the District of Columbia immediately available, and makes a verbal correction in the text of the bill.

On amendment numbered 122: Inserts the provision proposed by the Senate relative to printing for The Military Secretary's office, War Department.

On amendments numbered 123 and 124: Appropriates $2,298,367.50, as proposed by the Senate, to pay outstanding four and one-half per cent bonds of the Panama Railway Company.

On amendment numbered 125: Restores to the bill the provisions proposed by the House making available for equipment purposes the appropriation made for 1907 for reequipment of the Panama Railroad.

The committee of conference have been unable to agree on the following amendments of the Senate, namely:

On amendment numbered 4, concerning public building at Denver, Colo.

On amendment numbered 10, concerning subtreasury public building at San Francisco.

On amendment numbered 11, addition to Bureau of Engraving and Printing.

On amendment numbered 12, appropriating $3,000,000 for buildings for Departments of State, Justice, and Commerce and Labor.

On amendment numbered 22, appropriating $125,000 for transportation of silver coin.

On amendments numbered 68 and 69, striking out the provision of the House requiring the statistics as to woman and child labor to be taken by the Census Office.

On amendments numbered 78, 79, 80, 82, and 83, relating to the Geological Survey.

On amendment numbered 87, proposing to establish a national park in Idaho.

On amendments numbered 96, 97, 98, and 99, relating to military posts.

On amendment numbered 117, relating to the Spanish Treaty Claims Commission.

On amendment numbered 126, striking out the provision proposed by the House relating to the purchase of supplies for Executive Departments, and inserting, by the Senate, appropriations for purchase of parks in the District of Columbia.

J. A. TAWNEY,
WALTER I. SMITH,
GEO. W. TAYLOR,
*Managers on the part of the House.*

Mr. TAWNEY. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The gentleman from Minnesota moves to agree to the conference report.

Mr. TAWNEY. On that I ask the previous question.

Mr. CLARK of Florida. Mr. Speaker, I would like to ask about the last item read by the Clerk. Is there a disagreement on that?

The SPEAKER. The Clerk will report the item.

The Clerk read as follows:

On amendment numbered 126, striking out the provision proposed by the House relating to the purchase of supplies for Executive Departments, and inserting by the Senate appropriations for purchase of parks in the District of Columbia.

Mr. CLARK of Florida. I understand there is a disagreement on that?

Mr. TAWNEY. That is disagreed to. The conferees have not agreed to it.

Mr. KEIFER. Mr. Speaker, there are some amendments we understand have been agreed to and some not, but we have not had opportunity to examine the report of the conference committee. To some of the amendments disagreed to we desire to ask the House to recede from its former disagreement and to concur, and I desire to make a motion of that kind at the appropriate time.

Mr. TAWNEY. Mr. Speaker, I will say if the previous question is ordered on the adoption of the report and the report is adopted, I understand the parliamentary situation then will be that any Member of the House who desires a separate vote on any amendment yet in conference and disagreed to will have an opportunity to make that motion. Following the adoption of the report I intend to move that the House further insist upon its disagreement to the amendments that are yet in conference and agree to the conference asked by the Senate.

Mr. KEIFER. But, Mr. Speaker, I desire to make a motion to recede from some amendments.

The SPEAKER. But the motion can not be made until the conference report is first disposed of.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Will the motion of the gentleman from Minnesota shut out a separate vote on any amendment which may be desired?

The SPEAKER. Not of those still undisposed of, but this would buckle all those agreed to—that is, buckle up everything covered by the report.

The question was taken; and the report was agreed to.

Mr. TAWNEY. Now, Mr. Speaker, I move that the House further insist upon its disagreement to the amendments yet undisposed of and ask for a further conference.

The SPEAKER. Is a separate vote demanded upon any amendment?

Mr. KEIFER. Mr. Speaker, before that is put I desire a separate vote——

Mr. UNDERWOOD. Mr. Speaker, I desire——

The SPEAKER. The gentleman will please state on what amendment a separate vote is desired.

Mr. UNDERWOOD. Mr. Speaker, I desire to get some information from the chairman of the committee before I make the request. I would like to ask the chairman of the committee to state the situation of this bill at present as to the items in reference to the Geological Survey.

Mr. TAWNEY. I will say for the information of the House and for the information of the gentleman from Alabama that the particular items in disagreement between the two Houses in this report are, first, the amendment of the Senate proposing to purchase the site for a departmental building at the cost of $3,000,000. There is another Senate amendment in respect to a public building that is in disagreement, which is an authorization of the preparation of plans for the construction of a very large public building in the city of Denver. The amendment of the Senate in respect to woman and child labor is in disagreement, and the amendment of the Senate in respect to the fuel tests, increasing the appropriation $50,000, and the language which extends the purpose of that investigation to all the coal fields of the United States, is in disagreement; and the amendment in respect to the investigation of black sand; also the amendment in respect to the transportation of silver dollars, and the amendment in respect to the purchase of large areas of land in the District of Columbia for public parks is in disagreement. Those are the chief amendments that are in disagreement, including also—and I do not want to omit it—the amendment of the Senate striking out the House provision standardizing the miscellaneous supplies of the Departments, which was carried in our bill as we passed it in the House.

Mr. WILEY of New Jersey. May I ask the gentleman a question?

Mr. TAWNEY. Yes.

Mr. WILEY of New Jersey. I would like to know what was done about the structural material for topographical survey?

Mr. TAWNEY. The structural-material item is included in the agreement. The House conferees receded from the disagreement and agreed to the language the Senate inserted. That is the only change.

Mr. DALZELL. Did they cut out the words "for use of?"

Mr. TAWNEY. Yes; "for use of."

Mr. DALZELL. That is not a disagreement?

Mr. TAWNEY. No.

Mr. DALZELL. No. 78, increasing the sum to $50,000, and No. 79, putting in the language that was stricken out on the point of order, are both in disagreement, and also, if I understand the gentleman rightly, No. 80, for the investigation of black sand?

Mr. TAWNEY. Those three are all in disagreement.

Mr. WILEY of New Jersey. And the one relating to the topographical survey?

Mr. TAWNEY. The topographical survey is in disagreement.

Mr. NEEDHAM. Is there an agreement on the investigation of water resources?

Mr. TAWNEY. Yes; there is an agreement, and it is included in the report just adopted.

Mr. MONDELL. As I understand it, the agreement is a reduction of $50,000 in the Senate provision?

Mr. SIMS. The gentleman from Minnesota [Mr. TAWNEY] spoke of matters of serious disagreement, and did not mention the omnibus park bill, to provide four parks in the District of Columbia.

Mr. TAWNEY. I beg the gentleman's pardon. I did mention it.

Mr. SIMS. I beg the gentleman's pardon; I misunderstood it.

Mr. TAWNEY. I stated that the proposition to purchase various areas in the District of Columbia for public parks is in serious disagreement.

Mr. SIMS. I am glad to hear the gentleman say "seriously in disagreement."

Mr. MANN. Mr. Speaker, I have no doubt that this colloquy is interesting to the gentlemen, but the rest of us would like to know what it is.

Mr. TAWNEY. Mr. Speaker, I have made the motion that the House insist upon its disagreement to the Senate amendment.

The SPEAKER. Is a separate vote demanded upon any amendment?

Mr. KEIFER. Mr. Speaker, there is.

The SPEAKER. What amendment?

Mr. KEIFER. On amendment No. 22.

The SPEAKER. Any other amendment?

Mr. KEIFER. Yes; there are others here. The gentleman from Pennsylvania [Mr. DALZELL] will designate the numbers.

The SPEAKER. Does the gentleman from Pennsylvania ask a separate vote?

Mr. DALZELL. On amendments Nos. 78, 79, and 80.

Mr. KEIFER. And on No. 76 also.

Mr. WILEY of New Jersey. Mr. Speaker, I demand a separate vote on Senate amendment No. 82.

Mr. CRUMPACKER. Mr. Speaker, I ask a separate vote upon the provision relating to the investigation of woman and child labor.

The SPEAKER. What is the number of it?

Mr. CRUMPACKER. I do not have the number.

Mr. PARSONS. Nos. 68 and 69.

The SPEAKER. Is there objection? If not, the vote will be taken on the remaining amendments in gross. The gentleman *from Minnesota* [Mr. TAWNEY] moves to further insist on the House disagreement to the Senate amendment, excepting those on which separate votes have been demanded.

The question was taken; and the motion was agreed to.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Amendment No. 22, to strike out the paragraph reading as follows:

"Transportation of fractional silver coin: For transportation of fractional silver coin, by registered mail or otherwise, $50,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, fractional silver coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation."

And insert in lieu thereof the following:

Transportation of silver coin: For transportation of silver coin, including fractional silver coin by registered mail or otherwise, $125,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, silver coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation.

Mr. KEIFER. Mr. Speaker, I move that the House recede from its disagreement and agree to the amendment.

The SPEAKER. The gentleman from Ohio moves that the House recede from its disagreement and concur in the same. The gentleman from Minnesota controls the time.

Mr. TAWNEY. I will yield to the gentleman.

Mr. KEIFER. Ten minutes will be more than I will want.

Mr. TAWNEY. I yield to the gentleman.

Mr. KEIFER. Mr. Speaker, I do not want to rehash the talk that has been going on during this and the last session on the subject of the free carriage by the Government of silver coin. Originally when this bill came in here it made no provision for carrying any silver coin, neither silver dollars nor fractional silver. The bill was amended in the House so as to appropriate $50,000 for the carriage of fractional silver coin. It was my proposition that we should appropriate $120,000, the usual sum appropriated in recent years for the purpose of carrying silver coin generally. The Senate put in this amendment, which I now move to have concurred in, appropriating $125,000 for the free carriage by the Government of silver coin—that is, the carriage of silver dollars and fractional silver coin. This is the exact amount that the Secretary of the Treasury asked this year to have appropriated.

In the general deficiency bill that we passed last night we put in a sufficient sum to carry silver dollars and fractional coin for the remainder of the present fiscal year.

Mr. TAWNEY. I do not think the gentleman is stating that exactly right. We carry a deficiency for the fiscal year 1906 of six thousand and some odd dollars, which deficiency arose in consequence of the express companies not getting their accounts in in time to be closed up under the appropriation.

Mr. KEIFER. Mr. Speaker, my statement was substantially right—providing for a deficiency for the carriage of silver coin of all kinds for the present fiscal year. So that up to the end of this present fiscal year provision has been made in accordance with the appropriations ever since 1881.

Now, my motion is to do just that thing that we have been in the habit of doing, to wit, provide for the free carriage by the Government, not to banks alone, but to all persons in this country who may ask to have silver dollars and fractional silver coin sent to them for use. If we do not do this we are striking the first great blow at silver dollars, of which we have about 560,000,000. We are discrediting them. We will be taking out of circulation about 85,000,000 silver dollars and will have to substitute small paper at greater expense than is proposed by this amendment. The silver dollar is desired by the miner in the coal-mining regions and in all places where oil is being pumped from the earth and handled. It is desired by all miners in the mining regions of the United States, including Alaska, and by the common people throughout the entire West. It is desired by all of the people of the South where labor is carried on. The people use the silver dollar and like it. The opposition seems to come from places where they do not desire it, or perhaps need it; from places like the city of New York, where the people and the banks can get their silver coin without any expense to the party or to the Government, and this is true in other eastern cities. Boston, New York, Philadelphia, Baltimore, and Washington are all places where there are subtreasuries or a treasury of the United States, where silver coin can be obtained by the banks when they want it without cost. These cities have five of the ten subtreasuries of the United States. The other five are at New Orleans, Chicago, Cincinnati, St. Louis, and San Francisco. Now, when you go west of St. Louis there is but one place where there is a subtreasury where silver coins can be obtained, and that is San Francisco; and all that great geographical region west, if they want silver, the people who use it, will have to obtain it at great cost to themselves, whereas the people who are opposing this, from the East, can obtain it without any cost. And, as said by Mr. Roberts, the Director of the Mint, it is essential and necessary in order to keep up our circulation of currency and coin in the United States.

I appeal to the House to do simply that thing which has been done and accepted as proper by the people practically since we had silver coin to a large amount to circulate in this country. It is not, as has been stated on the floor of this House over and over, in order to defeat this provision, an appropriation of $125,000 or $135,000 to carry silver dollars alone; but all that is asked here is an additional appropriation of $75,000; and it will turn out that if this is not done that we will have to provide for a deficiency yet for carrying fractional silver.

In the past fractional silver coin and silver dollars have been carried together, and it has been hard to separate the cost of each separately. The cost is not to be measured by the amount so much as by the cost and the frequency of shipment. There was a little incident that occurred a few years ago called the "Yonkers incident," in which gentlemen say the Government was cheated out of a few dollars in the matter of transporting coin, and that has been the stock in trade of those who are opposed to carrying more silver coin for a great many years. It has been repeated in this session of this Congress, but that incident is of the past and was corrected; and we have been carrying millions upon millions of dollars since without a second incident, so far as I know. The Government should look to it that it makes no contracts by which it will be cheated in the carriage of this money. I wonder they do not urge it now against having any appropriation at all for carrying currency or coin, because by some possibility somebody may do something that is not fair to the Government. I regard this as of great importance to the country, especially to the great Northwest and the South, and to all the people who desire to continue to use the silver. We should not discredit and drive out of use the, about, $85,000,000 now generally in circulation, and which we have by law pledged to keep on a parity with gold.

Mr. Speaker, that is all I desire to submit at this time. There are others who want to be heard on this question.

Mr. TAWNEY. I yield five minutes to the gentleman from Maine [Mr. POWERS].

Mr. POWERS. Mr. Speaker, I hope that the House will recede and concur in the Senate amendment. This provision which the Senate has enacted, or substantially this provision, has been in every appropriation bill for more than twenty-five years. It has for its purpose the sending to distant places in the country of silver dollars, which are very much desired and needed there, and it does help to keep in circulation the silver dollars, of which we have so large an amount coined and piled up in the United States Treasury. That there is now a crying

need in many parts of the country for small bills or silver dollars is evidenced by the provisions of the Aldrich bill, which has just passed the Senate and which, among other things, attempts to relieve that want. I can see no good reason why we should not appropriate for the carriage of these silver dollars, if we appropriate for carrying fractional currency. The same rule, in my judgment, applies to both, and the demand of the people is as urgent for one as the other. Take it in a far-off lumbering country—I mean a locality distant from any financial center, like that in northern Maine, which in part is located in the district that I have the honor to represent—and the people there, the woodsmen, the laborers, the small banks, and others engaged in business, desire to have these dollars, and very many of them are used. They have been carried to them in the past when called for at a very small expense on the part of the Government. It is common knowledge that the Government has a contract with the express companies for transporting money to all parts of the United States, and under this contract moneys are carried much more cheaply than individuals are charged. These silver dollars are not only wanted by the country banks, but they are used by the people in their business relations. Anybody who looks over our country to-day who is conversant with the conditions in the South and in the West, or even away down in the State of Maine, knows that there is a dearth of small bills; knows that silver dollars are demanded with as much force as is the fractional currency, for the transportation of which this bill provides; and if it is good legislation to appropriate to carry the one, I see no reason why it is not proper and good legislation to appropriate to transport the other when the business of sections distant from a subtreasury demand it.

Of course gentlemen who live in large business and financial centers, who represent banks and banking institutions where there are subtreasuries, or where they are in close contact with subtreasuries, can readily and easily get small currency, can readily and easily get silver dollars; but as to the people who, living far away in small towns and cities, have had the privilege for more than a quarter of a century of obtaining this silver, which has been so beneficial to them and has cost the Government so little compared with its profits from the seigniorage, to take that privilege away will work a great hardship. It seems to me that this is a sort of cheeseparing, a sort of saving that ought not to commend itself to the Members of this House. Therefore I hope that we shall recede and concur. Let the same privileges and opportunity to obtain silver dollars which have been extended to the distant parts of the country and to the country banks for the accommodation of the customers and to the merchants and business men of having these silver dollars carried to them, so that the people can get them when desired and needed, still continue to be granted in the future. [Applause.]

Mr. TAWNEY. I yield five minutes to the gentleman from Connecticut [Mr. HILL].

Mr. HILL of Connecticut. Mr. Speaker, may I have the attention of the House for two or three minutes? I am an officer of a bank, and the gentleman from Maine [Mr. POWERS] is an officer of a bank. He asks that in the interests of the banks this $125,000 may be appropriated.

Mr. POWERS. Will the gentleman pardon me?

Mr. HILL of Connecticut. The gentleman said in the interest of the banks and the people.

Mr. POWERS. Yes.

Mr. HILL of Connecticut. Very well. Now, as an officer of the bank, desiring fair play toward the American people, I ask that the Appropriations Committee may be sustained and this amendment may be defeated. The banks of the United States are paid by this Government about $5,000,000 a year to furnish circulation to the people of the country, about 1 per cent profit on all of their circulation, and they have no right to come to the United States Treasury and ask that the people as a whole shall transport their money for them from the Treasury. I think that is a sound proposition, and as a bank officer I repudiate coming to the Treasury and asking for charity or help to transport that money. I repudiate it also because I believe it has developed into a colossal system of graft by the express companies. I deny the statement that the Treasury Department is here asking for this money. Not a report has been made to that effect.

Mr. KEIFER. No report has ever been made that I can remember asking to discontinue it.

Mr. HILL of Connecticut. The gentleman remembers what occurred forty years ago, but not what occurs from day to day now.

Mr. KEIFER. The gentleman from Connecticut is mistaken; I will put my memory against his.

Mr. HILL of Connecticut. I challenge the gentleman.

Mr. KEIFER. It is time for the gentleman from Connecticut to correct his statement, when he says that this is in the interest of the banks alone, when the very terms of it allows any individual to call for the silver coin.

Mr. HILL of Connecticut. Mr. Speaker, I can not allow the gentleman to make a speech in my time. There has not been a report of the Treasury Department for the last ten years which has not opposed or which has favored the free transportation of silver. Of course, when they submit estimates to pay the expenses of the Government they must make an estimate to carry out the legislation of Congress, if Congress sees fit to legislate contrary to their advice.

Now, I want to say this, Mr. Speaker, and I will rest this proposition on this one statement: An attempt has been made to distinguish between the East and the West and the North and the South. Every one of you gentlemen in the South and in the North and in the East and the West who have found difficulty in getting one and two dollar bills, who have been refused them over and over again at your bank, think that you can not get paper money and must take silver dollars. You have been deceived in that proposition in just this respect—that your banks could get silver dollars free of charge, and they had to pay to get the paper money. Now, that is all there is to it, and if you will disagree to this amendment and compel your banks to get you paper money, you will have no trouble to get all the small bills you want. Why? Here is a proposition that you are probably going to act on to-day, which provides for all the small bills the country can possibly need; all you can ask for, all you can wish are provided for in this bill. I refer to the Aldrich bill. But just so long as the banks can have silver dollars transported to them free that bill will do you no good, for the banks will not pay 60 or 70 cents on each thousand dollars express charges, if they can make the Government pay $2.15 a thousand on silver, and thus permit them to escape that expense. If you want small bills, if you want paper money, vote down this amendment.

Mr. TAWNEY. Mr. Speaker, the conferees on the part of the House, in the consideration of this question, felt that in view of the action of the House, it was our duty to insist upon the disagreement of the House to this Senate amendment. Now, what is this proposition? The Senate proposes to give or to appropriate for the transportation of silver dollars more money by this amendment than has ever been appropriated for the purpose in any previous fiscal year. They propose to appropriate $125,000 for this purpose. The beneficiaries of that appropriation are the banks and the express companies. The Government of the United States and the people of the United States are not benefited when they can get small bills with which to transact their business; it is not material to them. But if the banks can have this smaller currency transported at the expense of the Government while their bills must be transported at their own expense, they will continue, when there is a special demand for currency, to call upon the express companies or to make a demand upon the subtreasury to continue its transportation at the expense of the Government alone for their convenience.

Now, Mr. Speaker, I do not believe we can justify the expenditure of this large sum of money for the purpose that does not inure to the benefit of the people—one that does not involve the performance of any governmental purpose whatever.

It is, to say the utmost, merely to provide for the convenience of the banks, and, as the gentleman from Connecticut has said, to continue a monumental graft that is now being practiced by the express companies on the Treasury of the United States. The gentleman from Ohio [Mr. KEIFER] says that we appropriated in the deficiency bill to continue this practice throughout the remainder of this fiscal year. That statement is not correct.

The appropriation carried in the general deficiency bill was not an anticipated deficiency; it is an actual deficiency. The gentleman also spoke of our paying the expense of transporting currency. It may be that he did not stop to think of the fact, but it is a fact nevertheless, that the Government of the United States does not transport free of charge any money for anybody, except silver dollars and fractional silver coin and minor coin. We have amply provided in the amendment which was offered by the committee, and agreed to by the House, for the transportation of fractional silver currency and also for the transportation of minor coin. That transportation the Government of the United States can afford to pay, because it is making a large profit out of the coinage of fractional silver currency and also out of the minor coins—nickels and pennies. But, Mr. Speaker, I do contend that there is no justification for the Government of the United States paying $2.50 for every thousand dollars of silver that any bank wants to have transported to the subtreasury or to itself, and I trust that

this motion will be voted down. I believe that if it is voted down we will finally end the practice of transporting free of charge or at the expense of the Government the silver dollars for the benefit of the banks and the large department stores of this country that are using silver dollars as change and as a medium of advertising.

Mr. KEIFER rose.

The SPEAKER pro tempore (Mr. BURTON of Ohio). Does the gentleman yield?

Mr. TAWNEY. I yield three minutes to the gentleman from Ohio.

The SPEAKER pro tempore. The gentleman is recognized for three minutes.

Mr. KEIFER. Mr. Speaker, I congratulate the gentleman from Connecticut [Mr. HILL] in having made one speech in which he has not exaggerated the cost of carrying the silver dollars by the Government. A few days ago he had it one hundred and thirty-five thousand, and to-day he is modest about it. He still insists that it is the banks that get the benefit of it, whereas it is the people and not the banks that get the benefit of it, and both the gentleman from Connecticut [Mr. HILL] and the gentleman from Minnesota [Mr. TAWNEY] say that we do not carry any coin. I beg their pardon, but I desire to say that we carry all of the coin to different parts of the United States—gold, as well as silver—for the purposes of distribution. We do not carry gold coin in exactly the same way, but we send gold coin and paper money all over the country, to all the subtreasuries or business centers of the United States. If we did not do that we would all have to go to the mints for all our coin, and to Washington, D. C., for our paper currency, and then suffer the inconvenience and great injustice that the gentlemen who oppose this Senate amendment desire the people who believe in the silver dollar and who want to use it will suffer if this amendment is not adopted. I congratulate the gentleman from Minnesota [Mr. TAWNEY] on again calling attention to the single Yonkers incident, about the irregularity of an express company in carrying coin, where the Government was cheated, and insisting that that one instance should be a sufficient reason for striking down a policy of the Government that has existed so long and worked so well. The gentleman says I was mistaken about my statement as to the general deficiency bill. I was exactly right. Reading the bill will show that I was. The language of it shows that we did appropriate, to add to the one hundred and twenty thousand that we appropriated last year, about $18,000 more, to complete the carriage of silver dollars and fractional coins for the present fiscal year.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Ohio that the House recede from its disagreement to Senate amendment 22, and agree to the same.

The question was taken; and the Chair announced himself in doubt.

Mr. KEIFER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. TAWNEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TAWNEY. The question that the House is about to vote upon is upon agreeing to the Senate amendment appropriating $125,000 for the transportation of silver dollars.

The SPEAKER pro tempore. That is the question. The question is, Shall the House recede from its disagreement to Senate amendment 22, and concur.

The question was taken, and there were—yeas 107, nays 151, answered "present" 8, not voting 111, as follows:

YEAS—107.

| | | | |
|---|---|---|---|
| Adamson | Dixon, Ind. | Lamb | Sheppard |
| Aiken | Dixon, Mont. | Lee | Sibley |
| Bankhead | Ellerbe | Legare | Sims |
| Bartlett | Finley | Lever | Slayden |
| Beall, Tex. | Flood | Lewis | Small |
| Bell, Ga. | French | Lloyd | Smith, Ky. |
| Bonynge | Gaines, Tenn. | Macon | Smith, Md. |
| Brantley | Garber | Maynard | Smith, Tex. |
| Brooks, Colo. | Garrett | Meyer | Smyser |
| Broussard | Gill | Mondell | Southall |
| Brumm | Gillespie | Moon, Tenn. | Sparkman |
| Brundidge | Graham | Mouser | Spight |
| Burgess | Granger | Norris | Stephens, Tex. |
| Burleson | Gregg | Overstreet, Ga. | Sulzer |
| Burnett | Gronna | Padgett | Thomas, N. C. |
| Calderhead | Haskins | Page | Thomas, Ohio |
| Candler | Hay | Patterson, S. C. | Towne |
| Chaney | Heflin | Powers | Trimble |
| Clark, Fla. | Hill, Miss. | Pujo | Underwood |
| Clark, Mo. | Houston | Rainey | Wallace |
| Clayton | Howard | Randell, Tex. | Wanger |
| Cole | Hunt | Ransdell, La. | Watkins |
| Davey, La. | James | Richardson, Ala. | Webb |
| Davis, W. Va. | Keifer | Robinson, Ark. | Wiley, Ala. |
| Dawes | Kinkaid | Rucker | Williams |
| De Armond | Kitchin, Claude | Russell | Zenor |
| Deemer | Lamar | Shackleford | |

NAYS—151.

| | | | |
|---|---|---|---|
| Acheson | Edwards | Kline | Reynolds |
| Alexander | Ellis | Knapp | Riordan |
| Allen, Me. | Englebright | Knopf | Roberts |
| Babcock | Esch | Knowland | Rodenberg |
| Bannon | Fassett | Lacey | Ruppert |
| Bates | Fitzgerald | Lafean | Ryan |
| Bede | Fletcher | Law | Samuel |
| Bennet, N. Y. | Fordney | Lawrence | Schneebeli |
| Brick | Foss | Lilley, Conn. | Scott |
| Brown | Fowler | Longworth | Sherley |
| Brownlow | Fulkerson | Loud | Sherman |
| Burke, S. Dak. | Gaines, W. Va. | Loudenslager | Smith, Ill. |
| Burton, Del. | Gardner, Mass. | Lovering | Smith, Iowa |
| Burton, Ohio | Gardner, Mich. | Lowden | Smith, Mich |
| Calder | Gillett | McCall | Smith, Pa. |
| Campbell, Kans. | Glass | McCleary, Minn. | Southard |
| Capron | Goebel | McCreary, Pa. | Sperry |
| Cassel | Graff | McGavin | Stafford |
| Chapman | Greene | McKinney | Sterling |
| Cocks | Grosvenor | McMorran | Stevens, Minn. |
| Cooper, Pa. | Gudger | Mahon | Sullivan |
| Cooper, Wis. | Hale | Mann | Sulloway |
| Coudry | Hamilton | Martin | Tawney |
| Crumpacker | Hedge | Minor | Taylor, Ala. |
| Currier | Henry, Conn. | Moon, Pa. | Taylor, Ohio |
| Cushman | Hepburn | Mudd | Tirrell |
| Dale | Higgins | Needham | Townsend |
| Dalzell | Hill, Conn. | Nelson | Volstead |
| Darragh | Hinshaw | Olcott | Wachter |
| Davidson | Holliday | Olmsted | Wadsworth |
| Davis, Minn. | Howell, N. J. | Otjen | Waldo |
| Dawson | Hubbard | Parsons | Washburn |
| Denby | Humphrey, Wash. | Payne | Weeks |
| Dickson, Ill. | Jenkins | Pearre | Wharton |
| Dovener | Jones, Wash. | Perkins | Wiley, N. J. |
| Draper | Kelliher | Pollard | Wood |
| Driscoll | Kennedy, Nebr. | Prince | Woodyard |
| Dunwell | Kennedy, Ohio | Reeder | |

ANSWERED "PRESENT"—8.

| | | | |
|---|---|---|---|
| Butler, Pa. | Foster, Vt. | Hull | Livingston |
| Cousins | Goulden | Lilley, Pa. | Lorimer |

NOT VOTING—111.

| | | | |
|---|---|---|---|
| Allen, N. J. | Field | Landis, Frederick | Reyburn |
| Ames | Floyd | Le Fevre | Rhinock |
| Andrus | Foster, Ind. | Lindsay | Rhodes |
| Barchfeld | Fuller | Littauer | Richardson, Ky. |
| Bartholdt | Gardner, N. J. | Littlefield | Rives |
| Beidler | Garner | McCarthy | Robertson, La. |
| Bennett, Ky. | Gilbert | McDermott | Saunders |
| Bingham | Gilhams | McKinlay, Cal. | Scroggy |
| Birdsall | Goldfogle | McKinley, Ill. | Shartel |
| Bishop | Griggs | McLachlan | Slemp |
| Blackburn | Hardwick | McLain | Smith, Cal. |
| Boutell | Haugen | McNary | Snapp |
| Bowers | Hayes | Madden | Southwick |
| Bowersock | Hearst | Marshall | Stanley |
| Bowie | Henry, Tex. | Michalek | Steenerson |
| Bradley | Hermann | Miller | Talbott |
| Broocks, Tex. | Hogg | Moore, Pa. | Tyndall |
| Buckman | Hopkins | Moore, Tex. | Van Duzer |
| Burke, Pa. | Howell, Utah | Morrell | Van Winkle |
| Burleigh | Huff | Murdock | Vreeland |
| Butler, Tenn. | Hughes | Murphy | Watson |
| Byrd | Humphreys, Miss. | Nevin | Webber |
| Campbell, Ohio | Johnson | Overstreet, Ind. | Weems |
| Cockran | Jones, Va. | Palmer | Weisse |
| Conner | Kahn | Parker | Welborn |
| Cromer | Kitchin, Wm. W. | Patterson, N. C. | Wilson |
| Dresser | Klepper | Pou | Young |
| Dwight | Landis, Chas. B. | Reid | |

So the motion was rejected.

The Clerk announced the following pairs:

For the day:

Mr. MORRELL with Mr. WILLIAM W. KITCHIN.

Mr. SOUTHWICK with Mr. LINDSAY.

Mr. RIVES with Mr. VAN DUZER.

Mr. ANDRUS with Mr. BOWERS.

Mr. BARCHFELD with Mr. TALBOTT.

Mr. BARTHOLDT with Mr. HENRY of Texas.

Mr. BIRDSALL with Mr. MCNARY.

Mr. MCKINLAY of California with Mr. BYRD.

Mr. HUFF with Mr. BUTLER of Tennessee.

Mr. BURLEIGH with Mr. MOORE of Texas.

Mr. CONNER with Mr. FIELD.

Mr. HAYES with Mr. MCLAIN.

Mr. KAHN with Mr. RHINOCK.

Mr. MCKINLEY of Illinois with Mr. JOHNSON.

Mr. MARSHALL with Mr. GOLDFOGLE.

Mr. MILLER with Mr. JONES of Virginia.

Mr. MOORE of Pennsylvania with Mr. ROBERTSON of Louisiana.

Mr. VREELAND with Mr. HEARST.

Mr. WILSON with Mr. RICHARDSON of Kentucky.

For the vote:

Mr. COUSINS with Mr. REID.

Mr. WATSON with Mr. SAUNDERS.

Mr. SMITH of California with Mr. PATTERSON of North Carolina.

Until further notice:

Mr. DWIGHT with Mr. FLOYD.

Mr. BUTLER of Pennsylvania with Mr. GARNER.

Mr. BOUTELL with Mr. GRIGGS.
Mr. HUGHES with Mr. STANLEY.
Mr. LORIMER with Mr. HUMPHREYS of Mississippi.
Mr. MADDEN with Mr. HARDWICK.
Mr. YOUNG with Mr. WEISSE.
Mr. FULLER with Mr. HOPKINS.
Mr. LILLEY of Pennsylvania with Mr. GILBERT.
Mr. BINGHAM with Mr. COCKRAN.
Mr. FOSTER of Vermont with Mr. POU.
Mr. AMES with Mr. BOWIE.
Mr. LITTAUER with Mr. LIVINGSTON.
For the session:
Mr. VAN WINKLE with Mr. MCDERMOTT.
Mr. MCCARTHY with Mr. BROOCKS of Texas.
Mr. BRADLEY with Mr. GOULDEN.
The result was announced as above recorded.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. TAWNEY] is recognized.

Mr. TAWNEY. Mr. Speaker, I move that the House insist upon its disagreeing vote to this amendment and ask for a further conference.

The SPEAKER pro tempore. The gentleman from Minnesota moves that the House further insist upon disagreement to the Senate amendment and ask for further conference.

The question was taken; and the motion was agreed to.

The SPEAKER pro tempore. The next amendment is amendment No. 68. No. 69 is so closely connected with it, if there is no objection, it may be considered with it. Is there objection to the consideration of the two amendments together?

Mr. CRUMPACKER. They ought to be considered together. They are substantially one amendment.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. CRUMPACKER].

The SPEAKER pro tempore. The request is made that amendments Nos. 68 and 69, which are inseparably connected, may be considered together. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I would like to have the amendments reported.

The SPEAKER pro tempore. The Clerk will report the amendments.

The Clerk read as follows:

Amendment No. 68:
Page 101, in line 5, strike out "Census Office."
Amendment No. 69:
Page 101, lines 5 and 6, strike out "under the Census Office."

Mr. TAWNEY. Mr. Speaker, if I can have order, I think I can state what the amendment is in a word. When the sundry civil bill was under consideration an amendment was offered by the gentleman from Indiana [Mr. CRUMPACKER] to place the investigation as to women and child workers under the Bureau of Labor. The bill as reported provided for investigations under the Census Office. Now, the Senate has stricken out the Census Office, leaving the investigation to be made under the Department of Commerce and Labor. I yield to the gentleman from Indiana [Mr. CRUMPACKER] five minutes.

The SPEAKER pro tempore. The question before the House is, Is there objection to the consideration of the two amendments together? If there is no objection, they will be considered together.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman from Minnesota [Mr. TAWNEY] a question.

The SPEAKER pro tempore. The gentleman from Minnesota can proceed only by unanimous consent.

Mr. CLARK of Missouri. I ask unanimous consent, then, to ask the gentleman a question.

The SPEAKER pro tempore. Unanimous consent is asked that the gentleman from Minnesota [Mr. TAWNEY] may explain these two amendments.

Mr. TAWNEY. Mr. Speaker, I understand I have the floor on this conference report.

The SPEAKER pro tempore. The Chair will suggest that no motion has been made to recede and concur, and the Chair would further suggest that the request has been made that these two amendments be considered together. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. I had supposed they had been submitted.

Mr. Speaker, I move now that the House recede from its disagreement to the Senate amendment and that the House concur in those amendments.

The SPEAKER pro tempore. The gentleman from Indiana moves that the House recede from its disagreement to Senate amendments Nos. 68 and 69 and concur in the same.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. CRUMPACKER].

The SPEAKER pro tempore. The gentleman from Indiana [Mr. CRUMPACKER] is recognized for five minutes.

Mr. CRUMPACKER. Mr. Speaker, the purpose of the Senate amendment is to leave the investigation of women and children in the industries under the control of the Secretary of the Department of Commerce and Labor instead of requiring that investigation to be made by the Census Office. This question was up when the sundry civil bill was before the House for consideration. The law originally authorizing the investigation required it to be done by the Secretary of the Department of Commerce and Labor. It authorized him, of course, as he would have had the power without specific authority, to use any bureau in his Department in making the investigation. The Director of the Census informed the Committee on Appropriations that the Census Office was not fitted or adapted to make this kind of investigations. The Census Office recently published a very excellent report upon children in the industries. It is now engaged in the preparation of a report upon women in the industries. These reports are largely statistical, the only kind of reports the Census Office is qualified to make. The Census Office is peculiarly a census office, a statistical bureau, and this investigation, as, of course, the House knows, is much broader than merely a statistical investigation. It goes into the sociological, the moral, and the educational condition of women and children in the industries. And it seems to me that if the investigation is to be made at all, it ought to be made by the Bureau of Labor. The question ought to be left with the Secretary of Commerce and Labor, and rather than to require the Census Office to make the investigation the appropriation had better be struck out altogether, because in a large measure it must of necessity be a duplication of work that has recently been done, and the result will not be satisfying to those who are promoting the investigation.

It is one of great importance and ought to be in the hands of a bureau that is peculiarly fitted to make this identical kind of investigation. The Administration earnestly asks that the Labor Bureau be charged with this work and responsibility. But the amendment put in the bill by the Senate leaves the whole question to the discretion of the Secretary of Commerce and Labor; leaves it where the original law vested it; leaves it where it ought to be left. And I believe, Mr. Speaker, that the House ought to recede from its disagreement and concur in the Senate amendment. If it can not do that, I believe the appropriation ought to be stricken from the bill; because I believe it will be largely a waste of money. I have the utmost faith in the Census Office. It is a splendid statistical bureau, and its reputation is such that the Government ought to be proud of its work. But statistical work ought not to be commingled and combined with this speculative investigation contemplated by the appropriation carried in the bill. The Census Bureau ought to be free from speculative inquiries. The reports of that office should be impartial, free from opinion, free from bias, color, or recommendation, if its reputation and work are to be valuable for statistical purposes.

Mr. KEIFER. Mr. Speaker, I desire to ask the gentleman whether the Census Office has ever had an investigation of this character, and whether it is not confined to matters of statistics?

Mr. CRUMPACKER. Its work has always been confined to statistical investigations, and the labor office has conducted all the labor investigations that the Government has ever authorized; and, incidentally, valuable reports have been made and given to the public on such questions by the Bureau of Labor.

Mr. TAWNEY. Mr. Speaker, I will now answer the question that the gentleman from Missouri wanted to ask.

Mr. CLARK of Missouri. What I want to know is this, so that Members can understand how they are voting: There is so much confusion you can not hear anything. Now, if we vote for the Crumpacker motion and it carries, then this work is to be done by the Labor Bureau?

Mr. CRUMPACKER. No.

Mr. TAWNEY. I will answer the gentleman's question. It will then be done by the Department of Commerce and Labor, and under the law the Department of Commerce and Labor is authorized to utilize the Bureau of Labor or the Census Bureau; and then, in addition to that, the law is so loosely drawn that it is construed to give the Secretary authority to employ agencies other than those two Bureaus for the purpose of making this investigation.

Mr. CLARK of Missouri. Then if we vote down the Crumpacker motion, then we go back to your position and say that it shall be done by the Census Office?

Mr. TAWNEY. Not necessarily. We ask the House to further insist on disagreeing to the Senate amendment. Then it would go back to conference again, and the House would not

lose an opportunity to vote on the proposition later on as they may see fit to.

Mr. CLARK of Missouri. Now, one more question. If the Crumpacker motion prevails, then the Secretary can have it done by either one of the two Bureaus?

Mr. TAWNEY. Then he will be able to have it done by either one of the two Bureaus or any outside agency he may see fit to employ.

Mr. CLARK of Missouri. And if your motion prevails, it will have to be done by the Census Bureau?

Mr. TAWNEY. It will have to be done by the Census Bureau, provided the Senate recedes.

Mr. SLAYDEN. I should like to ask the gentleman a question.

Mr. TAWNEY. I yield to the gentleman.

Mr. SLAYDEN. If the Senate amendment prevails, then it would open up the possibility of having it done at an additional cost, possibly the creation of an additional bureau, demanding an additional appropriation; and that would not be necessary if it was done by the Census Bureau?

Mr. TAWNEY. That is exactly what it means.

Mr. SLAYDEN. Then I am with the chairman of the committee.

Mr. TAWNEY. I now yield three minutes to the gentleman from New York.

Mr. FITZGERALD. Mr. Speaker, the question before us is very simple. If the motion of the gentleman from Indiana prevails, the Secretary of Commerce and Labor is given discretion to have the condition of woman and child labor investigated as he sees fit. If the motion is voted down, the amendment goes back into conference. The House, when the bill was before it, voted to place this work on the Census Office. It did that because the committee, after a complete investigation, determined that the Census Office was the only bureau of the Department of Commerce and Labor that was equipped to do the work.

Mr. CLARK of Missouri. I would like to ask the gentleman from New York a question.

Mr. FITZGERALD. I yield to the gentleman.

Mr. CLARK of Missouri. Did not the Director of the Census state that his office was not equipped to do this work, and that he did not want to do it, and did not want it loaded onto him?

Mr. FITZGERALD. I will reply to that in my own way. The Director of the Census in effect stated this: That his Bureau had been compiling facts and publishing information that was accurate; that the public had confidence in the reports of his Bureau; that the information sought to be acquired by this investigation was of such an uncertain character that he feared if his office was charged with the obligation of doing the work, that it would seriously impair the confidence of the public in the reports made by his Bureau in other investigations.

It is easy to understand his statement that he did not desire to do the work, because the President has stated that he did not want the Census Bureau to do it. The Secretary of Commerce and Labor has stated that he did not want him to do it. The Commissioner of Labor insists that his Bureau is the proper bureau to do the work. The question for the House to determine, with all the information before it, is which bureau will most efficiently and economically do the work. I merely wish to say one word with regard to a certain statement that has been issued as to the motive that is behind the effort to compel the Census Bureau to do the work. It is not a reflection on the Bureau of Labor; it is not intended, as has been charged, as a penalty upon the Bureau for doing certain other work, but the action of the committee was based upon the conviction, which was made certain by all the evidence before it, that the only bureau of the Government that has the facilities to do the work is the Census Bureau.

The Commissioner of Labor himself admits that he had not the facilities to do this work, and that if he is charged with it he will have to spend months in the most important cities of the country in perfecting an organization. I believe the preliminary work of organizing his bureau will take as long as it would take the Census Bureau to complete the investigation. Nobody has charged that the Census Bureau has been inefficient in other work heretofore imposed upon it. Nobody has complained that it has been partial in its investigations. It has so done the work committed to it that it has earned the confidence of the entire country, and for one I am heartily in favor of imposing this investigation upon that bureau, because I believe it will do the work better than any other bureau.

Mr. TAWNEY. I yield to the gentleman from Missouri [Mr. CLARK] three minutes.

Mr. CLARK of Missouri. Mr. Speaker, I do not really know whether this squabble is very important or not, but one thing I do know, and that is that child labor in factories ought to cease. It has dwarfed the English laboring people to such an alarming extent that a systematic governmental inquiry has been instituted to discover some remedy for the physical decadence of English men and women. Child labor in factories will dwarf our laboring people. We should put a stop to it before it is everlastingly too late; and surely we should have the facts. I do not care very much what the President of the United States wants, or the Secretary of Commerce and Labor or the Director of the Census. It seems to me, however, expressing my own opinion and not undertaking to express the opinion of anybody else, that it is the difference between putting this investigation into friendly hands and unfriendly hands; and on that proposition the President and his Secretary of Commerce and Labor happen to be right.

Mr. SMITH of Iowa. Does the gentleman suspect the Census Bureau of being unfriendly?

Mr. CLARK of Missouri. That is exactly what I do, under the circumstances.

Mr. SMITH of Iowa. Have you any reason for suspecting the Bureau of the Census to be unfriendly?

Mr. CLARK of Missouri. I do, because it did not want to do the work. It is but human nature that if you or I or any of the rest of us are set to do a task that we really want to do, we will do it with a great deal more enthusiasm and thoroughness than if we are set to do another task that we do not want to do. The Director of the Census says they are not situated to do it. He ought to know. These other people do want to do it, and I am in favor of giving them a chance. None of them can do anything except collect the facts, and facts are what we want. Nobody cares anything about what the opinion of some one is. What we want is the facts. These facts properly presented will give the various State legislatures information on which to act.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. CLARK of Missouri. Yes; certainly.

Mr. FITZGERALD. Does the gentleman from Missouri think he ought to vote to put this work in charge of a bureau the head of which admits that he has neither the organization nor the facilities to do the work?

Mr. CLARK of Missouri. I will answer that question in this way: While he says that, the Director of the Census says he is not fixed to do it.

Mr. FITZGERALD. He did not say exactly that.

Mr. CLARK of Missouri. If he did not say that, I should like to know very much what he did say.

Mr. CRUMPACKER. He said that the organization of his office was not adapted to doing it. He said he did not know anything about that kind of an investigation himself and he could not prepare for it.

Mr. CLARK of Missouri. That is exactly the situation. I do not mean that the Census Bureau is unfriendly to finding out the truth about it, but I do say that the Census Bureau in this particular juncture is unfriendly to this investigation. It does not want to undertake the work, and the work should not be forced upon it. That is all I have to say about it.

Mr. TAWNEY. I yield two minutes to the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. SULLIVAN. Mr. Speaker, I do not think the House has any reason to apprehend that the Director of the Census will not perform his duty if the law imposes upon him the obligation of doing this work. It is true it is a new work for him. It is equally true that it would be a new kind of work for the Bureau of Labor. It is also true that the Census Office has compiled statistics heretofore and is better equipped than the Bureau of Labor for doing that kind of work. There is no reason why the Bureau of the Census can not do the work better than the Bureau of Labor, because it is an older organization and a better-equipped one. Although the Director of the Census did say it was new work, which he would not like to undertake and that his Bureau was not adapted for the doing of it, his statement did not carry conviction before the committee, for he gave the committee no reasons for that conclusion, and the committee believed that not only was his Bureau adapted for it, but that it was better adapted for it than any other agency of the Government.

Now, the House can choose, if it will, to create a new organization at a greater expense to the taxpayers or have the work performed cheaper by an organization already in existence. The House the other day voted by a large majority to put this work under the Director of the Census. Since that vote was taken no new reason has grown up why we should reject the previous conclusion, except the insistence of the executive department of the Government that the law shall

be bent according to its will, and that, I submit, is not a sufficient reason to cause this House to reverse its previously recorded judgment. [Applause.]

Mr. TAWNEY. Mr. Speaker, I now yield three minutes to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. I will be corrected if I am not right in this, that the census is now under the direction of the Department of Commerce and Labor. That being conceded, what we are proposing to do is to direct the Secretary of Commerce and Labor, through the Census Bureau, one of the bureaus under that Secretary, to make this investigation. Now, I think the bill as it comes to us amended from the Senate is exactly right, and if I am right in my statement—and no one seems to controvert it—then if we agree to the motion of the gentleman from Indiana to recede from our disagreement and concur in the Senate amendment, it will leave the Secretary of Commerce and Labor to make this investigation according to his own best plan, and he might even do it under the Census Bureau.

We are undertaking to tell him how he is to carry out the provisions of the act of January 29, 1907, a provision that requires an investigation into the condition of women and child workers in the United States, one of the most important laws perhaps that this or any other Congress has ever passed, important in its ultimate results on the condition of humanity in the United States. I therefore insist that to adopt the motion of the gentleman from Indiana is simply to authorize the Secretary of the Interior to build up whatever machinery is necessary under him to carry out this required investigation.

Mr. TAWNEY. Mr. Speaker, I want to say just a word in conclusion in regard to this amendment. When this amendment was offered on the floor of the House last week in the Committee of the Whole it was voted down by a vote of 98 to 34. The conferees on the part of the House therefore felt that it was their duty to return to the House and report a disagreement instead of agreeing, even had we been disposed to agree, to the Senate amendments.

Mr. CRUMPACKER. Will the gentleman yield for a question?

Mr. TAWNEY. I will.

Mr. CRUMPACKER. Is it not true when this amendment was proposed, when this bill was before the Committee of the Whole House, that it was not the present amendment, but one to strike out the Census Office and substitute the Bureau of Labor; and this simply strikes out the Census Office and leaves it with the Department of Commerce and Labor?

Mr. TAWNEY. The gentleman has stated the facts correctly; but it is only fair to say that while the amendment comes back from the Senate to the House in the form it does it is not, in substance, different from the amendment offered by the gentleman from Indiana. In fact, it is in effect the same amendment. Every person, every Member of this House, knows that those who are opposed to this investigation being made by the Census Bureau intend and propose to have it made by the Bureau of Labor. Now, as the gentleman from Ohio has said, this investigation under the law is placed in the Department of Commerce and Labor. The law does not stop there; the law simply declares that the head of the Department may utilize the Census Bureau and the Bureau of Labor. The law also contains other language which is construed to confer upon that Department authority to employ any independent agency to make that investigation.

Now, Mr. Speaker, the thought of the House undoubtedly was, as expressed in the vote a few nights ago, that inasmuch as the Census Bureau now has an organization of intelligent special agents, clerks, and other people eminently qualified to make the investigation, and in view of the fact that the Bureau of Labor has no organization at all and will necessarily have to create a new orgnization for the purpose of carrying on this investigation, to place the investigation under that Bureau would lead to an enormous unnecessary expense. For this reason, sir, it was thought best to leave this investigation under the Census Bureau, as the Committee on Appropriations recommended.

Mr. UNDERWOOD. Will the gentleman yield?

Mr. TAWNEY. Certainly.

Mr. UNDERWOOD. I want to ask the gentleman if this is not the difference in that proposition—that if it is left to the Census it will be a mere statement of facts; if it is left to the Bureau of Labor, it will be an investigation that will wake the country up to legislation to protect women and children. Is not that the real difference?

Mr. TAWNEY. Why, I am surprised at the want of information manifested by the gentleman from Alabama in the question that he has asked.

Mr. UNDERWOOD. Wherein is the want of information?

Mr. TAWNEY. The want of information is as to what the law requires this investigation to be. The law specifies the character of the investigation. It can not be determined by the character of the work now being done by that Bureau, and it is only a question of which agency of the Government shall be employed for the purpose of finding that information. It does not necessarily mean statistical information alone if you confine it to the Census Bureau. The men employed in the Census Bureau who are engaged in gathering statistics in regard to manufacturing industries are sufficiently intelligent to acquire information regarding the manufacturing industries of the country; and what sense is there, what justification is there, for Congress to require that when a man goes into a factory one day to gather information which he is authorized to obtain that he shall then cease that investigation, leave the factory, and then be followed by another man from another bureau in the same Department the next day to obtain the information which is required under this law?

Mr. UNDERWOOD. Because the gentleman well knows it is discretionary with the agent to make the kind of a report that he expects to make. The Census Bureau will report statistics, and if you leave it to the Bureau of Labor it will report facts. It will show where these women and children are being ground down, and the Census report will not show that. That is why this investigation ought to be made by the bureau that will show the country what is actually happening.

Mr. TAWNEY. I am surprised that the gentleman from Alabama is unable to comprehend the duty the law imposes upon the bureau that is charged with making this investigation, I care not whether it is the Census Bureau or the Bureau of Labor.

Mr. MANN. Will the gentleman yield?

Mr. TAWNEY. I do.

Mr. MANN. Is it not a fact that in the past and at the present time the Census Bureau in making various reports makes reports covering the whole scope of the subject, without confining itself to statistical information alone?

Mr. TAWNEY. That is absolutely the fact, and the last two bulletins published by the Census Bureau disclose that fact.

Mr. MANN. Is it not a fact that in such matters as reports upon chemicals, those reports cover the whole scope of the subject, a thorough report not upon statistics, but upon the subject-matter, and that these reports are considered the standard reports in the United States covering the whole scope of the subject?

Mr. TAWNEY. That is absolutely true.

Mr. KEIFER. Mr. Speaker——

The SPEAKER pro tempore. Will the gentleman yield?

Mr. TAWNEY. I yield to the gentleman from Ohio for a question.

Mr. KEIFER. I wish to ask the gentleman, in order that the House may know, whether there is anything in the act of January 29, 1907, that requires a statistical report at all, and whether it is not confined wholly to the matter of conditions—that is, relating to the industrial, social, moral, educational, and physical condition of women and children workers—and whether he can find anything in that act that relates to any matter that is statistical, as is usual in the matter of the Census Bureau?

Mr. TAWNEY. In respect to the question of the gentleman from Ohio [Mr. KEIFER], I will say that it is just as competent for the representatives of the Census Bureau to inquire into the things mentioned in that law as it is for the representatives of the Bureau of Labor or any outside organization that may be brought in for the purpose of making its investigation.

Mr. PRINCE. Mr. Speaker, will the gentleman yield for a question?

Mr. TAWNEY. I do.

Mr. PRINCE. Is it not a fact that the same Cabinet officer directs this investigation, whether it is through the census or through the other bureau?

Mr. TAWNEY. That is true.

Mr. PRINCE. And if there is any question about going into the merits of it, it falls upon the Cabinet officer, and no one else, in failing to make the report.

Mr. TAWNEY. That is a fact.

Mr. MANN. If this work should be done by the Census Office, is it the intention, as insinuated by the gentleman on the opposition, to have the work done by the tabulating machines in the Census Office?

Mr. TAWNEY. I don't think I need to answer that question, Mr. Speaker. Mr. Speaker, I call for a vote.

The SPEAKER pro tempore. The question is on the motion

of the gentleman from Indiana, that the House recede from its disagreement to Senate amendments numbered 68 and 69 and concur in the same.

The question was taken; and on a division (demanded by Mr. CRUMPACKER) there were—ayes 55, noes 87.

So the motion was rejected.

Mr. TAWNEY. I move that the House further insist upon its disagreement to amendments numbered 68 and 69.

The question was taken; and the motion was agreed to.

The SPEAKER pro tempore. The next amendment to which there is disagreement is numbered 76, which the Clerk will read.

Mr. KEIFER. I called attention to that for a separate vote, and somebody said the matter had been adjusted.

Mr. TAWNEY. That is included in the report which has been adopted.

Mr. KEIFER. Then it is already adopted.

The SPEAKER pro tempore. Seventy-eight is the next Senate amendment, and the Clerk will report the same.

The Clerk read as follows:

Page 15, line 10, insert, after the word "hundred," the words "and fifty," so as to read: "$250,000."

Mr. DALZELL. Mr. Speaker, I move that the House recede from its disagreement to amendment numbered 78 and agree to the same.

The SPEAKER pro tempore. The Chair would suggest the amendment now under consideration is numbered 77.

Mr. TAWNEY. No. 77 is embodied in the report which has been disposed of.

The SPEAKER pro tempore. The Chair was in error. The gentleman from Pennsylvania moves that the House recede from its disagreement numbered 78 and concur in the same. Does the gentleman from Minnesota yield to the gentleman from Pennsylvania?

Mr. TAWNEY. I yield five minutes to the gentleman from Pennsylvania.

Mr. DALZELL. Mr. Speaker, the paragraph to which the amendment is made is that—

For the continuation of the analyzing and testing of the coals, lignites, and other mineral fuel substances belonging to the United States, in order to determine their fuel value, etc., under the supervision of the Director of the United States Geological Survey, $200,000.

The Senate has amended by adding "and fifty," making the total appropriation $250,000. The appropriation for the current year in the sundry civil bill is $250,000. The amendment offered in the House was for $250,000, but $50,000 was stricken out upon the motion of the gentleman from Minnesota upon the statement that a considerable amount of equipment had been purchased during the current year, and for that reason the appropriation was not required to be so great for the next as for the current year. Now, Mr. Speaker, I have made an investigation of the matter, and I find that the statement of the gentleman from Minnesota was in error. The total amount expended for equipment during the current year was less than $25,000, and the estimate for equipment to be purchased in the coming year is in excess of $35,000. In addition to that I find that there are some special reasons why this appropriation should not be less than it is for the current year. For instance, a number of tests are to be made in connection with the Naval Department for the manufacture and use of briquettes on the naval vessels; and investigations are in progress as to the spontaneous combustion of coals in storage, for which it is estimated there will be required at least the sum of $30,000. Then there is, in addition, to continue special investigations of coal and lignites on the public lands, for which an estimate is made at $25,000. Then there is a special investigation of very great importance in connection with the explosions in coal mines and loss of coal and loss of life, for which $25,000 is estimated as necessary. I am told that over 4,000 men were killed in explosions in coal mines in the United States during the past year, and coal to the amount of millions of dollars' worth was lost. Now, Mr. Speaker, it is not necessary that I should say anything about the necessity and the value of these coal tests. That question has already been passed upon, and it is simply a question of the amount of money to be appropriated. The $50,000 which the Senate has now added to the House appropriation makes the appropriation the same as for the current year. The reason why the $50,000 was cut off in the House, as given by the gentleman from Minnesota, turns out to have been an error. It turns out, in other words, that the necessity for the appropriation for the next year should be as much as for the current year, and, if these estimates be taken into account, larger than for the current year. For that reason I think the House ought to concur in the Senate amendment.

Mr. TAWNEY. Mr. Speaker, the gentleman from Pennsylvania in stating the situation in respect to this $50,000 addition, or the Senate amendment appropriating $50,000 in addition to the amount carried in the bill as it passed the House, said that the estimate was reduced $50,000 in the House upon the statement of the "gentleman from Minnesota," that a large part of that appropriation for the current fiscal year had been expended for the purchase of equipment, and upon that statement the House reduced the appropriation to $200,000, or the exact amount which by the Senate amendment it is proposed to increase the appropriation. And then the gentleman from Pennsylvania says further that he has since made an investigation and he finds that the statement of the "gentleman from Minnesota" was erroneous. Now, I want to give the House the facts in regard to this matter, and let the House judge as to whether the statement of the "gentleman from Minnesota" or the gentleman from Pennsylvania is in error. The gentleman from Pennsylvania, in discussing this proposition when this bill was under consideration in the committee of the whole last week, said:

With respect to these fuel tests, if the committee will turn to page 572 of the hearings before the Committee on Appropriations of last year, 1906, it will find outlined in those hearings a complete programme for these fuel investigations, and the statement made that the completion of this programme would require several years. After that testimony was submitted to the committee an appropriation was made for $250,000, and immediately after the passage of the appropriation a new equipment, estimated for, was purchased, the necessary additional experts were employed, and the investigations, necessarily modified in accordance with the wording of the appropriation act, were inaugurated.

The statement referred to came from the gentleman from Pennsylvania [Mr. DALZELL] and not from the "gentleman from Minnesota."

Mr. DALZELL. Will the gentleman allow me?

Mr. TAWNEY. Just a minute. I want to complete this. On the next page of the CONGRESSIONAL RECORD, page 3894, the Members of the House will find:

Mr. TAWNEY. Mr. Chairman, I move now to reduce the appropriation to $200,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

"Strike out the word 'fifty;' so that it will read '$200,000.'"

Mr. TAWNEY. Now, Mr. Chairman, I do that upon the statement of the gentleman from Pennsylvania—

It was not done on my statement. It was done on the statement of the gentleman from Pennsylvania—

that out of the current appropriation of $250,000 the Geological Survey has bought very expensive machinery for carrying on these tests. It is therefore manifest that they will not need $250,000 for the service if the service is continued during the next fiscal year.

Mr. DALZELL. Will not the gentleman allow me a moment?

Mr. TAWNEY. In just a moment. I want to complete the statement. But, Mr. Speaker, the statement of both the gentleman from Pennsylvania and myself was correct. I now read from House Document No. 691. In the estimates submitted to the last session of Congress for this indentical purpose it reads as follows:

*For analyzing, etc.: Coal, lignites, etc.*—For the investigation of the coals, lignites, and other fuel substances of the United States, in order to determine their fuel values, etc., under the supervision of the Director of the United States Geological Survey, and at such places as he may deem most advantageous (sundry civil act, Mar. 3, 1905, vol. 33, p. 1187, sec. 1), $200,000.

Two hundred thousand dollars was the estimate for the investigation. Following that:

For the removal of the plant and necessary equipment, $50,000.

That was the estimate—$200,000 for the investigation and $50,000 for the purchase of equipment for making the investigations—and upon that basis Congress appropriated $250,000 for this service. But when the amendment was offered by myself, the gentleman from Pennsylvania said:

Mr. Chairman, on the statement of the gentleman from Minnesota, I accept the amendment.

That statement was a repetition of his own statement that a large amount of the money appropriated for the current fiscal year for the investigation was for the specific purpose of purchasing equipment, and that appropriation was based upon the estimate submitted, and now it is proposed by the gentleman from Pennsylvania [Mr. DALZELL] to appropriate for this purpose $50,000 more than has ever been appropriated for the testing of coals and fuels in any one fiscal year. I now yield to the gentleman.

Mr. DALZELL. Mr. Speaker, I do not wish to be put in the position of doing an injustice to the gentleman from Minnesota. I freely concede that the statement he made to the House was based upon a prior statement made by me. The statement made by me on which the gentleman based his statement I have since found to be erroneous. I concede also that the concession that I made with respect to this appropriation when the gentleman

offered his amendment was made upon the statement as made by him, and that that statement turns out to be erroneous. So that, going back again, perhaps I was the party that made the first erroneous statement, but all the subsequent action of the House was based upon that statement; and I say now that, after a full investigation, I find that that statement was erroneous, and that all the reason that existed as to why we should have an appropriation of $250,000 for the current year in the current sundry civil bill exists for the having of that appropriation for the coming year in the sundry civil bill, and it is in answer to those necessities, as demonstrated by the work of this Commission, that the Senate has inserted what ought to have been kept in in the House—the $50,000—so that our appropriation ought to be just as the Senate has made it, namely, $250,000, and for that reason the House ought to concur in the Senate amendment.

Mr. TAWNEY. Mr. Speaker, in reply to the gentleman from Pennsylvania, I will say that it matters not to me how much investigation he has made since this House acted upon this proposition; and it matters not from whom he obtained his information, the appropriation of $50,000 was made at the first session of this Congress for the current fiscal year for buying an equipment with which to make this investigation, and now it is proposed to increase the appropriation for the investigation, because the appropriation during the current year is $250,000. I call for a vote.

Mr. UNDERWOOD. I ask the gentleman to yield to me for a few minutes.

Mr. TAWNEY. I call for a vote.

Mr. UNDERWOOD. Then I make the point of no quorum. If the gentleman does not yield me five minutes on this subject, he can bring in his quorum.

Mr. JAMES. I ask unanimous consent that the gentleman may have some time.

The SPEAKER pro tempore. The time is under the control of the gentleman from Minnesota.

Mr. TAWNEY. I will yield to the gentleman; I thought he wanted to ask me a question.

Mr. UNDERWOOD. Then I will withdraw the point of no quorum.

The SPEAKER pro tempore. Does the gentleman withdraw the point of no quorum?

Mr. UNDERWOOD. I do.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for five minutes.

Mr. UNDERWOOD. Mr. Speaker, I feel a great deal of interest in this appropriation to be given for an investigation of the fuel products of the country. There are a large number of coal mines in my district, and I am candid to say that I feel this appropriation is of great importance to the people I represent. Testing the coal is not merely a question of developing an individual industry, but it is for the purpose of developing the coal business of the United States. As I have stated before in this House, the European governments have a government test of coal. When the collier of Great Britain sends his coal to South America, it goes there with a government test. When the captain of a ship enters a port to buy his coal, he has that government test lying before him, and he knows exactly how much fixed carbon and how much fuel material there is in that coal. When the coal of the United States goes to a South American port, you can send the test of an individual chemist, the chemist of the company, but it carries no official authority with it. The result is that our coals are always discriminated against in foreign ports; and the only effort that has been made along this line of testing coal at all is this recent effort on the part of the Geological Survey. Now it is doing great good.

Mr. SULLIVAN. Does the gentleman understand that this appropriation will supply the kind of service he mentions, namely, testing coal for export?

Mr. UNDERWOOD. I do not contend at all that this is an effort to test coal for export. Now, what I do say, and what is evident, is that this experiment goes to my district and goes to the district of the gentleman from Pennsylvania and goes to the districts of the West. It tests the coal that comes not out of a particular set of mines, but of a particular country. Coals are marked in their character. Say the Pratt seam will be investigated, and if the coal comes out of the Pratt seam it gets the Government certificate. That does not indicate from what mine it comes, but what is represented by that seam of coal. Now, I yield to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Can the gentleman from Alabama cite a single instance in which these coal tests have been of practical value to the country?

Mr. UNDERWOOD. Well, I will say to the gentleman that in his own country my understanding is that the effort on the part of these people to take the lignite coals of the West and convert them into briquettes has proved successful and demonstrated that a good fuel material can be made out of coal that was not useful heretofore.

Mr. CAMPBELL of Kansas. I will state to the gentleman from Alabama that the only test made of the coal in my section of country—and we have great quantities of it there, and we know what it is good for, and knew that before the creation of this Bureau—I think the only Government test of the coal from there is an alleged test the result of which was to publish to the world that our coal was not a coke-bearing coal. This was done in face of the fact that we then had coke ovens and a large coke industry in that district.

Mr. UNDERWOOD. Well, I will state to the gentleman that there is coke and there is coke, and you can make coke out of almost any coal; but you can make coke that when you put it into the furnace it has not strength to bear the burden, and those cokes are practically no good. I do not know anything about the test. It may be that your coal has so much sulphur in it that it would make a weak coke. It would not appear to be different when you had it in your hand, but when the burden is put on top of it it would not bear it, and that is the very purpose of this investigation, and shows that they have accomplished something there.

Mr. TAWNEY. I yield three minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, touching the question of equipment for this coal investigation, I want to speak for just a moment. The importance of it is hardly questioned by anyone. We all know that the President of the United States, whom I do not always accept as the best and highest authority upon all questions, has recently recommended, and very wisely, as I think, that the immensely valuable coal lands owned by the Government should be so handled as to return the best possible dividend to the people, who own them. It is highly desirable that the country should be advised of the value of those lands, and nothing will so well develop that value as the work done by the Survey.

Now, as to the equipment. Less than $25,000 has been expended in the present equipment for this coal testing. I think the gentleman from Pennsylvania [Mr. DALZELL] was rather unfortunate in his remarks about it when this bill was under discussion in the House. Less than $25,000 has been expended. In addition to that, having had put upon them the burden of investigating about 50,000,000 acres——

Mr. TAWNEY. Will the gentleman from Texas permit a question?

Mr. SLAYDEN. Yes.

Mr. TAWNEY. From what paper is the gentleman reading?

Mr. SLAYDEN. A memorandum.

Mr. TAWNEY. Prepared by the gentleman himself?

Mr. SLAYDEN. No, Mr. Speaker, I went to the authorities on that subject. The gentleman's sneer can not overturn the fact that reputable and honorable gentlemen, who have no personal interests to serve in this matter, have not in the whole course of their lives and will not now tell falsehoods in order to get an appropriation to aggrandize their bureau.

Mr. Speaker, having had put on them, as I started to say, the duty of investigating about 50,000,000 acres of the public lands supposed to be underlain with coal, they will require an additional equipment of the value of about $35,000 and a certain increase of ten or fifteen thousand dollars, I believe, for chemical and laboratory materials.

I believe that this is a wise appropriation to make. I believe it is in the interest of all the people that it should be made. I believe it tends to make them appreciate, and to make the world appreciate, the value of one of their greatest assets, and that it is good common sense and good business policy to make the appropriation, as recommended by the Senate.

Mr. TAWNEY. I yield five minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, I am opposed to the amendment and to the entire appropriation, for the reason that I contend that the work alleged to be done is of no practical value to the country. We were burning coal in this country for many years prior to the St. Louis Exposition. We knew then that there were conditions under which coal dust would explode, and that there were dust explosions in coal mines. We knew that there was coke-bearing coal; we knew that there was noncoke-bearing coal; we knew that there was coal that was serviceable to the Navy; we knew there was other coal that was not serviceable to the Navy, and it is not shown by anyone that the Navy has accepted or rejected coal because of these tests. No man in favor of this appropriation can point to a single practical test that has been made that has been of service to the whole country. It may be that tests that have

been made have been of practical service to some particular coal field or some particular section of the country that produces coal; but upon the whole no one who is supporting this proposition has pointed to a practical test that has been made that is of substantial value. Now, while this bureau—for it is now a Bureau that is to be permanently saddled upon the country—was making its coal tests at the St. Louis Exposition, which were intended to be temporary and to have an existence only during the lifetime of the exposition, a coal producer in my district offered a carload of coal out of the coke-producing section of that coal field for the purpose of having a test made. He was ignored. A carload of coal from Kansas, 18 miles away from the coke-bearing coal, reached the testing plant at St. Louis. A test was made and a bulletin was published stating that Kansas coal was not a coke-bearing coal. The gentlemen in charge of the tests had no information as to what part of the coal field this coal came from. They simply knew that it was a carload of coal that reached them from the large coal field of Kansas. They made an alleged test and then published a bulletin, containing the statement that Kansas coal would not make coke. As a matter of fact we had a town we call Cokedale, in Cherokee County, Kans., where at the time this bulletin was published there was a large string of coke ovens producing coke. The coke was sold and being burned everywhere in that part of the country. Since the issuance of this bulletin the ovens at Cokedale have shut down because a Government bureau said Kansas coal would not produce coke.

Now, I would like to hear some who favor this appropriation say, before this vote is taken, that these tests are of practical value to the country.

Mr. TAWNEY. I now yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, unlike the gentleman from Kansas [Mr. CAMPBELL], I have no grievance against the work or the reports of the operations of this Bureau. On the contrary, I believe they have been doing a very good work; at least, that the greater portion of the work that they have been carrying on is exceedingly useful, and that their reports in the main have been just and fair and in accordance with the facts.

But in passing upon this matter we must take into consideration not only the character of the work, the amount which may be necessary to carry it on, but we should also take into consideration the decision of the House in regard to other work of the Geological Survey, and the decision that the House arrived at when this matter was first under investigation.

Most of the appropriations of the Survey have been reduced by the united action of the two bodies, indicating an intent on the part of Congress to somewhat limit the activities of the Geological Survey along various lines. The House has already passed upon this particular matter and has passed upon it with the full knowledge, in my opinion, of the facts in the case. It is true that a considerable portion of the appropriation last year was used for the purchase of machinery, and I am of the opinion that a less amount will be required or should be used for that purpose next year. I think it is very much better if this work is to be continued, that it should be continued with a reasonable appropriation, an appropriation sufficient to carry on the work along proper lines, rather than with a temporarily increased appropriation above the amount given for other branches of the service, resulting in all probability in a successful effort to reduce it or wipe it out at the next Congress.

If I were of the opinion that the gentleman from Texas seems to be, that the activities of the Bureau have been directed toward advising the action that has been taken in regard to the public coal lands of the country, I should vote against the appropriation in toto; and if the present policy of the Interior Department relative to the coal lands of the Government continues with the advice of this Bureau, I shall be compelled to oppose the appropriation of a single dollar in the future for this kind of work.

Mr. SLAYDEN. Will the gentleman from Wyoming allow me an interruption?

Mr. MONDELL. Yes.

Mr. SLAYDEN. I want to say to the gentleman that he evidently misunderstood me. I did not say that the activities of the Geological Survey had led to the position of the President with reference to coal lands. I meant to convey the idea that the action of the President had increased the activities on the part of the Geological Survey.

Mr. MONDELL. I practically understood the gentleman. I want to call his attention to the fact that the orders withdrawing practically all the national coal lands from entry have prevented all coal development in the West, and whatever good this Bureau may have done in the last year, if it had anything to do with proposing that policy and advocating it, or recommending it, it would have been infinitely better for the West had there been no Bureau of this sort or kind created. To-day, in the face of an increasing demand for coal, all public coal lands are withdrawn from entry, tied up absolutely, creating a monopoly in the hands of those who are already operating coal mines, making it possible for them for the first time in the history of our western country to increase the price of coal at the mines above a reasonable profit above the cost of mining.

This is the condition we find ourselves in to-day, and if this bureau had anything to do with bringing about that condition of affairs, brought about by repeal of the coal-land laws of the land by Executive order, I shall regret that I ever favored one dollar of appropriation for this purpose.

Mr. Speaker, the work which has been carried on under this appropriation has been a highly useful and beneficial work. The men who have had it in charge are most earnest, capable, and efficient men, as in fact are most of the men in charge of the work of the Survey in all branches; but I am not in full sympathy with all the lines of work contemplated for the future, and especially am I not in sympathy with what seems to be a tendency through Government bureaus to commit the Government to permanent paternalistic and socialistic policies.

Mr. TAWNEY. I now yield to the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. SULLIVAN. Mr. Speaker, none of the arguments which have been made to sustain the appropriations for gauging streams and the making of topographical maps and surveys are available for the purposes of this discussion. The matter of investigating the quality of coal is not a national one in any sense of the word, but is purely a local question. It is a question which affects the States and the owners of coal lands in those States. The attempt to increase this appropriation, it seems to me, ought not to be made now. The House conferees have very generously made a concession in agreeing to an appropriation of $200,000, and it seems to me that the House ought to sustain the committee in that regard and not pile upon the appropriation $50,000 more.

Mr. UNDERWOOD. Is not the appropriation as it comes back here just as it was when it went out of the House? It passed the House for $200,000.

Mr. SULLIVAN. And the amendment now is to increase it $50,000.

Mr. UNDERWOOD. Yes; and the conferees have not yielded to anything, nor has the committee yielded to anything.

Mr. SULLIVAN. Mr. Speaker, this is simply another attempt to put upon the Government an expense which properly should rest upon private individuals: There is no reason why the Pennsylvania Railroad or the coal trust should not make these experiments at their own expense. There is no reason why that expense should be saddled upon all the taxpayers of the United States, and I have not heard in the argument of any gentleman upon this side or upon that any good reason for compelling the National Government to pay the bill which properly ought to be paid by the owners of coal mines in the several States of the Union.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania that the House recede from its disagreement to the Senate amendment No. 78 and concur in the same.

The question was taken; and on a division (demanded by Mr. DALZELL), there were—ayes 84, noes 50.

Mr. TAWNEY. Mr. Speaker, I demand tellers.

Tellers were ordered.

Mr. DALZELL and Mr. TAWNEY were appointed tellers.

The House again divided; and the tellers reported—ayes 92, noes 50.

So the motion was agreed to.

The SPEAKER. The next amendment for consideration is amendment No. 79, which the Clerk will report.

The Clerk read as follows:

Page 115, beginning with line 12, insert the following:

*Provided*, That in examinations, hereby authorized, of fuel materials for the use of the Government of the United States, or for the purpose of increasing the general efficiency or available supply of the fuel resources in the United States, the Director of the Geological Survey may have the necessary materials collected from any part of the United States where they represent extensive deposits; and it shall be the duty of the Director of the Geological Survey to have examined, without charge, the fuels required for use by the Government of the United States, and to give these examinations preference over other work: *Provided further*, That in publishing the results of these investigations the materials examined shall not be credited to any private party or corporation, but shall be collected and described as representing such extensive deposits.

Mr. DALZELL. Mr. Speaker, I move that the House recede from its disagreement to this amendment No. 79 and concur in the same.

Mr. TAWNEY. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania.

Mr. DALZELL. Mr. Speaker, I hardly think it is necessary to occupy the attention of the House. This is purely a legislative provision. It is a matter that is embodied in the current sundry civil appropriation bill, and has been always where the appropriation that has already been put into the bill has been made. It went out in the House upon a point of order, because it was new legislation. Undoubtedly it is legislation, but it is good legislation; it is in the interest of the public service, and it is legislation, to repeat what I have said, that we have always had in connection with this appropriation. I can see no reason why there should be any objection made to concurring in the Senate amendment, since the addition has been made to the appropriation.

Mr. TAWNEY. Mr. Speaker, if I can have the attention of the House for just a minute I will endeavor to state why, in my judgment and in the judgment of my associates on the conference, this amendment should not be concurred in. The House passed this provision limiting the investigation and the test of fuel upon lands owned by the Government of the United States. The importance of this amendment is the fact that it widens the scope of the investigation and authorizes the Geological Survey to not only test the fuels on the lands belonging to the United States, but to test the fuels belonging to individual coal operators and mine owners. The coal purchased in any section of the country, owned by anybody, or the coal trust, or anybody else, can be tested, and tested at the expense of the Government, under this proposed legislation—

And it shall be the duty of the Director of the Geological Survey to have examined, without charge, the fuels required for use by the Government of the United States and to give these examinations preference over other work: *Provided further*, That in publishing the results of these investigations the materials examined shall not be credited to any private party or corporation, but shall be collected and described as representing such extensive deposits.

The first part of the amendment, "that in examinations, hereby authorized, of fuel materials for the use of the Government of the United States, or for the purpose of increasing the general efficiency or available supply of the fuel resources of the United States," is where the Survey obtains its authority to examine everybody's coal, or every coal deposit wherever located and owned by anybody whomsoever, and I submit, Mr. Speaker, that if this work is of benefit to the corporations that own the great coal beds of this country, they should at least pay the charge and expense of making the investigation if they are unable or have not the facilities to make the investigation themselves. The amendment as it passed the House is limited, as I said, to an investigation of fuel belonging to the United States and for the use of the United States. It was not proposed by the House to extend this investigation into every coal mine throughout the United States and have an investigation made at the expense of the Federal Treasury, as it is now proposed by this Senate amendment which the gentleman from Pennsylvania moved to concur in.

Mr. UNDERWOOD. I ask the gentleman from Minnesota for a minute or two.

Mr. TAWNEY. I yield to the gentleman from Alabama three minutes.

Mr. UNDERWOOD. Mr. Speaker, I think it is very important for us to concur in this Senate amendment if we wish to carry out the very purpose for which we have made this appropriation. The object of Congress in appropriating $250,000 for fuel tests, and other appropriations for the Geological Survey all along the line, has not been for the purpose of investigating lands that belong to the Government. The argument has been made here from the beginning, from the very time this survey was inaugurated, that it should cover the space of the United States, and that the words "public domain" meant the United States from the Pacific to the Atlantic oceans, not the mere land that belonged to the Government of the United States. The investigation, if limited merely to the domain that belongs to the United States, would be limited to a few Western States and Territories. It is of as much importance and of more importance to the consumers of coal and the people who use this material to know what is in the coals of Pennsylvania, Alabama, and Illinois as there is in the coals of the western domain, and the real object of this investigation is for the purpose of investigating all the coals of the United States, and the gentleman opposing this amendment seeks to limit the operation of the appropriation merely to the public domain in the western territory and cut that benefit away from the southern, middle western, and eastern people entirely, and therefore I think that the motion should be adopted.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania that the House recede.

Mr. MONDELL rose.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. TAWNEY. I yield three minutes to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, I presume this motion will be carried, for I imagine that the same interests that increased the appropriation $50,000 will demand that the major portion of it be used in the Eastern States to determine the value of fuel in private ownership. It is a curious and interesting fact, Mr. Speaker, that while originally practically all the appropriations for the Geological Survey were supposed to be for the development of the public domain, but a limited portion of those appropriations are so used now. The words "national domain" were unquestionably placed in the fundamental law of the Survey with a view of indicating the lands owned by the Government, and for many years the topographic and geological surveys, the stream gauging, and most of the other activities of the Survey were confined very largely to the western country, where the Government has large landed interests, where it has millions of acres of land to dispose of, where it is attempting to develop a vast and undeveloped region; but gradually the eastern brethren began to trench upon those appropriations, these practically the only appropriations of all of the millions of annual appropriations of the Government that are or ought to be peculiarly beneficial to western development.

So year after year smaller and still smaller portions of these appropriations are used in the West on the public domain. But a fraction of the appropriation for stream gauging is now used where the Federal Government owns public lands; but a fraction of the appropriation for topographic surveys is used for the purpose of thus surveying the public domain; but stream gauging is carried on in Massachusetts and Alabama and New York for the purpose of enabling wealthy corporations to determine the amount of available waterpower for their mills and factories, and topographic surveys are carried on in the aid of street-car and trolley companies and other corporations desiring to know the topographical features of large cities and of densely populated regions where they propose to operate.

And so on through all of these appropriations, intended originally to develop the resources of the West, intended to aid in the development of that great region comprising the public domain where we have so many important problems to be determined and solved. Gradually these appropriations have been shifted east of the Mississippi River, until those of us who have stood here year after year fighting for them find that our regions obtain only the crumbs that remain after the older States have received bountiful helpings from the national larder. In many instances wealthy Commonwealths——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to continue for two minutes more.

Mr. TAWNEY. Mr. Speaker, I yield two minutes to the gentleman.

Mr. MONDELL. Wealthy eastern Commonwealths, where the land is all in private ownership, where private capital is well able to develop all the resources of the region, are clamoring for these paternalistic public appropriations, for they are paternalistic when applied to private industry. They are not paternalistic when they are intended for and used for the benefit and development of the public domain. And so, I say, year after year we find these appropriations passing from the territory for which they were originally intended to other territory where, in my opinion, the Federal Government should make no appropriations for the purpose of enabling individuals or corporations to develop private property.

Mr. Speaker, if the lands of the West were all in the hands of individuals and taxable; if it were not a fact that one-half to four-fifths of our territory belongs to the Government and is therefore not taxable; if we were in position to draw on all our area for the support of our institutions, our people would not, in my opinion, ask for appropriations like this, for then, and in that event they would be paternalistic as they are now when diverted to the development of private lands and private industries.

Give us our domain, pass into the hands of the States or gradually into the hands of private individuals the lands of the West and the West will not be here as a mendicant, asking for Federal appropriations for the gauging of streams belonging to individuals, for the testing of coals belonging to private parties, or for the carrying on of any of these enterprises in the interest of private corporations.

Mr. OLMSTED. How about irrigation?

Mr. MONDELL. We are paying all we receive for irrigation back to the nation.

Mr. OLMSTED. You have not paid back much yet.

Mr. MONDELL. Well, we begin to do so this year, and those funds are not derived from taxation, but from the money received from land sales. In this session we passed a bill which gives to the seaboard and the people along our river systems—and I do not quarrel with that appropriation—$80,000,000 for rivers and harbors, a gratuity, while we are to pay back every dollar which we receive for irrigation.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. DALZELL], that the House recede from its disagreement to Senate amendment No. 79, and concur in the same.

The question was taken; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. TAWNEY. Division, Mr. Speaker.

The committee divided; and there were—ayes 75, noes 37.

So the motion was agreed to.

The SPEAKER pro tempore. The next amendment in order is amendment No. 80, which the Clerk will report.

The Clerk read as follows:

For the continuation of the investigation of the black sands of the United States, and especially processes for the electric smelting of iron ores, to be immediately available, $25,000.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized to make a motion.

Mr. DALZELL. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 80 and concur in the same.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves that the House recede from its disagreement to Senate amendment No. 80 and concur in the same.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. DALZELL].

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. DALZELL] is recognized for five minutes.

Mr. DALZELL. Mr. Speaker, I regard this amendment as the most important of all the amendments to this portion of the bill relating to the Geological Survey. I believe that if the Members of this House understood the actual situation and what the value of this amendment is there would not be a dissenting voice to the motion. One great essential to the manufacturing interests of this country, and especially to the electrical interests of this country, is the possession of platinum. There is not in all the United States a place where platinum can be secured except through the medium of these black sands. The only platinum that is now available for manufacturing purposes is produced in Russia. It is controlled by an English syndicate, and the price of platinum in the market to-day is $40 an ounce. Now, through these investigations that have been made in the years gone by of the black sands upon the Pacific coast a great many mineral resources have been ascertained, and amongst others the existence of platinum.

To a large extent the experiment made in the investigation of the black sands upon the Pacific coast have been completed, but the black sands of the Gulf coast, the black sands of the entire South Appalachian Range yet remains to be made; and how much there is of hidden mineral wealth in these black sands nothing but an investigation made under Government supervision can disclose. It is the purpose of the provision put in by the Senate, which ought to have been put in by the House, to devote the sum of $25,000 to make this investigation. The result may be, if we may judge from what has been accomplished in the past, an addition to the wealth of the country many times $25,000. It is for these reasons that I say the Senate amendment ought to be concurred in by a unanimous vote.

Mr. SMITH of Iowa. Mr. Speaker, the testimony taken before the committee in reference to the investigation of black sands shows, if it be reliable, and I take it that it is, that we have already discovered that the black sands wasted contain more than four times as much platinum as is annually consumed in the United States. This is not, therefore, an effort to discover whether we can produce platinum in America, because it has already been discovered that the annual waste of these sands carries with it more than four times as much platinum as is consumed now in America.

Not only that, but these investigations of black sands show a production of iron, varying from 5 to 50 per cent, whereas 12 per cent would pay handsomely for the reduction of the iron in the sands. In the face of that it is proposed here not to appropriate $25,000 for the continuation of the investigation of black sands, but that it shall be extended into an investigation of processes for the electric smelting of iron ore. If it be the duty of this Government to investigate processes for the electric smelting of iron ore, then why is it not the duty of this Government and the function of this Government to enter upon investigations with the view of discovery in every mechanic art? If it has been discovered that these black sands carry all the way up to more than 50 per cent of magnetic ore, why should not the process of the reduction of the iron be discovered by private individuals, as all other important scientific truth is discovered?

I have not worried the House by talking upon these fuel tests and on the tests of concrete, but the fact is we entered a few years ago, at the St. Louis exposition, into an investigation of these fuels with an appropriation of $7,500, as I recall. That has grown and grown and grown until now it takes $250,000 a year to carry on these investigations. I think I see in this proposal for the entering upon an investigation of processes of electric smelting iron ores something which portends hundreds of thousands of dollars of expense a year in the near future. Most of the Departments of the Government have to rely upon the general benefits of their service as the basis of appeal for an appropriation.

Fortunate is the bureau of the Government which, desirous of unlimited expansion, is able to do a little bit of something for many Congressional districts and thereby enlist the support of the people of those districts for that local use. But if we are to launch out and vest authority in the Government and impose upon it the duty of making investigations of discoveries of all kinds in every line of human industry and human endeavor, there is absolutely no limit to the possibilities of appropriations for these investigations.

This investigation of black sands has gone so far as to demonstrate their commercial value for the purpose of producing both platinum and iron, and it is not the duty of this Government now to go on and discover and improve processes of electric smelting of iron ores. That is like what it has done in the fuel tests. The money has been spent not in testing the fuel, but in testing whether the fuels are more productive of power in their original form or when first converted into gas; and they are now taking a step further and are investigating gas engines, and determining what are the best patterns of gas engines. We see how these processes go on. Is it not sufficient for us, having loaded ourselves with the fuel test and the concrete test, to at least wait until we have found whether this is a never-ceasing and never-ending work before we embark in an effort to make scientific discoveries in other lines of human endeavor? I am opposed to this amendment of the Senate because the investigation of black sands has now reached a state where the utilization of these sands is for American industry and enterprise. I am utterly opposed to this amendment, because it provides for embarking in an investigation of processes of the electric smelting of iron ore.

Mr. TAWNEY. I yield five minutes to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Speaker, it is a very common way of attempting to defeat a very meritorious proposition to exaggerate what it is and also to speculate about what it might be. Now, we are not proposing by this provision of the Senate to do anything more than we have been doing under like appropriations from year to year. We are proposing, of course, to investigate and enter upon processes of electric smelting of iron ores; but an investigation of the things that have been done and entered upon by the Geological Survey will show that we have made some very material progress in that direction and that we have brought it about up to the point where we can produce satisfactory results, and we should not stop now and lose the rich fruits of work already done and which will largely be lost if we cease to continue the work so well begun.

The gentleman from Iowa [Mr. SMITH] professes to believe that we ought to turn over that result to private individuals and private companies; but in order to make his statement complete he ought to have said that we ought to turn it over to the steel trust and to the great corporations of this country, in order that they may make it a monopoly against the people of this country, rather than have the Government do it and give it over to the people of the country. In the new use of electricity our skilled practical men in the Geological Survey have entered the field for the purpose of determining whether the great black-sand regions of our country and other ores of this country that have always been denominated "refractory" and are utterly useless, could be made useful and could be smelted through the processes of electricity and made valuable. In this day, when we have about exhausted the iron ores that are not refractory from our great mines in Pennsylvania, in Ohio, and on Lake Superior, and elsewhere, it is about time that we were introducing the new process and making the discoveries that will make this valuable ore useful and utilize it and cheapen it. In so far as progress has been made, it promises to save to the people

of this country many hundreds of millions of dollars in the near future, and yet we are now hesitating whether we shall give for this purpose, to carry on these processes, the sum of $25,000 or leave this matter to go into the control of the great corporations interested in iron ore and steel and let them ultimately get patents from the United States for the new discoveries and hold them for at least a period of seventeen years under patent monopoly. It is for this reason that I have been in favor of continuing this appropriation. The other reasons stated by the gentleman from Pennsylvania [Mr. DALZELL] are equally potential. For fear that there would be any lack of zeal on the part of the Geological Survey, the Senate, in wording this amendment No. 80, says:

For the continuation of the investigation of black sands of the United States, and especially processes for the electric smelting of iron ores, to be immediately available, $25,000.

I regard that as a very small appropriation for the very great interest involved in it.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. SULLIVAN. Mr. Speaker, it is difficult to account for the reasoning of the gentlemen who advocate this appropriation. The gentleman from Ohio [Mr. KEIFER] says that the Government of the United States should make these scientific investigations, because forsooth unless the Government does, private industry may make the examination and obtain a patent upon the process, and in that manner extra charges may be imposed upon the people of the United States. That is a reason which I submit to the House for its own examination without further comment.

The gentleman says further that if this investigation be made, it will result in the gain of hundreds of thousands of dollars by the people of the United States. That statement carries with it the inference that these black sands are already of great commercial value, and it follows unavoidably from that that private industry should pay the expense of making the initial investigation, inasmuch as private industry will ultimately reap the profit of the transaction. Now, if the reasoning of the gentleman from Pennsylvania be followed, every commercial transaction must be preceded by a scientific investigation under the auspices of the Government of the United States. Examine his statement for just one moment. He says that platinum, which can be obtained from black sands, is to-day worth $40 an ounce, and that the available supply is under the control of an European syndicate. That means that platinum is immensely valuable in the United States to any organization of individuals who will make it commercially available, and it follows from that that there is a sufficient stake hung up now for private industry to warrant it in paying the expenses of this investigation.

And yet in the face of the great value of the article, disclosed by the argument of the gentleman from Pennsylvania, he asks that the Government of the United States be compelled to pay the bills which will ultimately benefit the owners of the territory where these black sands are located.

I could not help admiring the subtle touch of the gentleman from Pennsylvania [Mr. DALZELL] when he suggested that the black sands in the Appalachian Range had not yet been investigated. It seemed to me when he made that remark he disclosed a sublime faith in the corruptibility of the minority in suggesting that an appropriation would be useful in certain sections of the United States. [Laughter.] I trust that Members on this side of the House will reject the proposition that is contained in the suggestion of the gentleman from Pennsylvania, and will show by their votes that they still retain a portion of the measure of their original virtue which formerly they asserted by opposing all paternalistic schemes, and vote solidly against this pernicious enterprise, which has no justification in business, sound legislative principles, or in morals. [Applause.]

Mr. TAWNEY. I now yield three minutes to the gentleman from New Jersey [Mr. WILEY].

Mr. WILEY of New Jersey. Mr. Speaker, I wish to answer the statement of the gentleman from Massachusetts [Mr. SULLIVAN] who has just taken his seat. His premises, if true, would justify the conclusion that he draws from them, but the fact is his premises are not quite correct. It is necessary in investigating the black sands to ascertain by scientific investigation whether those sands bear this platinum, which is the article we are in search of.

Mr. SULLIVAN. That has already been demonstrated.

Mr. WILEY of New Jersey. In certain localities.

Mr. SULLIVAN. On the Pacific coast.

Mr. WILEY of New Jersey. Yes; upon the Pacific coast.

Mr. SULLIVAN. The gentleman is correcting my premises.

Mr. WILEY of New Jersey. I will do so if the gentleman will let me proceed. The southern black sands have not been investigated, and it is unknown at the present time whether they do or do not contain platinum, although the presumption is in favor of it. Now, this appropriation is to determine whether or not platinum exists in these sands. It is necessary such investigation should be made by the United States Government, because no private individual or company is capable of doing it. The source of platinum at the present time is Russia, and during the Russo-Japanese war the mines were practically abandoned and the price of platinum rose to fabulous figures. Now, the platinum discovered in the black sands has been for the good of this country at large, and served to render this nation, to some extent, independent of the foreign supply. All the electric systems use it to a large extent, and so do the jewelers. This investigation will show whether these sands contain the platinum and whether it is worth while to work them. If the presence of platinum is established private capital will at once be enlisted to obtain it, but in the absence of such determination by a disinterested investigation, such as the United States would make under this appropriation, no private capital will be forthcoming, and these sands will be neglected in the future as they have been in the past.

Mr. TAWNEY. Mr. Speaker, I now yield five minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, if I understand it, sufficient investigation has been made to demonstrate that they can find platinum in paying quantities in the sands of the Pacific coast. It has also been demonstrated that by force of electricity they can extract the iron ore from those sands, although it is difficult to get it in any other way, if not impossible. These experiments or demonstrations have proved that these black sands are of commercial value. What more does the great iron industry need? What more do the great electric industries of the United States need? If there are any industries that possess boundless wealth and capital, boundless resources, that have in their employ great talent, the greatest ingenuity of any class of business in the United States in greater degree than these two industries, I would like to have some gentleman name them. Is it possible that the Government of the United States is to take the lead in individual endeavor? Are the men engaged in these industries of so little enterprise, of so little perseverance, and so little enthusiasm in their work that they will decline to invest the paltry sum of $25,000 to discover what a mine of vast wealth, as it has been described in this case, there is in these black sands? What reason is there for the Government of the United States not leaving this to individual enterprise? My friend from Ohio says that it is turning it over to the great steel trust. Great heavens! Is there any danger of the United States discovering anything of value? If so, the steel trust will be on hand and they will take it just as soon if the United States discovers it as though the individual discovered it.

It will make no difference about that. It seems to me almost like demagogy gone mad to say that the United States must invest money in this investigation in order to protect itself from the corporations which are engaged in the manufacture of steel and of iron, and the gentleman says that if they discover the process they will take out patents and make a monopoly of it. Well, it does not prevent a monopoly by the way of the patents, for the United States to make investigations and discoveries.

Mr. KEIFER. Why not?

Mr. PAYNE. Because we would wake up the next morning and find that the man who was employed by the United States, paid by the United States, the cost of whose investigation was paid by the United States, goes over to the Patent Office and gets out a patent upon the process which he has discovered.

Mr. KEIFER. And in every such instance it has been held void.

Mr. MANN. Oh, the gentleman from Ohio is mistaken about that.

Mr. PAYNE. The gentleman is mistaken about the law, as he sometimes is; and then they have a monopoly against the citizens of the United States. The United States itself may use the patent, but the citizens of the United States can not, and it is a question that has not been settled yet, as to whether this particular thing is not the property of the citizen employee of the United States and that he can make the United States pay for it. I suspect the only reason why that question has not been settled, is because there is no way now by which they can get into the Court of Claims to bring an action for such a claim as that; but it does not protect the people of the United States, the individuals, the manufacturers from the claim of a patent discovered by the employee of the United States Government. Mr. Speaker, it seems to me there is no

reason why we should not leave this to individual enterprise; we should never make it a charge upon the Treasury of the United States.

Mr. TAWNEY. Mr. Speaker, just one word. I want to call the attention of the House to the fact that this proposition was first suggested to Congress in 1905. It was then limited exclusively to the investigation of black sands at Portland, Oreg., where an exposition was then being held. And in the following year, in the urgent deficiency bill, or at the beginning of this Congress, the appropriation of $25,000 was made in the following words:

To enable the Director of the Geological Survey to complete the investigation of the useful values contained in black sands.

That was to complete the investigation. Now, they propose to start anew not only along the line of investigating black sands, but they propose for the benefit of the steel manufacturers of this country to engraft upon this investigation this language:

And especially processes for the electric smelting of iron ores.

That is a field so wide that no one can begin to encompass it at this time. The investigation that would be authorized by this language would put the Government of the United States in the position of investigating processes of all kinds, as well as instrumentalities and equipment of all kinds, for the purpose of developing the industry of electric smelting of iron ores.

Mr. MANN. Will the gentleman yield for a question?

Mr. TAWNEY. Yes.

Mr. MANN. Has the gentleman made any calculation as to how many millions or hundreds of millions of dollars could be used for the purpose of investigating process for the electric smelting of iron ores?

Mr. TAWNEY. I have not. It is not possible for anybody to make even an approximate estimate of that expense.

Mr. MANN. Without a very vivid imagination.

Mr. SULLIVAN. I would suggest that the appropriations be coextensive with the appetite of the steel trust.

Mr. MANN. It would go beyond the appetite of the steel trust. It would go beyond even the imagination of my friend from Ohio [Mr. KEIFER].

Mr. KEIFER. The steel trust does not want it, and is opposed to it.

Mr. TAWNEY. In view of the fact that at the beginning of this Congress it was proposed by Congress and by the Geological Survey itself to complete this investigation with an appropriation of $25,000 then given, I submit that this House ought not to go on record in favor of further continuing the investigation or embarking upon the business of investigating the processes for the electric smelting of iron ores, and I hope the motion of the gentleman from Pennsylvania will not prevail.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Pennsylvania that the House recede from its disagreement to the Senate amendment No. 80 and concur in the same.

The question was taken; and on a division, demanded by Mr. DALZELL, there were—ayes 56, noes 67.

Mr. THOMAS of North Carolina. Mr. Speaker, I demand tellers.

Tellers were ordered.

Mr. TAWNEY and Mr. DALZELL were appointed tellers.

The House again divided; and the tellers reported—ayes 79, noes 77.

Mr. TAWNEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent that the amendment may be reported, so that the House will know what it is voting upon.

The SPEAKER pro tempore. Unanimous consent is asked that the amendment be again reported. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report Senate amendment No. 80.

The amendment was again reported.

The question was taken; and there were—yeas 123, nays 142, answered "present" 4, not voting 108, as follows:

YEAS—123.

| | | | |
|---|---|---|---|
| Aiken | Burke, Pa. | Dawes | Gardner, N. J. |
| Allen, Me. | Burke, S. Dak. | De Armond | Graham |
| Bannon | Burleigh | Deemer | Gregg |
| Barchfeld | Burnett | Dixon, Mont. | Gronna |
| Bartholdt | Burton, Del. | Dovener | Grosvenor |
| Bates | Calderhead | Dunwell | Gudger |
| Beall, Tex. | Campbell, Kans. | Ellerbe | Hamilton |
| Bell, Ga. | Cassel | Englebright | Hay |
| Blackburn | Clark, Fla. | Finley | Hayes |
| Brantley | Clayton | Foss | Heflin |
| Broussard | Cole | Foster, Vt. | Higgins |
| Brown | Dale | French | Hill, Miss. |
| Brownlow | Dalzell | Gaines, W. Va. | Hinshaw |
| Brumm | Davey, La. | Garber | Howell, N. J. |
| Brundidge | Davis, W. Va. | Gardner, Mass. | Hunt |
| Kahn | Mudd | Schneebell | Steenerson |
| Keifer | Murphy | Scott | Sulloway |
| Kline | Norris | Sheppard | Talbott |
| Knowland | Olmsted | Sibley | Taylor, Ohio |
| Lafean | Page | Slayden | Thomas, N. C. |
| Lee | Patterson, N. C. | Slemp | Thomas, Ohio |
| Lever | Patterson, S. C. | Small | Townsend |
| Lilley, Pa. | Pollard | Smith, Ill. | Underwood |
| Loud | Pou | Smith, Md. | Wachter |
| Lovering | Rainey | Smith, Mich | Watkins |
| Mahon | Ransdell, La. | Smith, Pa. | Webb |
| Marshall | Reyburn | Smith, Tex. | Weems |
| Maynard | Reynolds | Smyser | Wiley, N. J. |
| Meyer | Richardson, Ala. | Southall | Wood |
| Moon, Pa. | Robinson, Ark. | Sperry | Zenor |
| Moore, Pa. | Samuel | Southard | |

NAYS—142.

| | | | |
|---|---|---|---|
| Alexander | Esch | Lamb | Parsons |
| Andrus | Fassett | Landis, Chas. B. | Payne |
| Babcock | Fitzgerald | Landis, Frederick | Perkins |
| Bankhead | Fordney | Law | Powers |
| Bartlett | Foster, Ind. | Lawrence | Prince |
| Bennet, N. Y. | Fowler | Legare | Randell, Tex. |
| Birdsall | Fulkerson | Littauer | Reeder |
| Bishop | Gaines, Tenn. | Littlefield | Riordan |
| Bowers | Gardner, Mich. | Livingston | Rucker |
| Brick | Garrett | Lloyd | Ruppert |
| Burton, Ohio | Gilhams | Longworth | Russell |
| Calder | Gillespie | Loudenslager | Ryan |
| Candler | Gillett | Lowden | Shackleford |
| Capron | Glass | McCall | Sims |
| Chaney | Goebel | McCleary, Minn. | Smith, Cal. |
| Chapman | Graff | McCreary, Pa. | Smith, Iowa |
| Clark, Mo. | Granger | McGavin | Smith, Ky. |
| Cocks | Greene | McKinley, Ill. | Spight |
| Conner | Hale | McKinney | Stafford |
| Cooper, Wis. | Haskins | McMorran | Sterling |
| Coudry | Henry, Conn. | McNary | Sullivan |
| Cousins | Hepburn | Macon | Tawney |
| Cromer | Hill, Conn. | Mann | Taylor, Ala. |
| Crumpacker | Holliday | Martin | Tirrell |
| Currier | Houston | Miller | Volstead |
| Cushman | Hubbard | Minor | Wadsworth |
| Darragh | Hull | Moon, Tenn. | Waldo |
| Davis, Minn. | Humphrey, Wash. | Murdock | Wallace |
| Dawson | James | Needham | Washburn |
| Denby | Jones, Wash. | Nelson | Watson |
| Dickson, Ill. | Kelliher | Olcott | Weeks |
| Dixon, Ind. | Kennedy, Nebr. | Otjen | Wharton |
| Draper | Kinkaid | Overstreet, Ga. | Williams |
| Driscoll | Knapp | Overstreet, Ind. | Woodyard |
| Edwards | Knopf | Padgett | |
| Ellis | Lacey | Parker | |

ANSWERED "PRESENT"—4.

| | | | |
|---|---|---|---|
| Burgess | Butler, Pa. | Jenkins | Wanger |

NOT VOTING—108.

| | | | |
|---|---|---|---|
| Acheson | Flood | Klepper | Roberts |
| Adamson | Floyd | Lamar | Robertson, I |
| Allen, N. J. | Fuller | Le Fevre | Rodenberg |
| Ames | Garner | Lewis | Saunders |
| Bede | Gilbert | Lilley, Conn. | Scroggy |
| Beidler | Gill | Lindsay | Shartel |
| Bennett, Ky. | Goldfogle | Lorimer | Sherley |
| Bingham | Goulden | McCarthy | Sherman |
| Bonynge | Griggs | McDermott | Snapp |
| Boutell | Hardwick | McKinlay, Cal. | Southwick |
| Bowersock | Haugen | McLachlan | Sparkman |
| Bowie | Hearst | McLain | Stanley |
| Bradley | Hedge | Madden | Stephens, Tex. |
| Broocks, Tex. | Henry, Tex. | Michalek | Stevens, Minn. |
| Brooks, Colo. | Hermann | Mondell | Sulzer |
| Buckman | Hogg | Moore, Tex. | Towne |
| Burleson | Hopkins | Morrell | Trimble |
| Butler, Tenn. | Howard | Mouser | Tyndall |
| Byrd | Howell, Utah | Nevin | Van Duzer |
| Campbell, Ohio | Huff | Palmer | Van Winkle |
| Cockran | Hughes | Pearre | Vreeland |
| Cooper, Pa. | Humphreys, Miss. | Pujo | Webber |
| Davidson | Johnson | Reid | Weisse |
| Dresser | Jones, Va. | Rhinock | Welborn |
| Dwight | Kennedy, Ohio | Rhodes | Wiley, Ala. |
| Field | Kitchin, Claude | Richardson, Ky. | Wilson |
| Fletcher | Kitchin, Wm. W. | Rives | Young |

So the motion was rejected.

The Clerk announced the following additional pairs:

For the day:

Mr ACHESON with Mr. BURGESS.

For the vote:

Mr. RODENBERG with Mr. HOWARD.

Mr. MONDELL with Mr. WILEY of Alabama.

Mr. MCLACHLAN with Mr. FLOOD.

Mr. KENNEDY of Ohio with Mr. SPARKMAN.

Mr. COOPER of Pennsylvania with Mr. SHERLEY.

Mr. DAVIDSON with Mr. TRIMBLE.

Mr. BUCKMAN with Mr. SULZER.

Mr. BROOKS of Colorado with Mr. PUJO.

Mr. BONYNGE with Mr. LAMAR.

Mr. ROBERTS with Mr. BURLESON.

Mr. JENKINS with Mr. HENRY of Texas.

Mr. SHERMAN with Mr. LEWIS.

Mr. BEDE (in favor of) with Mr. STEVENS of Minnesota (against).

Until further notice:

Mr. SNAPP with Mr. GOLDFOGLE.

Mr. NEVIN with Mr. MOORE of Texas.
Mr. PEARRE with Mr. GILL.
Mr. MOUSER with Mr. TOWNE.
Mr. LILLEY of Connecticut with Mr. CLAUDE KITCHIN.
Mr. LE FEVRE with Mr. RHINOCK.
Mr. KLEPPER with Mr. MCLAIN.
Mr. HOWELL of Utah with Mr. SAUNDERS.
Mr. HAUGEN with Mr. STEPHENS of Texas.
Mr. BOWERSOCK with Mr. FIELD.
Mr. BEIDLER with Mr. REID.
For the session:
Mr. WANGER with Mr. ADAMSON.
The result was announced as above recorded.

Mr. TAWNEY. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendment.

The SPEAKER pro tempore. The gentleman from Minnesota moves that the House insist upon its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The next amendment for consideration is No. 82, which the Clerk will report.

The Clerk read as follows:

On page 116, line 13, before the word "thousand," insert "and fifty;" so it will read: "$350,000."

Mr. OLMSTED. Mr. Speaker——

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania to make a motion.

Mr. OLMSTED. Mr. Speaker, I move that the House do recede from its disagreement to that amendment and concur therein.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. OLMSTED] moves that the House recede from its disagreement to Senate amendment No. 82 and concur therein.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for five minutes.

Mr. OLMSTED. Mr. Speaker, this is not a matter that in any exceptional manner affects Pennsylvania, for out of $480,000 expended last year only $17,100 were expended in that State. This covers the topographical survey of the whole country, and the whole country is interested in it. It affects every State in the Union.

As this bill was originally reported from the Committee on Appropriations the words "United States," which had previously appeared, were changed to "national domain," intending thereby to confine the topographic survey to the lands owned by the Government, and the appropriation was reduced to $250,000. But the House, in the Committee of the Whole, struck out "national domain" and inserted "United States." A motion was made to increase the appropriation to $400,000, but it carried at $300,000. The Senate has increased the amount to $350,000, which was just the amount appropriated in the previous year and the year before that for expenditure for topographical surveys throughout the United States. I submit that if $250,000, the amount proposed by the Appropriation Committee for lands owned by the United States, was a proper appropriation, then $350,000 is very small when covering all the United States, not confining it to lands owned by the Government itself.

This work, Mr. Speaker, is in progress in every State and Territory in the Union. It is just about half completed now. From all sections there are clamors for this work—from the Government Departments, the War Department, and the Interior Department. The States are interested to such extent that thirteen different States out of their own treasuries have appropriated for the purpose of expediting this survey. I think that the Senate amendment restoring the amount to the same figure which was appropriated in the preceding year and the year before that is certainly a very proper amendment, and I therefore hope that the House will recede from its disagreement and concur in that amendment.

Mr. TAWNEY. Mr. Speaker, the amount of money that the Geological Survey can expend in making a topographical survey is limited only by the amount that it can get from the Congress of the United States. The work that is now being done by the Geological Survey in the making of topographical surveys is being done in those States that cooperate with the Geological Survey in making the survey, and if the State is willing to put up $50,000, the Director of the Geological Survey is willing to take out of this Federal appropriation an amount equal to the amount contributed by the State.

Mr. OLMSTED. Will the gentleman yield just for a question? I think the gentleman is in error there, for I find in the report of the Director that money was expended in forty-five States last year, and only thirteen contributed anything out of their own treasury.

Mr. TAWNEY. The money that is expended in the States that do not contribute is the smallest amount that the Director of the Geological Survey does expend, simply because he wants it to be said on the floor of the House that he is not spending all of this money in the States that contribute aid in making this topographical survey. I say, therefore, that the House deliberately, after full discussion here the other night, voted $300,000 for this survey during the next fiscal year, and that it is ample to meet the requirements of that service during the next year. And in view of the enormous appropriations at this session of Congress I submit that every man on this floor should vote to keep that appropriation at the amount fixed a week ago, when we voted in favor of $300,000 for this service. I ask for a vote.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. OLMSTED] that the House recede from its disagreement to Senate amendment No. 82 and concur in the same.

The question was taken; and the Chair announced that the "noes" seemed to have it.

Mr. OLMSTED. I ask for a division, Mr. Speaker; but first I would like the amendment to be understood by the House.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. OLMSTED] asks unanimous consent that the amendment be again reported. Is there objection?

There was no objection.

The amendment was again reported.

The House proceeded to divide.

Mr. OLMSTED. I withdraw the demand.

The SPEAKER pro tempore. The demand for a division is withdrawn, and the motion is lost.

Mr. TAWNEY. Mr. Speaker, I move now that the House further insist upon its disagreement in this amendment.

The SPEAKER pro tempore. The gentleman from Minnesota moves that the House further insist upon its disagreement to the Senate amendment.

The question was taken; and the motion was agreed to.

Mr. TAWNEY. Mr. Speaker, I move to agree to the conference requested by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. TAWNEY, Mr. SMITH of Iowa, and Mr. TAYLOR of Alabama as conferees on the part of the House.

### AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I call up the conference report on the agricultural bill.

The SPEAKER. The gentleman from New York calls up the conference report on the agricultural appropriation bill.

Mr. WADSWORTH. I ask to dispense with the reading of the report and that the statement may be read.

Mr. PAYNE. Pending that, I suggest to my colleague that he ask the report be considered as read. I desire to raise a point of order against the report. Then, afterwards, if that is decided in his favor, he can ask for the reading of the statement.

The SPEAKER. The gentleman from New York asks unanimous consent to dispense with the reading of the report. The Chair hears no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 13, 44, 45, 50, 56, 57, 62, 63, 64, 67, 68, 69, 71, 74, 75, 76, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 28, 29, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 46, 47, 49, 51, 53, 54, 55, 58, 59, 60, 61, 65, 66, 73, 81, 82, 83, 84, 85, 87, and 89, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "ninety-five thousand seven hundred and sixty dollars;" and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and nineteen thousand two hundred dollars;" and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with amendments as follows: In line 1 of said amendment, after the word "and," insert "also;" and on page 34, in line 6, after the word "into," strike out the words "interstate or;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: On page 40 of the bill, in line 6, after the word "forests," insert the words "in the District of Columbia or elsewhere;" and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "officers," strike out the word "for" and insert in lieu thereof the word "of;" and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "Congress," insert the words "classified and;" and in the same line, after the word "detailed," insert the words "reports of all receipts by the Forest Service and classified and detailed;" and in line 11 of said amendment, after the word "receipt," insert "and there is hereby appropriated and made available as the Secretary of Agriculture may direct, out of any funds in the Treasury not otherwise appropriated, so much as may be necessary to make refunds to depositors of money heretofore or hereafter deposited by them to secure the purchase price on the sale of any products or for the use of any land or resources of the national forests in excess of amounts found actually due from them to the United States;" and in line 26 of said amendment, after the word "sources," strike out the colon and the matter following down to and including the word "reserve" in line 30; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Restore the matter stricken out, in addition to the matter inserted by the Senate; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF BIOLOGICAL SURVEY.

"Salaries, Bureau of Biological Survey: One biologist, who shall be Chief of Bureau, three thousand dollars; one clerk, class 1, $1,200; two clerks, at $1,000 each, $2,000; one clerk, $900; one messenger or laborer, $480; in all, $7,580."

And the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$52,000;" and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following:

"Nutrition investigations: To enable the Secretary of Agriculture to incur such expenses as may be necessary for the packing, transporting to, and storing in Washington, D. C., of all apparatus now the property of the Government and used in the nutrition investigations, $5,000, or so much thereof as may be necessary."

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "One million and thirteen thousand two hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "Twelve thousand three hundred and ninety dollars;" and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "Seventy thousand and fifty dollars;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "Eight million six hundred and ninety-two thousand two hundred and ninety dollars;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "nine million four hundred and forty-seven thousand two hundred and ninety dollars;" and the Senate agree to the same.

J. W. WADSWORTH,
CHAS. F. SCOTT,
JOHN LAMB,
*Managers on the part of the House.*

REDFIELD PROCTOR,
H. C. HANSBROUGH,
F. M. SIMMONS,
*Managers on the part of the Senate.*

The Clerk read as follows:

STATEMENT.

The House recedes from amendments Nos. 1, 2, 3, 7, 8, 9, 10, 12, 15, 16, 18, 19, 20, 21 with amendment, 22, 23, 24, 26, 28, 29, 30 with amendment, 31, 32, 33, 34 with an amendment, 36, 38, 39, 40, 41, 43 with an amendment, 46, 47, 48 with an amendment, 49, 51, 53, 54, 55, 58, 59, 60, 61, 65, 66, 70 with an amendment, 73, 81, 82, 83, 84, 85, 86, 87, and 89.

The Senate recedes from amendments Nos. 4, 13, 50, 52, 56, 57, 62, 63, 64, 67, 68, 69, 71, 74, 75, 76, 77, 78, and 79.

Amendment No. 1 appropriates $12,000 for the salary of the Secretary of Agriculture, in accordance with the law recently passed.

Amendment No. 2 increases the salary of the Assistant Secretary from $4,500 to $5,000.

Amendment No. 3 increases the salary of the solicitor to $3,500.

Amendments Nos. 10, 15, 26, and 36 increase the salaries of the Chiefs of the Bureaus of Animal Industry, Plant Industry, Chemistry, and Forestry to $5,000.

Amendment No. 73 restores the salary of the Director of Office of Public Roads to $2,750, the amount originally recommended by the House committee.

Amendment No. 16 increases the salary of the chief clerk of the Bureau of Plant Industry to $2,250.

Amendment No. 53 increases salary of the cashier of the division of disbursements and accounts to $2,000.

Amendment No. 12 increases the amount for experiments in animal feeding and breeding from $25,000 to $50,000. This was the amount originally proposed by the House bill.

Amendment No. 20 increases the appropriation for grain investigations from $15,000 to $40,000. The increase was conceded by your conferees to meet the demands for foreign commerce.

Amendment No. 31, granting an increase of $1,000,000 to the Forest Service, was agreed to by your conferees because of a Senate amendment which requires all receipts from the forest reserves to be turned into the Treasury, and not to be again available by the Forest Service except by direct appropriation.

Amendment No. 34 requires the Secretary of Agriculture to submit detailed reports of receipts and estimates for the Forest Service and estimate of expenditures intended for this service each year, and that all receipts from the Forest Service after July 1, 1907, shall be covered into the Treasury, thus putting an end to the use of those receipts as a "revolving" fund. This amendment further provides that hereafter no forest reserves shall be created nor any additions made within the limits of the States of Oregon, Washington, Idaho, Montana, Colorado, or Wyoming except by act of Congress.

Amendment No. 41 strikes out that provision of the House bill which provides "that no part of this sum shall be used for the payment of compensation or expenses to any officer or other person employed by any State, county, or municipal government," and substitutes the following: "That any sum used for compensation of or payment of expenses to any officer or other person employed by any State, county, or municipal government shall be reported to Congress in detail."

The Senate amendment was agreed to by your conferees in the belief that it would be perhaps wiser to allow the Department to follow its own plan for at least the first year of the enforcement of the pure-food law.

Amendment No. 48 restores to the bill the salaries for the

Bureau of Biological Survey exactly as it is carried in the current bill.

Amendment No. 70, as amended by the conferees, instead of restoring the item for nutrition investigations, appropriates $5,000 to bring to Washington the apparatus belonging to the Government which has been used in these investigations.

Amendment No. 89 provides that hereafter, on or before the 1st day of January of each year, the Secretary of Agriculture shall submit to Congress, in addition to the estimates now required by law, classified and detailed estimates of every subject of expenditure intended for the Agricultural Department for the next fiscal year and detailed reports of all expenditures under any appropriation for each service during the preceding fiscal year.

All other amendments are for correction of totals, slight changes in verbiage, correction of punctuation, restoration of two or three paragraphs stricken out in the House on points of order, but which in no way change the original intent and purpose of the bill.

On careful examination of the bill by the conferees it was found that no authority was given the Forest Service to employ help in the District of Columbia, the words authorizing such employment having been inadvertently stricken from the House bill under a point of order. The conferees therefore recommend the insertion, after the word "forests," in line 6, page 40 of the bill, of the words "in the District of Columbia or elsewhere."

J. W. WADSWORTH,
CHAS. F. SCOTT,
JOHN LAMB,
*Managers on the part of the House.*

Mr. FITZGERALD. Mr. Speaker, I wish to make the point of order against the conference report on the ground that the conferees have inserted on page 40 language in an item which was not in dispute between the two Houses. On page 40, line 24, the conferees have changed the text in the language agreed to by both Houses by inserting, after the word "forest," the words "in the District of Columbia or elsewhere."

Mr. WADSWORTH. Now, Mr. Speaker, I concede the point of order; but the report makes mention of the fact, and my statement calls further attention to the fact. It evidently was a typographical error or an error of some kind by which certain words were left out which authorized the Forest Service to employ help in the District of Columbia. If this is not inserted, the Chief Forester can not pay anybody for work in the District of Columbia.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] makes the point of order that the conferees have exceeded their authority by changing the text to which both Houses have agreed by inserting, after the word "forest," the words "in the District of Columbia or elsewhere." And the report states that such is the case. Does the gentleman from New York confess the point of order?

Mr. WADSWORTH. I do. I simply want the House to understand there was no attempt at concealment.

The SPEAKER. The Chair sustains the point of order.

Mr. WADSWORTH. Then I move that the House insist upon its disagreement to the Senate amendments and ask a further conference.

The SPEAKER. Is a separate vote demanded on any of the amendments?

Mr. OVERSTREET of Indiana. I ask a separate vote on amendment 86 so that I may offer an amendment. It is on page 72.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the vote will be taken on the other amendments in gross.

Mr. DAVIS of Minnesota. I ask that the House concur in Senate amendment——

The SPEAKER. Precisely; but the gentleman from New York, in charge of the bill, moves that the House do further insist upon its disagreement upon all amendments, and the Chair is trying to find out how many amendments the motion of the gentleman would include and on which there is a desire for a separate vote.

Mr. DAVIS of Minnesota. I ask a separate vote on amendment No. 88.

The SPEAKER. Is there any other amendment on which a separate vote is desired? If not, the vote will be taken in gross on the other amendments, excepting amendments 86 and 88.

No other separate vote was demanded.

The SPEAKER. The question is on agreeing to the motion to insist on disagreement to all the other amendments on which a separate vote is not asked.

The question was taken; and the motion was agreed to.

The SPEAKER. The Clerk will report amendment No. 86.

The Clerk read as follows:

Survey of and report on Appalachian and White Mountain watersheds: To enable the Secretary of Agriculture to examine, survey, and ascertain the natural conditions of the watersheds at and near the sources of the various rivers having their sources in the Southern Appalachian Mountains and the White Mountains, and to report to Congress the area and natural conditions of said watersheds, the price at which the same can be purchased by the Government, and the advisability of the Government's purchasing and setting apart the same as a national forest reserve for the purpose of conserving and regulating the water supply and flow of said streams in the interest of agriculture, water power, and navigation, $25,000, to be immediately available.

Mr. OVERSTREET of Indiana. Mr. Speaker, I move to concur with an amendment which I offer.

The SPEAKER. The gentleman from Indiana moves to concur in the Senate amendment which has just been read with an amendment. The Clerk will report the motion of the gentleman from Indiana.

The Clerk read as follows:

Amend the Senate amendment numbered 86 by striking out all after the words "to enable the Secretary of Agriculture" and inserting the following: "to examine and ascertain the natural conditions, especially as to forests, of the area of land at and near the sources of all the various streams in continental United States which are of sufficient importance in navigation to have been made the object of expenditure of national money for their improvement, or which have water supplies already utilized for manufacturing or irrigation or capable of such utilization, and to report to Congress the areas and natural conditions of said watersheds, the prices at which the same can be purchased by the Government, and the advisability of the Government's purchasing and setting apart the same for the preservation or propagation of such forests as may be needed to conserve, regulate, or increase the water supply of the before-described streams in the interests of agriculture, water power, and navigation, $25,000, to be immediately available."

Mr. WADSWORTH. I yield five minutes to the gentleman from Indiana [Mr. OVERSTREET].

Mr. OVERSTREET of Indiana. Mr. Speaker, the distinction between the Senate amendment and the amendment I have offered is simply this: The Senate amendment proposes an examination of the sources of rivers having their sources in the southern Appalachian Mountains and the White Mountains. The amendment which I offer is to broaden that examination and leave it open in order that the Congress may have the information, first, of the particular sections where these rivers rise and where the land ought to be purchased, and, second, what the cost may be. If we start upon a project of this kind, individualizing one particular part of the country—the White Mountains, for example—and then wait for a subsequent Congress to select another particular locality, it will be a never ending project; and, I think, at the outset, before Congress has expended any money in the purchase of these lands for the protection of water supplies, we ought to have a more general examination than the Senate amendment provides, and some additional data, before we determine what the cost may be. We seek only to know all the facts, and Members can not criticise any honorable effort which may be made to ascertain those facts. I insist that if this project is to be entered upon at all, we ought to enter upon it on a broader scale than by the limitation to the southern Appalachian Range and the White Mountains, for the purpose of determining more accurately and comprehensively the facts with reference to the cost of the project. I would be glad if the gentleman from New York [Mr. WADSWORTH] would express his recognition of the necessity and the advisability of first ascertaining all of these facts before entering upon the project and would accept the amendment.

Mr. WADSWORTH. I yield to the gentleman from South Carolina [Mr. LEVER] five minutes.

Mr. LEVER. Mr. Chairman, the purpose of amendment No. 86 is plainly set forth in the language of the amendment itself. It is intended to enable the Secretary of Agriculture to make a survey of the Appalachian and White Mountain regions with a view to ascertaining the natural conditions of the watersheds at or near the sources of the various navigable rivers having their fountain heads in these regions, and to report to Congress the number of acres of land involved in these watersheds, the price at which they can be bought, and the advisability and practicability of the Government purchasing them with a view of setting them apart as a forest reserve, in order to conserve and regulate the water supply of the streams which have their origin in these lands. All of this is to be done in the interest of agriculture, to protect the great water powers along these streams, and to aid in making navigable these water courses. This is the plain intent of the amendment, which was put on the agricultural appropriation bill in the Senate through the

efforts of the senior Senator from North Carolina [Senator SIMMONS]. It will be remembered that when the agricultural bill was before the House I had the honor of moving an amendment to appropriate $3,000,000 for the purchase of sufficient lands in the Appalachian and White Mountain regions out of which to establish a forest reserve sufficient to adequately and economically protect the water courses having their origin in these mountain regions. The point of order was raised against the amendment and was sustained by the Chair. Thereupon, my friend from North Carolina [Mr. THOMAS] offered an amendment which, in effect, is the amendment now under consideration. The point of order was raised also against this amendment, and was likewise sustained.

While I shall heartily support this Senate amendment, I must confess that I feel that with reference to the Appalachian Range we have sufficient information and data upon which to pass wise legislation, for it will be remembered that the Department of Agriculture and the Geological Survey, acting together under authority of Congress given some years ago, made an extensive survey of that region, and that report has been submitted to Congress and is now a public document, containing over 100 pages of valuable and detailed information.

However, be that as it may, the friends of the idea of establishing forest reservations in the Appalachian and White Mountain ranges are now brought face to face with an adroit and carefully concealed effort to defeat the whole proposition.

The substitute offered by the gentleman from Indiana [Mr. OVERSTREET] is an indirect attempt to defeat all legislation looking to the establishment of these forest reserves. The substitute of the gentleman proposes to make an examination and to ascertain the natural conditions of the area of land at or near the sources of all the various streams in continental United States, and for this purpose appropriates $25,000. That the purpose of the gentleman from Indiana can be accomplished for this sum of money is absolutely ridiculous, and no one better knows it than the gentleman himself. The truth is that the adoption of the substitute is intended to load down this proposition for the purpose of defeating the ends sought by the Senate amendment. The gentleman from Indiana says he wants the facts. We, too, want all of the facts in regard to this proposition. We are quite willing to have the facts, so far as we are concerned on this side, and, I think, as far as all of the friends of this proposition are concerned, but we are not willing to load down the proposition with another proposition covering the entire country—all of continental America. We are opposed to the substitute of the gentleman from Indiana, and I trust that the friends of the idea of forest reserves for the Appalachian and White Mountain regions will line up and vote it down, so that the House may concur in the Senate amendment and permit the survey passed by it to be made, in order that some of the objections raised against the bill to make a direct appropriation for the purchase of these regions may be met.

With respect to the Appalachian regions, Congress now has sufficient information upon which to act wisely, but a survey of the White Mountains is necessary to ascertain the facts upon which to base economical and wise legislation.

The substitute of the gentleman from Indiana is evidently sinister to the whole scheme of forest reserves in these mountains, but even if it were made in good faith its adoption would mean a delay of from three to five years before any final conclusion could be reached and before sufficient information could be had upon which to act.

This bill has been knocking at the door of Congress for years and years. We have an opportunity now to get the facts upon which Congress can act. The Senate has sent this amendment to us. It is up to us to stand by that amendment in order that we may get the facts, and the friends of this Appalachian-White Mountain proposition will make a great mistake and delay the final creation of these reserves many and many years, and perhaps defeat them finally, by the adoption of the substitute. I wish to say, without imputing to him any motives, for I would not do that, that this substitute has been drawn by a master hand, for if he had studied for years a scheme by which to defeat this whole proposition I do not think he could have found a more effective one by which to do it. It is a drag-net proposition which appeals to the selfishness of every Member of the House, and all of us have more or less of that in us. If the gentleman from Indiana is opposed to the creation of forest reserves in the White Mountain and Appalachian regions, and if it is his purpose to stand up against the strong recommendation of two Presidents of his own party and to place himself against the judgment and the wishes of twelve great States and numerous commercial and civic organizations, not to take into account an undoubted majority of this House, then let the gentleman say so in plain terms and let him make his fight in the open daylight and without any attempt at concealment. Let the friends of the proposition to create forest reserves in these mountain regions not misunderstand the purpose of the substitute. This is really but the opening gun in the battle that is to be fought over this proposition, and to suffer defeat now means everlasting defeat. To defeat the substitute of the gentleman from Indiana means that we control the situation and in the end will force upon Congress a recognition of the justice of this proposition. This, in a way, is a test vote, and yet, because of the drag-net and thin-butter-spread character of the substitute. I do not feel that the vote which is soon to be taken will be a correct evidence of the real strength of the proposition. So adroit is the substitute that it is certain to fool some of us. I trust, therefore, that the House will vote down the substitute offered by the gentleman, so that we can concur in the Senate amendment and let this proposition get before the Sixtieth Congress in order that the House may have an opportunity to express itself upon it. And when such an expression is had, I believe that the wisdom of the American statesmanship will find its vindication in the adoption of the idea of forest reserves in these mountain regions, thereby answering the appeals of the agricultural, manufacturing, and commercial interests of the New England and Southern States. [Applause.]

Mr. WADSWORTH. I now yield five minutes to the gentleman from North Carolina [Mr. THOMAS].

Mr. THOMAS of North Carolina. Mr. Speaker, the evident purpose of the amendment to the Senate amendment offered by the gentleman from Indiana is to kill the whole proposition for a survey of the Appalachian and White Mountain forest reserves. There are a great many Members of this House from New England and the South who believe that we should have at least an investigation of the facts relating to these proposed forest reserves in New England and the South. We are vitally interested in this matter. Now, what does the amendment of the gentleman from Indiana propose? He proposes to have a survey and an investigation of all the watersheds in the United States. The effect of the adoption of that amendment would be necessarily to defeat the whole proposition advocated by New England and the South. What are we asking for in the Senate amendment? Let me read the amendment inserted in the Senate to the agricultural appropriation bill. It is a simple, plain proposition. I want the House to hear it in full:

> To enable the Secretary of Agriculture to examine, survey, and ascertain the natural conditions of the watersheds at and near the sources of the various rivers having their sources in the Southern Appalachian Mountains and the White Mountains, and to report to Congress the area and natural conditions of said watersheds, the price at which the same can be purchased by the Government, and the advisability of the Government's purchasing and setting apart the same as a national forest reserve for the purpose of conserving and regulating the water supply and flow of said streams in the interest of agriculture, water power, and navigation, $25,000, to be immediately available.

This is a very small appropriation. The purpose of it is simply by a survey to get at the facts with reference to the advisability of establishing forest reserves in the White Mountains and the Appalachian regions. For years we have been knocking at the door of Congress, asking Congress to do something in the way of an appropriation for these forest reserves. We believe in New England and in the South that such legislation means not only the preservation of the agricultural lands, but also the conservation of our water power for manufacturing purposes, and that means millions of dollars to the people of New England and to the people of the South. We are simply asking to have the facts investigated, the survey made, and then, if advisable, we can go a step further in the passage of the bill to establish the reserves. If not advisable and to our national interests, we can stop with the survey.

It seems to me the adoption of the Senate amendment is in the interest of the economic administration of the Government. We are simply endeavoring by a survey to ascertain whether we ought to establish these forest reserves in the White Mountains and the Appalachian region; then after a survey is made we can tell whether the Congress of the United States ought to act favorably upon the bill reported by the Committee on Agriculture establishing these reserves.

Mr. LITTLEFIELD. I would like to inquire of the gentleman from North Carolina whether the Senate amendment ought not to provide, as well as "ascertaining the natural conditions," also for ascertaining the natural and "existing" conditions, because I understand there has been a pronounced change in the character of the surface of the earth in the Appalachian region, especially, and more or less in the White Mountains. The amendment ought to provide for disclosing the natural conditions and the existing conditions.

Mr. BURLESON. A change in the natural conditions?

Mr. LITTLEFIELD. Certainly.

Mr. BURLESON. Then would not that be still the natural condition?

Mr. LITTLEFIELD. Not at all, you may say, in the sense of not being artificial, and so disclose the whole situation.

Mr. WADSWORTH. I am inclined to think the gentleman from Maine is right.

Mr. THOMAS of North Carolina. The gentleman may be right, but my idea is that the words "natural conditions," as the gentleman from Texas has suggested, would include existing conditions.

Mr. LITTLEFIELD. You might strike out the word "natural," and say "ascertain the conditions," and that will give us what the situation is.

Mr. THOMAS of North Carolina. I see no objection to amending the Senate amendment in that way.

Mr. LITTLEFIELD. I would be very glad, with that amendment, to vote for the Senate amendment.

Mr. THOMAS of North Carolina. I hope the motion of the gentleman from Indiana [Mr. OVERSTREET] will be voted down, and I hope that the motion to recede and concur in the Senate amendment with the amendment suggested by the gentleman from Maine will be adopted. The expenditure of this small amount for survey will give us the facts and may save millions to the agricultural and manufacturing interests of New England and the South. [Applause.]

Mr. WADSWORTH. I yield five minutes to the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I favor the amendment proposed by the gentleman from Indiana [Mr. OVERSTREET], and in taking this position I do so from the standpoint of one who thoroughly believes in our forest-reserve movement. A great deal of criticism has been let loose in both ends of the Capitol upon the general administration of the forest reserves. For one, I have little sympathy with the criticism. I have lived for a quarter of a century in a locality where I have been a close observer of this system. I live on the edge of one of the oldest forest reserves of the entire system, where I have had opportunity to observe both the old method and the new. I therefore favor this amendment, because I think it will in a sensible and legitimate way ascertain the necessary facts regarding this great region of the East and South before the Government shall embark specifically upon the enterprise.

I think that public sentiment is rapidly growing to an understanding of the fact that the great forest and water resources of the country must be administered in a conservative way for the benefit of this as well as future generations. When the Black Hills Forest Reserve was established in 1898 you could scarcely find one man in a thousand who was not opposed to the idea. The practical management and working out of this idea has been so successful that I challenge anyone to find now one man in a thousand in that immediate vicinity who does not recognize its great benefits. One of the mistakes made in the establishment of the forest reserves in the western country has been that there has not been sufficient inspection in advance before the boundaries of the reserves have been established. As a result of this boundary lines have been too carelessly drawn, in the first instance, and large areas not needed for the cultivation or preservation of timber, but better adapted to grazing and agricultural purposes, have been unfortunately included in some of the forest reserves. It is because of this that the reserve system has, to a certain extent, come before the country with a great deal of criticism attached to it. The amendment offered by the gentleman from Indiana would give a thorough investigation of the necessary data upon which Congress could act intelligently in the near future.

We have now in the United States 139 forest reserves, embracing 129,000,000 acres. I will publish with my remarks a list of these reserves, showing the dates when established and the acres of each. It is a noticeable fact that the Senators and Representatives who are objecting to the public forestry movement come from States where the reserves were but recently created. The free pioneer of the West is accustomed to free range, free water, and free fuel, and he at first resents the reserve system as an interference with the time-honored rights of an American citizen. But he soon discovers that the forest supervisor and forest rangers are the best friends of the honest and permanent settler—protecting the forests against destruction by fire, conserving the water resources for the common good, and apportioning the range privileges on an equitable basis, so that all may receive a reasonable share of these benefits.

The act passed at the last session of Congress providing for agricultural settlement in forest reserves was a wise measure. Most of the forest reserves of the West are traversed by fertile valleys. There are some of the best agricultural lands in the country, and being well watered and in close proximity to fuel and building materials they present some of the best opportunities for permanent home building. The permanent settlers in forest reserves take a lively interest in the protection of the timber and water supply. They are usually organized by the forest rangers into an auxiliary force, and can be called into action quickly in case of fire or other emergency.

Our national forestry movement came none too early. The ruthless devastation of the protecting forests at the sources of our rivers was seriously affecting the regular distribution of our water resources. The inevitable effect was torrential floods during the season of rain and melting snow and an insignificant flow during the months of summer and fall. Private greed too often fells the young growing timber as well as the mature trees, and tops and branches are allowed to dry on the ground where they fall, making fuel for forest fires.

Before the Government took the public forests into its own control vastly more timber was destroyed by fire than was taken for commercial uses. The people are beginning to understand that trees are to be protected and grown like any agricultural crop and that only the mature product is to be gathered from year to year. This system is necessary for the best interests of to-day as well as for the generations of the future.

The Black Hills Forest Reserve affords a good concrete illustration of what may be expected from our forest reserve system. It is at present our most important reserve from a commercial standpoint. The large mining operations in that vicinity require vast quantities of mining timber, and lumber and building material are in constant demand in the neighboring towns and agricultural valleys. These demands are now met without destroying the immature trees.

This reserve is about 100 miles long by 40 miles in width. It is a delight to ride through the reserve and see the thrifty young forests springing up on every side. Thousands of acres are now covered with dense vegetation that were comparatively barren until the system of forest patrol was established.

I prophesy that Senators and Members of Congress who are now rebellious against this national forestry movement will be won over among its supporters when they have opportunity to see what the reserve system can accomplish. I have only words of commendation for the Chief Forester, who is the real head of this national movement. He has dedicated his life to a great idea that promises only good for the entire country. He brings to this Service the devotion and enthusiasm of a high purpose, and should receive the cordial support of both branches of the Congress. [Applause.]

Mr. WADSWORTH. I yield five minutes to the gentleman from Massachusetts [Mr. MCCALL].

Mr. MCCALL. Mr. Speaker, I am opposed to the amendment offered by the gentleman from Indiana [Mr. OVERSTREET] and am in favor of the adoption of the Senate amendment as amended in accordance with the suggestion of the gentleman from Maine. I do not think that anything will come from the proposed dragnet and general investigation. If a proposition were up for some particular river or harbor improvement, it would be just as sensible to amend it by proposing to investigate all the rivers and harbors of the country. If there is anything to be investigated in connection with our western forest reserves, let that be done; but this is a distinct proposition. A bill has passed the Senate and has passed the committee of the House in favor of establishing two great forest reserves. There are at least fifteen States interested in those reserves. The Commonwealth of Massachusetts has none of the forests within her area, but she is vitally interested in having the sources of her rivers protected. And it is for the purpose of specially investigating this clear-cut and definite proposition that this appropriation is proposed. The bill establishing these forest reserves would, in all probability, have received consideration at this session of Congress if it had not been for the indefinite character of some of the information upon it and the lack of knowledge as to the extent to which the Government would be committed; and this survey is in the direction of educating the next Congress so it may understand precisely what the proposition means. An appropriation of $25,000 for the forest-reserve system and water courses of the whole country, as proposed by the Overstreet amendment, is absurdly small. It will have to be followed up by millions, and the gentleman from Minnesota will be fighting here, as he has been fighting through this Congress, the appropriations proposed for making other investigations and maps and surveys than those of the Geological Survey. I trust the amendment proposed by the gentleman from Indiana will be voted down and that then the Senate amendment as amended will be passed.

Mr. WADSWORTH. I yield five minutes to the gentleman from Ohio [Mr. BURTON].

Mr. BURTON of Ohio. Mr. Speaker, this is a very important question, involving the respective spheres of activity of the States and the Federal Government. The partial solution of that question by the civil war and other events has already added many pages to the history not only of this country, but of the world. Even those who believe in the unlimited power and authority of the Federal Government may well shrink before some of the undertakings which have recently been entered upon by the Federal Government, and we ought to consider a proposition of this kind very carefully before we adopt it; but if we are to adopt it at all, should we not bear in mind that all portions of the country should be treated alike? [Applause.] The great danger is that when the Federal Government infringes upon the responsibilities and functions of States partiality will be shown, that one locality will assert its claims or rights to the detriment of all the rest. I may say with reference to the branch with which I have had most to do in this House, that of rivers and harbors, that there is no justification for the taking up of that class of work by the Federal Government unless the scales are held with absolute equality and all portions of the Union—North, South, East, and West—are treated alike. And just so it is in this matter. If we are to enter upon these surveys as to the waters on the watersheds, surveys of water power, or anything of that kind, the investigation should not be directed to one part of the country, but to the whole country alike, and so I favor the amendment of the gentleman from Indiana.

Mr. WADSWORTH. Mr. Speaker, I yield five minutes to the gentleman from New Hampshire [Mr. CURRIER].

Mr. CURRIER. Mr. Speaker, the gentleman from Ohio has said that the entire country should be treated alike in this matter, but this appropriation is for a specific purpose which has already received the sanction of the Senate which has passed the bill for these two forest reserves and the sanction of this Committee on Agriculture of the House, which unanimously reported the bill. It is true, of course, that it can not receive any consideration at this session, but this matter will be up again, and we want to be able to tell the committee and the House the natural conditions regarding this matter and lay before them the facts as to the cost of the proposed reserves, so that this matter can be acted upon intelligently by the committee and by the House. If this matter is to be beaten, let it be beaten in a square and manly way and not by indirection [applause], for whatever may be the intention of the mover of this proposition this amendment in fact destroys this whole thing. Talk about a survey of all the navigable rivers of the country and all the watersheds at the expense of $25,000! Why, it is absolutely ridiculous!

Mr. OVERSTREET of Indiana. There is no such proposition for a survey. The word "survey" is not in there.

Mr. CURRIER. Any such examination as you are talking about, extending from the Atlantic to the Pacific and from the Lakes to the Gulf, would cost hundreds of thousands of dollars. It would take years to make any such investigation.

Mr. MANN. Would not the Secretary of War under the substitute have the authority to first make investigation of the Appalachian and White Mountain propositions?

Mr. CURRIER. No other proposition has been pending in this Congress. This has not only been pending, but has passed the Senate and has been unanimously reported from the Committee on Agriculture. It is one specific provision, and we ask for this small appropriation in order that at the next Congress we may lay all the facts before this House. It is a reasonable request.

Mr. MANN. Could not the Secretary have the authority?

Mr. CURRIER. He may have the authority. We want him directed to do it.

Mr. SOUTHARD. What is the objection to directing him?

Mr. CURRIER. None. The amendment of the gentleman from Indiana [Mr. OVERSTREET] leaves him open to wander all over this country to make an investigation.

Mr. THOMAS of North Carolina. Will the gentleman allow me to say that this simply gives an intelligent examination and investigation of the question for future action.

Mr. CURRIER. That we may present this matter fully to the next Congress and to this committee. I am not going into the merits of this project, but if you would give us these reserves we would save in our river and harbor bill alone three times over the cost of the reserves in the next five years in preventing the filling up of streams. I hope the amendment offered by the gentleman from Indiana will be beaten. Let the reserve bill at some time come before this House, and if you want to vote it down there will be no murmur from us; but beat it squarely and in the open.

Mr. WADSWORTH. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I have a love for everything in the forest, from the tiniest plant to the loftiest tree; and I believe—and have for years—that it might be desirable for the General Government to own and control a forest reservation in the White Mountains and in the southern Appalachian region. But before I would be willing to cast my vote in favor of such a proposition I must know what the effect will be on the adoption of that policy. I can see in my mind's eye, Mr. Speaker, in the not far distant future that this country may adopt the policy which has been adopted by some of the foreign countries, and may adopt the plan of conserving its future interests by the establishment of forest reservations. And when my distinguished friend from New Hampshire [Mr. CURRIER] and my distinguished friend from Massachusetts [Mr. MCCALL], through selfish interests in favor of their local projects, object to the survey of the rest of the country and to giving us the information which we need before entering upon the scheme, I think the gentlemen are shortsighted.

Mr. CURRIER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. CURRIER. Whenever you will bring in a project here which will receive the approval of the Senate and is unanimously reported by this committee, we will vote to give you a survey.

Mr. MANN. Well, Mr. Speaker, with all due deference to that great legislative body at the other end of this Capitol, its sanction to me contains no weight. [Applause.] Mr. Speaker, the gentleman wants this proposition. Why not let us know what the plan will cost? Under the proposition contained in the substitute amendment, the Secretary of Agriculture, which means the Chief of the Forestry Division, may enter upon an investigation of these two projects and report upon them at the next session of Congress if he be able to do so.

Mr. LEVER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. LEVER. I would like to say to my friend from Illinois——

Mr. MANN. I will yield for a question; I do not yield for a speech.

Mr. LEVER. I would like to ask my friend from Illinois, then, that if to ascertain these facts is not the very purpose of this amendment here?

Mr. MANN. Ah, the amendment of the Senate proposed to commit this Government to a policy about which it knows nothing as to cost. I want information before entering upon a project which is to cost not millions of dollars, but billions of dollars. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WADSWORTH. Mr. Speaker, I yield five minutes to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. I will say, Mr. Speaker, first, that the longing the gentleman from Illinois [Mr. MANN] has for information before he embarks on a large enterprise involved in the expenditure of a large sum of money will be gratified if the Senate amendment to this bill passes. That is the precise and specific object of this amendment—to get the necessary information in order to enable intelligent action to be taken thereon; and the gentleman can gratify his love for all of the various things that grow in the forests on the basis of that information provided this amendment passes. I am very much interested, and I agree with the distinguished chairman of the Committee on Rivers and Harbors in the proposition that everything should be applied equally and alike; but it depends somewhat on the situation as to whether that applies in every respect. I have yet to learn that because we surveyed one river or one harbor that all the rivers and all the harbors are to be surveyed.

Mr. BURTON of Ohio. I will say to the gentleman that what I was dealing with was all of the same class.

Mr. LITTLEFIELD. I so understood it.

Mr. MCCALL. The proposition is that they were all to be surveyed at the same time.

Mr. MANN. The rivers to be surveyed in New England?

Mr. LITTLEFIELD. Not at all. But looking at it in the way that the learned River and Harbor Committee exercises its judgment as to the rivers that shall be surveyed and as to the harbors that shall be surveyed, wisely and properly; but I want to say to the House that they did not survey every harbor and every river, and I can call a great many men in this House as witnesses to this fact.

Now, this amendment contemplates, with all due deference to the gentleman from Indiana who introduced it, a survey of all areas that are the sources of all the various streams in continental United States "which are of sufficient importance to navigation to have been made the object of expenditure of

national money for their improvement, or which have water supplies already utilized for manufacturing or irrigation," because the amendment requires the Secretary to report to Congress the areas and natural conditions of such watersheds.

How is the Secretary going to report an area without in the first place determining the area; and how will he determine it without a survey? Of course it is all well enough by this amendment to provide it shall be done, but how is he going to do it without doing it; how get areas without surveys?

Now, this proposition appropriates $25,000 for a survey of all sources of water supplies of the United States. Absolutely preposterous from every possible financial standpoint! The amendment is not seriously intended to promote this object. Now, what is the proposition here? Why, that the great watersheds that have been generally discussed as being essential and necessary to the preservation of great water supplies, not only for navigation, but for manufacturing and for the development of power. Now where are the watersheds that have been the main subject of discussion? Where are they in any other section than those to which attention has been called and which are provided for in the Senate amendment?

Mr. FITZGERALD. The Adirondacks shed is a very important one.

Mr. LITTLEFIELD. If you want to put in the Adirondacks, put it in, and add $12,500 to your appropriation, which would take care of that.

Mr. FITZGERALD. I am not sure that it would.

Mr. LITTLEFIELD. When you undertake to adopt this proposition putting $25,000 to survey a thousand areas, why, it is indirectly undertaking to defeat the proposition. Now, let us have by the appropriation of $25,000 the information that we all want, and then we can tell whether it is wise to proceed. I hope the Senate amendment will prevail and the amendment of the gentleman from Indiana will be voted down.

Mr. WADSWORTH. I yield five minutes to the gentleman from Massachusetts.

Mr. McNARY. Mr. Speaker, I desire to ask attention to the effect that this will have upon the people of the State of Massachusetts. I have received a great number of petitions from people living in New England in favor of the White Mountain and Appalachian forest reservations. We have been urged to join with the southern Members, the men who come from the States of Maryland, Virginia, West Virginia, North and South Carolina, Georgia, Alabama, and Tennessee, to endeavor to save the forests for the purpose of properly conserving the water supply of all those States. This project has been well considered for a number of years. It has received the thought and the attention of many people. It has been presented before committees of this House and of the Senate, and it comes here with the indorsement of thousands of men—engineers and technical men as well as the ordinary people in all these communities. Why should we, therefore, be balked in carrying out a good plan merely because gentlemen urge an amendment which on its face may appear fair, but the main and ultimate purpose of which is absolutely to kill the survey of the White Mountains and the southern Appalachians?

We find in the White Mountains the source of five streams—the most important streams in New England for the purpose of developing manufacturing and power. Two of those streams, the Connecticut and Merrimac, rise in New Hampshire and flow to the sea through Massachusetts. The Connecticut is navigable in both Connecticut and Massachusetts. The Merrimac is navigable in Massachusetts. In neither Massachusetts nor Connecticut can we control the depletion of the forests in New Hampshire and the grievous injury thereby caused to our interstate streams both as to navigability and supply for power for industrial purposes. The same is true as regards the rivers rising in New Hampshire and flowing through Maine to the sea. It is an interstate, not a State, matter and is therefore national in its scope.

We find in the southern Appalachians, in Maryland, the Virginias, the Carolinas, Tennessee, and Alabama, the sources of the streams which in the future will yield a great power supply, increase our industrial development and wealth, as well as streams which in their lower reaches form the highways of commerce. This project has been carefully looked into. Why, now, because some gentlemen desire to block it as it has been blocked for a long time, should we vote for this amendment? Gentlemen say we should survey all watersheds en bloc. The rivers and harbors of our country are not surveyed altogether at one time. They are surveyed seriatim and in detail. All the work of the Government on rivers and harbors is done seriatim and in detail and not in one block or comprehensive plan.

Looking at the map of the forest reserves of this country, we find that the whole western country is covered with these reserved forest areas, but in the East there is not one forest reserve. It is just as important for us in the East to have our industrial or power water supply and the water in our rivers for commercial or navigation purposes cared for as it is to locate these great forest reserves in the West for irrigation. It seems to me that any man who believes in this principle of the conservation of water supply will vote for the amendment put on by the Senate and vote against the proposition of the gentleman from Indiana [Mr. OVERSTREET]; because if we vote for the amendment of the gentleman from Indiana we will endanger the White Mountain and Appalachian survey. If there be other areas, the Adirondacks or anywhere else, let them come forward in due time, and, after they receive proper committee consideration, let us vote upon them; but concerning this present matter, we now know its beneficial effect; we have it in a shape where we can accomplish some good. Let us therefore vote down the amendment of the gentleman from Indiana, and then vote to concur with the Senate on the proposition for $25,000 for the survey of the White Mountains and the southern Appalachian region. [Applause.]

Mr. WADSWORTH. I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, so far the Federal Government has established forest reserves on the public domain only. The amendment incorporated in this bill by the Senate proposes to establish forest reserves by acquiring property that has been reduced to possession and control by individuals in the several States. It is an entirely new departure. It is something to which, at least on this side of the House, it would be natural to expect some opposition. But if it is to be done at all, Mr. Speaker, it should be done without regard to the section of the country. Why should my State be discriminated against? It has expended more than $20,000,000 to conserve its forest reserves and to protect its watersheds. If the Federal Government is to go into these other States in order to do that work for them, why should not my State be reimbursed for its expenditure? The State of Pennsylvania, if I be not mistaken, has expended large sums from the State treasury to create forest reserves and to protect the watersheds within that State. Should not the Federal Government reimburse that State for that work?

Mr. SULLIVAN. I should like to ask the gentleman whether, in his judgment, this is not strictly a national project; and, second, suppose the cupidity of lumber cutters in the State of New Hampshire causes the depletion of the timber there and causes a diminution of the waters of a stream which flows from New Hampshire down through Massachusetts to the sea, what means has the State of Massachusetts of protecting that stream and protecting a navigable river of the United States?

Mr. FITZGERALD. Mr. Speaker, if that argument is to be conceded, and I will not challenge it at this time, it justifies the Federal Government in interfering in every case where some wrongdoer in one State creates an evil condition in another State. I am not ready to admit that to be advisable. But if we are to embark upon this new policy of having the Federal Government go into the different States to establish forest reserves, not upon the public domain but by the acquisition of land now held by private interests and subject to State control, then when we initiate the policy we should do it in such a way that the Federal Government may go into every State where it would be desirable to protect the watersheds of rivers that are navigable and that run through more than one State. For that reason I favor the amendment of the gentleman from Indiana. Let us have this "square deal" about which we hear so much.

The Senate amendment can be analyzed very easily. It is a combination between those representing the New England States and those representing the States that will be benefited by the acquisition of the land in the Southern Appalachian chain. They are united not because of community of interest, but because of community of plunder. Such a combination has never been seen before in this House.

Mr. McNARY. Without making any comment upon the gentleman's last remark, I should like to ask him if he has ever advocated certain surveys and improvements in the waters of New York Bay, without reference at all to having the whole country surveyed and the waters of every other bay improved?

Mr. FITZGERALD. No; I have not.

Mr. McNARY. Mr. Speaker, will the gentleman let me ask him——

Mr. FITZGERALD. Let me answer the gentleman. I say I have not.

Mr. McNARY. Let me ask the gentleman whether or not he has proposed any specific surveys or favored any surveys or specific improvements for New York Harbor?

Mr. FITZGERALD. I know what the gentleman's question

is, and I am glad to say to the House that I have an unblemished record. I have never proposed any survey. I have asked the Congress to provide money to continue improvements that were in the course of being made, but I have not, so far as I can recollect at the present time—I may be under a misapprehension. [Laughter.]

Mr. LITTLEFIELD. The gentleman does not think of any now. [Laughter.]

Mr. FITZGERALD. But regardless of that, I do not believe that any gentleman in this House believes that an amendment to a river and harbor bill for surveys for new projects is on the same plane as this project; that is a general and settled policy upon which the Government has embarked.

The SPEAKER. The time of the gentleman has expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 23630) to quiet title to lands on Jicarilla Reservation and to authorize the Secretary of the Interior to cause allotments to be made and to dispose of the merchantable timber, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLAPP, Mr. CURTIS, and Mr. TELLER as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. FULTON, Mr. KEAN, and Mr. MCLAURIN as the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolution and bill of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 95. Joint resolution relating to proceedings to set aside deeds alleged to have been made by Mexican Kickapoos.

S. 8614. An act to amend the act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 25039. An act to enable the city of Phoenix, in Maricopa County, Ariz., to use the proceeds of certain municipal bonds for the purchase of the plant of the Phoenix Water Company, and to extend and improve said plant.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. I now yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, that consistency is the rarest of all jewels has, it seems to me, been very clearly demonstrated in the course of this debate by the remarks of the learned and talented gentleman from Massachusetts, who perhaps is the most earnest and forceful defender of the rights of the State, at least on this side of the House. In the course of his remarks against the pending amendment, he suggested that he desired to invoke the strong arm of the Federal Government in behalf of the people of Masschusetts as against the rights of the States, and the people of the States lying at the headwaters of the rivers that flow through Massachusetts, and that are utilized in that great State to a considerable extent for manufacturing purposes.

And when we gaze on the other side of the Chamber and note these gallant defenders of State rights, these strict constructionists of the Constitution, these gentlemen who at all times hotly insist that the Federal Government shall not invade the sacred rights of the sovereign States, we discover that when it comes to the establishment of forest reserves and the securing of an appropriation, lo and behold, they are not only willing, but anxious that the Federal Government shall acquire and establish jurisdiction over vast areas of territory, and their voice and vote is against the rights of the sovereign States to jurisdiction over their territory, and in favor of making such jurisdiction in favor of Federal bureaucratic control.

Now, Mr. Speaker, if we are to embark on this paternalistic, imperialistic, and centralizing policy, if it is true that this is an empire and not a republic, if we have not a nation of independent and sovereign States which, under the Constitution, have the right and ought to manage their own affairs; if, on the contrary, the Federal Government should go abroad, buy land at high figures, establish its sovereignty, without regard to the interests of the people of the States—if we are to do this, Mr. Speaker, let us do it with our eyes open; let us know what it means and what it is going to cost. Would it cost $10,000,000 for the White Mountains and $100,000,000 for the Appalachian Reserve and a thousand million for all of these great forest and game preserves? If that is the amount that it is going to cost, let us know about it, and let us know what this establishment of Federal power and control over vast areas will lead to. Let us know how far it goes, what its interference with the rights of the States is to be, and what will be the ultimate outcome of it. Does it mean great game preserves in which the favored few—not the citizens of the State who should enjoy the preference rights to which they are entitled under State governments, but favorites of officials having charge of the forest reserves—are to be allowed to go in and hunt and fish and enjoy all the sylvan delights of these great imperial and royal preserves? If that is a good policy for us to start upon, let us know what it means, where it is going to lead us to, and, above all, how much it is going to cost, and the only way to find out is to have the examination proposed by the amendment offered by the gentleman from Indiana, which I hope will be adopted.

Mr. WADSWORTH. Mr. Speaker, I yield two minutes to the gentleman from South Carolina [Mr. LEVER], a member of the committee.

Mr. LEVER. Mr. Speaker, I was very much interested in the statement of the gentleman from Wyoming [Mr. MONDELL], but I want to remind him that his plea for State rights is coming rather late, when he already has in the West 127,000,000 acres in forest reserve.

Mr. MONDELL. Not by our fault, I will say to the gentleman, and we will gladly surrender at least 100,000,000 acres of those reserves.

Mr. LEVER. We would be very glad to take that in the Appalachian and White Mountain ranges.

Mr. LITTLEFIELD. I would suggest that they have an irrigation proposition in the West which involves exactly these questions, the limit of which nobody yet knows, in millions.

Mr. MONDELL. All of which is to be paid back into the Federal Treasury; not a penny of which is a gift.

Mr. LITTLEFIELD. That is the expectation, but it has not been paid back yet.

Mr. LEVER. Mr. Speaker, I do not yield the floor. I have only two minutes.

The SPEAKER. The gentleman from South Carolina has the floor.

Mr. LEVER. Mr. Speaker, in addition to the 127,000,000 acres under forest reserve, they have their great irrigation scheme out there, and we people over here support it gladly because we think it is a good work.

Mr. MONDELL rose.

Mr. LEVER. I can not yield.

Mr. MONDELL. Is the gentleman willing to pay for these reserves, as we pay for the irrigation?

Mr. LEVER. I do not yield, Mr. Speaker. The gentleman supports the substitute to the Senate amendment because he says he wants the facts. The gentleman must know that the very purpose of the amendment is to get the facts that the gentleman from Wyoming [Mr. MONDELL] speaks about. The Senate amendment proposes to ascertain the cost of the land, to ascertain the natural conditions of the streams and the amount of water power, and all such important information. The very thing the gentleman wants we are trying to get in this amendment, and I do trust that the friends of this proposition will vote down the substitute offered by the gentleman from Indiana [Mr. OVERSTREET].

Mr. WADSWORTH. Mr. Speaker, I yield three minutes to the gentleman from Indiana [Mr. OVERSTREET].

Mr. OVERSTREET of Indiana. Mr. Speaker, there is now pending in this House, I am informed, one bill which asks for an appropriation of $10,000,000 for the purchase of a part of this Appalachian Range.

Mr. LEVER. Three millions of dollars.

Mr. OVERSTREET of Indiana. I think there is one bill calls for $10,000,000. This amendment of the Senate seeks to fasten upon Congress a policy which would lead directly to that character of purchase. The forest reserves to which the gentleman from South Carolina [Mr. LEVER] has referred in the West are reserves of public lands.

Mr. LEVER. Let me ask the gentleman——

Mr. OVERSTREET of Indiana. No; I decline to yield. They are not the purchase of private property. The very fact that the Congress has entered upon the project of irrigation in the West ought to challenge our attention to the importance of going slowly into a new project before we commit the Government to those large expenditures. We should know more of the

facts necessary to base our judgment upon some reasonable grounds. We have no information as to what particular section will be next in order for this survey and examination, and I am in favor of the ascertainment of those facts before we have gone too far to retrace our steps. I think that the Members of this House should take a second thought before they commit the Government to such a condition of affairs, and I appeal to that second thought of the Members, and I believe that when it has been properly exercised they will agree that it is far better to adopt the amendment than to embark upon the project of the survey of these two particular sections of the country with a view to their purchase.

Mr. SOUTHARD. Will the gentleman yield?

Mr. OVERSTREET of Indiana. I yield to the gentleman.

Mr. SOUTHARD. I would like to ask the gentleman why his proposition does not commit the Government just as much as that involved in the Senate amendment?

Mr. OVERSTREET of Indiana. I am very glad the gentleman asked me that question. It gives us an examination of sufficient latitude to have some sort of information of the final cost. If we bring into the House at the next session a proposition for the purchase of a part of the White Mountain and southern Appalachian Range and then a suggestion is made for an additional examination and purchase, we would be just where we are now; but we do not know whether this project is to cost $3,000,000 or $300,000,000, and now is the time to stop and consider whether or not we will move on without information or by adopting this kind of examination find out just where this project will lead the Government. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Indiana that the House recede and concur in the Senate amendment with an amendment, which has been reported.

Mr. THOMAS of North Carolina. Mr. Speaker, a parliamentary inquiry. Will the motion to recede and concur not take priority over the motion of the gentleman from Indiana?

The SPEAKER. The Chair understands that a motion to recede and concur would take priority, but both motions are divisible, and if the motion was taken first on receding, as it would be, then the motion to amend would have precedence over the motion to concur.

Mr. THOMAS of North Carolina. Mr. Speaker, then if we vote down the motion of the gentleman from Indiana we can move to recede and concur?

The SPEAKER. Yes.

Mr. UNDERWOOD. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. UNDERWOOD. At this stage of the proceedings, the bill having come from the conference committee, has not that motion which has a tendency to bring the two Houses together priority over a motion that has not? Then, if that is the case, at this stage of the proceedings would not the motion to concur have priority over the motion to recede and concur?

The SPEAKER. In the first place, the bill is not in conference. In the second place, under all circumstances a motion to recede and concur is divisible and takes precedence over the motion to disagree. Now, then, the gentleman from Indiana made a motion to recede and concur with an amendment. That is divisible. Now, if that vote on another motion, which would be in order, to recede and concur, is taken and a vote is taken to recede and the House should conclude to recede, why then the amendment of the gentleman from Indiana would be in order before the vote on the motion to concur. As many as are in favor of the motion of the gentleman from Indiana that the House do recede and concur in the Senate amendment with an amendment that has been reported, say "aye;" those opposed, "no."

The question was taken; and the Chair announced the Chair was in doubt.

On a division (demanded by Mr. OVERSTREET of Indiana) there were—ayes 74, noes 105.

Mr. OVERSTREET of Indiana. Mr. Speaker, I ask for tellers.

Tellers were ordered.

The SPEAKER. The gentleman from Indiana [Mr. OVERSTREET] and the gentleman from South Carolina [Mr. LEVER] will take their places as tellers.

The House again divided; and the tellers reported—ayes 71, noes 121.

So the amendment was rejected.

Mr. LAMB. Mr. Speaker, I move to recede and concur in the Senate amendment.

The question was taken.

The Chair announced that the ayes seemed to have it.

Mr. MANN. Division, Mr. Speaker!

The SPEAKER. The gentleman from Illinois demands a division.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 138, nays 115, answered "present" 4, not voting 120, as follows:

YEAS—138.

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|---|---|---|---|
| Adamson | Foss | Lloyd | Sherley |
| Aiken | Foster, Vt. | Lovering | Slayden |
| Allen, Me. | Fowler | McCall | Small |
| Bankhead | Gardner, Mass. | McNary | Smith, Md. |
| Bartholdt | Glass | Marshall | Southall |
| Bell, Ga. | Goldfogle | Maynard | Southard |
| Bennet, N. Y. | Goulden | Meyer | Sparkman |
| Bowers | Granger | Moon, Tenn. | Sperry |
| Brantley | Greene | Mudd | Spight |
| Brownlow | Gregg | Olcott | Stephens, Tex. |
| Brundidge | Gronna | Overstreet, Ga. | Sterling |
| Burleigh | Hale | Padgett | Sullivan |
| Burnett | Haskins | Page | Sulloway |
| Burton, Del. | Heflin | Parsons | Sulzer |
| Calder | Henry, Conn. | Patterson, N. C. | Talbott |
| Candler | Higgins | Patterson, S. C. | Taylor, Ala. |
| Capron | Hill, Conn. | Perkins | Thomas, N. C. |
| Clark, Fla. | Hill, Miss. | Pou | Thomas, Ohio |
| Clayton | Houston | Powers | Tirrell |
| Cocks | Howard | Rainey | Townsend |
| Cooper, Wis. | Hunt | Randell, Tex. | Trimble |
| Coudry | Keliher | Reeder | Underwood |
| Currier | Kitchin, Claude | Reyburn | Wachter |
| Dale | Kline | Reynolds | Wadsworth |
| Davey, La. | Lacey | Richardson, Ala. | Waldo |
| Davis, Minn. | Lafean | Riordan | Wallace |
| Dawes | Lamar | Roberts | Washburn |
| De Armond | Lamb | Robinson, Ark. | Watkins |
| Denby | Lawrence | Rucker | Webb |
| Dixon, Mont. | Lee | Ruppert | Weeks |
| Dunwell | Legare | Russell | Wiley, Ala. |
| Edwards | Lever | Ryan | Wiley, N. J. |
| Ellerbe | Lewis | Saunders | Zenor |
| Finley | Lilley, Conn. | Scott | |
| Flood | Littlefield | Sheppard | |

NAYS—115.

| | | | |
|---|---|---|---|
| Alexander | Ellis | Knapp | Rodenberg |
| Andrus | Englebright | Knopf | Samuel |
| Barchfeld | Esch | Landis, Chas. B. | Schneebeli |
| Bartlett | Fassett | Littauer | Shackleford |
| Beall, Tex. | Fitzgerald | Longworth | Sherman |
| Birdsall | Fletcher | Loudenslager | Sims |
| Bishop | Fordney | Lowden | Smith, Cal. |
| Bonynge | French | McCreary, Pa. | Smith, Ill. |
| Brick | Fulkerson | McKinley, Ill. | Smith, Iowa |
| Brumm | Gardner, Mich. | McKinney | Smith, Ky. |
| Burke, S. Dak. | Garrett | McMorran | Smith, Mich |
| Burton, Ohio | Gilhams | Macon | Smith, Pa. |
| Cassel | Gill | Mahon | Smith, Tex. |
| Chaney | Gillespie | Mann | Smyser |
| Chapman | Graff | Martin | Stafford |
| Clark, Mo. | Graham | Miller | Steenerson |
| Conner | Grosvenor | Mondell | Stevens, Minn. |
| Cooper, Pa. | Hamilton | Moore, Pa. | Tawney |
| Cousins | Hay | Mouser | Taylor, Ohio |
| Cromer | Hayes | Murdock | Volstead |
| Crumpacker | Hepburn | Needham | Vreeland |
| Cushman | Hubbard | Nelson | Wanger |
| Dalzell | Hull | Norris | Watson |
| Darragh | Humphrey, Wash. | Olmsted | Weems |
| Dawson | James | Otjen | Wharton |
| Deemer | Jones, Wash. | Overstreet, Ind. | Williams |
| Dickson, Ill. | Keifer | Parker | Wilson |
| Dixon, Ind. | Kennedy, Nebr. | Payne | Wood |
| Driscoll | Kennedy, Ohio | Pollard | |

ANSWERED "PRESENT"—4.

| | | | |
|---|---|---|---|
| Burgess | Butler, Pa. | Jenkins | Lilley, Pa. |

NOT VOTING—120.

| | | | |
|---|---|---|---|
| Acheson | Davis, W. Va. | Howell, Utah | Morrell |
| Allen, N. J. | Dovener | Huff | Murphy |
| Ames | Draper | Hughes | Nevin |
| Babcock | Dresser | Humphreys, Miss. | Palmer |
| Bannon | Dwight | Johnson | Pearre |
| Bates | Field | Jones, Va. | Prince |
| Bede | Floyd | Kahn | Pujo |
| Beidler | Foster, Ind. | Kinkaid | Ransdell, La. |
| Bennett, Ky. | Fuller | Kitchin, Wm. W. | Reid |
| Bingham | Gaines, Tenn. | Klepper | Rhinock |
| Blackburn | Gaines, W. Va. | Knowland | Rhodes |
| Boutell | Garber | Landis, Frederick | Richardson, Ky. |
| Bowersock | Gardner, N. J. | Law | Rives |
| Bowie | Garner | Le Fevre | Robertson, La. |
| Bradley | Gilbert | Lindsay | Scroggy |
| Broocks, Tex. | Gillett | Livingston | Shartel |
| Brooks, Colo. | Goebel | Lorimer | Sibley |
| Broussard | Griggs | Loud | Slemp |
| Brown | Gudger | McCarthy | Snapp |
| Buckman | Hardwick | McCleary, Minn. | Southwick |
| Burke, Pa. | Haugen | McDermott | Stanley |
| Burleson | Hearst | McGavin | Towne |
| Butler, Tenn. | Hedge | McKinlay, Cal. | Tyndall |
| Byrd | Henry, Tex. | McLachlan | Van Duzer |
| Calderhead | Hermann | McLain | Van Winkle |
| Campbell, Kans. | Hinshaw | Madden | Webber |
| Campbell, Ohio | Hogg | Michalek | Weisse |
| Cockran | Holliday | Minor | Welborn |
| Cole | Hopkins | Moon, Pa. | Woodyard |
| Davidson | Howell, N. J. | Moore, Tex. | Young |

So the motion was agreed to.

The Clerk announced the following additional pairs:
Until further notice:
Mr. BANNON with Mr. GARBER.
Mr. BABCOCK with Mr. BROUSSARD.
Mr. BURKE of Pennsylvania with Mr. DAVIS of West Virginia.
Mr. BROOKS of Colorado with Mr. PUJO.
Mr. CAMPBELL of Kansas with Mr. RANSDELL of Louisiana.
Mr. GILLETT with Mr. LIVINGSTON.
Mr. COLE with Mr. GUDGER.
Mr. DOVENER with Mr. HEARST.
Mr. PEARRE with Mr. TOWNE.
For the balance of the day:
Mr. DAVIDSON with Mr. JONES of Virginia.
Mr. JENKINS with Mr. HENRY of Texas.
For the vote:
Mr. BRADLEY with Mr. GAINES of Tennessee.
Mr. DRAPER with Mr. BURLESON.
Mr. GAINES of West Virginia with Mr. SIBLEY.
The result of the vote was announced as above recorded.

The SPEAKER. Is a separate vote demanded on amendment No. 88?

Mr. WADSWORTH. Mr. Speaker, I move that the House insist on its disagreement and ask for a committee of conference.

The SPEAKER. The gentleman from New York [Mr. WADSWORTH] asks that the House insist on its disagreement to amendment No. 88.

Mr. CLAYTON. Is this amendment No. 88 the one relating to agricultural colleges?

The SPEAKER. The amendment will have to be reported.

Mr. WADSWORTH. The amendment is for aid to the State agricultural colleges.

Amendment No. 88 was read, as follows:

That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July 2, 1862, and the act of Congress approved August 30, 1890, the sum of $5,000, in addition to the sums named in the said act, for the fiscal year ending June 30, 1908, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum of $5,000 over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be $50,000, to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July 2, 1862, and the act of Congress approved August 30, 1890.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the act of Congress approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of the act of Congress approved July 2, 1862," and the expenditure of the said money shall be governed in all respects by the provisions of the said act of Congress approved July 2, 1862, and the said act of Congress approved August 30, 1890: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Mr. CLAYTON. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Alabama [Mr. CLAYTON] moves that the House recede and concur in the Senate amendment, which motion takes precedence of the motion of the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, how much time have we on that?

The SPEAKER. The gentleman from New York controls the time.

Mr. WADSWORTH. How much time—an hour?

The SPEAKER. The Chair supposes that there could be an hour, but it is now fifteen minutes past 5 o'clock, and many other bills to be acted upon.

Mr. WADSWORTH. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. CLAYTON].

Mr. CLAYTON. Mr. Speaker, I may say to the gentleman from New York [Mr. WADSWORTH] that a brief statement from him would be quite sufficient to inform the House as to what this particular Senate amendment is, and that, so far as I am concerned and so far as I am advised on the part of everybody else who is in favor of this Senate amendment, there is no desire for any protracted discussion. It is a simple proposition, Mr. Speaker, to increase the appropriation for the support and maintenance of agricultural and mechanical colleges. I believe, without stopping to read it in extenso, this Senate amendment provides $5,000 per annum. For how many years?

Mr. WADSWORTH. Five thousand dollars the first year, $10,000 the second year, $15,000 the third year, $20,000 the fourth year, $25,000 the fifth year, and for every year after that $25,000 a year

Mr. CLAYTON. I understand that; and, Mr. Speaker, it is in line with the legislation that has heretofore been passed, beginning with the act of Congress in 1862, for the support and encouragement of agricultural and mechanical colleges and for the teaching of scientific agriculture and of mechanical arts. Now, that is the whole subject. It is for the benefit of agricultural and mechanical colleges. I think, Mr. Speaker, that is all I desire to say.

Mr. WADSWORTH. Mr. Speaker, the House conferees refused to agree to that amendment, first, because it was a most important piece of legislation, leading to important results, involving an ultimate expenditure of $1,150,000 a year, and it had never been considered by the House committee nor by this House and had never been considered by the Senate five minutes. We refused to agree to it also for the reason that there is no State in this Union so poor that it is not able to give to the cause of agriculture anything which that cause may justly ask of her.

Mr. CLAYTON. Mr. Speaker——

Mr. WADSWORTH. What does the gentleman desire?

Mr. CLAYTON. I wanted to ask the gentleman in reply to his first suggestion whether the House committee had not considered this matter, and I doubt not that is true——

Mr. WADSWORTH. It is true.

Mr. CLAYTON. Has not considered it at this session, but has not the Committee on Agriculture repeatedly at former sessions of Congress considered this very appropriation named here in this bill?

Mr. WADSWORTH. Never to my knowledge, and I have been chairman of the committee twelve years.

Mr. CLAYTON. Now, if the gentleman will pardon me, I do not know and do not recall now what committee it was or whether the gentleman was present; but I recollect distinctly that some committee of this House several Congresses ago did have hearings on this very matter.

Mr. WADSWORTH. That may be so, but it was not the Committee on Agriculture during the last twelve years.

Mr. LACEY. There were hearings in the Committee on Public Lands a number of years ago on this question.

Mr. CLAYTON. The hearing was before the Committee on Public Lands.

Mr. WADSWORTH. That is another proposition entirely. Now, Mr. Speaker, as I said before, there is no State in this Union so poor that she can not give to the cause of agriculture any sum that it needs. The original appropriation in 1862 was made when there were a great many new Territories and new States. They were not rich; they had not developed their taxable property, and perhaps in those days it was a sensible proposition.

Mr. TAWNEY. How much are we appropriating to agricultural colleges?

Mr. WADSWORTH. We are already appropriating to agricultural colleges $25,000, and this seeks to add $5,000 a year to that sum, until the total reaches $50,000 a year. To my mind there is a more serious opposition to this bill than that. Mr. Speaker, it opens the widest door toward centralization of power in the Federal Government. It is the longest step toward centralization that this House has ever taken.

Let me show you how easy the steps are. Last year we passed the Adams bill, so called, giving $15,000 a year for the experimental stations. I said then I was opposed to it, and that I thought every State ought to take care of its own. Now, the next thing in the programme will be $15,000 or $25,000 for agricultural colleges. And the step, as you see, has come. Now, let me show you the bills that are pending along this line now before the Committee on Agriculture: "To apply a portion of the proceeds of the public lands to the State normal schools." Now, there are twice as many State normal schools as there are agricultural colleges, and twice as many votes behind them to pass that measure in this House. Another is this bill in question. Another is "For the maintenance of agricultural colleges in Congressional districts;" another, "To provide"—listen—"To provide an annual appropriation for industrial education in agricultural high schools and in city high schools;" another, "To provide for an annual appropriation for branch agricultural and branch experimental stations, and regulate the expenditure thereof."

Now, Mr. Speaker, the next step will be the public schools; and there you have Federal governmental supervision of your school systems and Federal governmental control of your education. That is the basis of my great opposition to it, and I beg this House not to take this step; at least let it go over and be considered on its merits and not jam it through here on an appropriation bill.

Mr. CLAYTON. Will the gentleman give me a few minutes?

Mr. WADSWORTH. With pleasure. I yield five minutes to the gentleman.

Mr. CLAYTON. Mr. Speaker, I did not in the beginning desire or intend to indulge in very extensive remarks, but I do desire to reply briefly to some of the observations just delivered by the gentleman from New York. First, as to his suggestion that this matter has not been properly considered, I desire to say that it has been considered in former Congresses; that it has been discussed in the public prints; that every Member in this House—it may be with the exception of those Members from cities—certainly all the Members of the great country districts, have had this matter under consideration and have had it called to their attention. So much for the "surprise;" that this legislation is by way of "surprise," and that we do not know what we are about to do.

Mr. Speaker, we know what we want to do and when we want to do it, and we propose to pass this measure now in order that poor boys may have the full benefit of a good education in scientific agriculture and the most useful and common mechanical arts.

We have been deliberating upon it, we have been considering it, and this House understands the proposition now as well as if we were to discuss it and consider it again and again during forty Congresses. We are going to have this legislation now. I appeal to the Members from the farming districts to stand with me.

Before going further, I desire to say that the gentleman from Iowa has just called my attention to what occurred in a former Congress. This matter was considered by the Committee on Agriculture—this specific proposition. Since that time——

Mr. WADSWORTH. Will the gentleman yield for a question?

Mr. LACEY. By the Committee on Public Lands.

Mr. WADSWORTH. Oh!

Mr. CLAYTON. I beg your pardon. The Committee on Public Lands considered this very measure. It was not brought before Congress; why, I do not know. The only difference between that measure and this measure is that the proposition when it was pending before the Committee on Public Lands, provided that the funds should come out of the sale of the public lands. Since that time the legislation of Congress has exhausted the money arising from the sale of public lands by devoting it to irrigation purposes.

Now, then, as to the other proposition, of centralization—that this is a great scheme of centralizing the Government. Well, now, nobody is afraid that the Government is going to be ruined and centralized on account of this small contribution to the agricultural and mechanical colleges of the country.

It is too late to discuss this policy of legislation. It was begun in 1862, this very sort of legislation, and it is strictly in line with the policy of that legislation that this present measure is ordered. The agricultural and mechanical colleges that have been aided by appropriations of Congress since the act of 1862 and the other act of 1890 have never in the slightest degree fallen under Federal control. So that imaginary danger suggested by the gentleman from New York can not frighten us.

The gentleman from New York tries further to make it appear that it is a frightful proposition, that a large number of bills of different characters that he refered to might be considered by the House. No good lawyer would and no good legislator ought to depart from the discussion of a pending case or pending measure by going off to try an imaginary case or a measure that is not before the court or legislature. Let us consider this measure that is before us, and on its merits. We do not hesitate to give money to Annapolis or West Point. We do not hesitate to give money for our consular service. We do not hesitate to encourage the commerce of our country, and let us in this small way encourage agriculture as we have commerce, her handmaiden. [Applause.]

Mr. KEIFER. I should like to ascertain whether this provision does not give to every college, regardless of its size, the same sum of money. I understand that to be the fact, and I wish to state that that was not the provision of the act of 1862 establishing these colleges.

Mr. WADSWORTH. I yield five minutes to my colleague from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Speaker, as I understand this proposition involved in the Senate amendment, it is that ultimately, under the legislation now upon the statute books and under the legislation that it is proposed by this amendment to write into the statute books, the Government of the United States will in four years be contributing annually to the agricultural colleges and experimental stations $80,000 each per annum. Now, Mr. Speaker, the House, in concurring in the amendment a few moments ago authorizing the survey of the Appalachian Forest Reserve, has opened the way for the expenditure in the next few years of $200,000,000 in the purchase of the worthless land it is proposed to buy from individuals and the States for forestry purposes. I want to call attention to the fact that in the next fiscal year we perhaps will have to meet out of the current revenue of the Government a larger expenditure, authorized by this Congress, than we have ever before made in any year in the history of our Republic. Notwithstanding this fact, the Senate sends us this amendment, thus largely increasing the amount to be donated to the State agricultural colleges. Is there no limit, Mr. Speaker, to the extravagance of this Congress? During this session of Congress the Senate has increased the appropriations carried in the bills sent to that body by the enormous amount of $51,000,000. Fifty-one million dollars is the gross increase of the regular appropriation bills by the Senate above the amount these bills carried when they left the House. Eight millions of that is accounted for on account of the service-pension bill, $6,000,000 of it on account of the Coast Artillery bill, for which the House must share the responsibility with the Senate, leaving a net increase on the part of the Senate over the appropriations as they passed the House of $35,000,000, a larger increase than has ever been made by the other House of Congress for a great many years, if not in the entire history of this country.

I therefore submit, in view of these enormous increases, that we should stop and consider whether or not we can afford to thus legislate on an appropriation bill, without opportunity for considering the merits of the proposed legislation and without time to consider whether the Federal Treasury will be able to stand the increased expenditure made necessary by appropriating this increased amount to every State and Territorial agricultural college in the country. True, the amount is only $80,000 to each college, but that amount will be added to hereafter if this policy is continued, as is evidenced by the bills that are now pending before the Committee on Agriculture.

Mr. SOUTHARD. I should like to ask the gentleman if this amount is not more urgently needed in the improvement of State roads?

Mr. TAWNEY. No doubt this amount would serve a better purpose in some respects if used in the improvement of our roads, but it would be hard for the gentleman from Ohio to convince his rural constituents of that fact. Pressure upon Congress for the passage of a good-roads bill is growing all the time, and if we continue this policy of paternalism much further it will not be long until Congress will be swept off its feet and called upon to appropriate from $25,000,000 to $50,000,000 annually for the construction and maintenance of good roads. I hope, Mr. Speaker, that the House will stop and consider the extent to which we are going in this session of Congress in the appropriation of the public funds for objects that are not governmental, but purely paternal.

Mr. STAFFORD. Would $80,000 a year be sufficient to support an agricultural college without any aid from the State whatever?

Mr. TAWNEY. I do not know whether $80,000 would be sufficient, but in view of the fact that it is not a part of the business of the Federal Government to maintain these local institutions, $80,000 is more than we ought to contribute for that purpose. Mr. Speaker, I now yield five minutes to the gentleman from Minnesota [Mr. DAVIS].

Mr. DAVIS of Minnesota. Mr. Speaker, if the House will give me its attention for a few moments I will, in a concise form, give what I understand to be the present situation. In 1862 the Congress passed what is known as the "Morrill Act." That act gave an endowment for the benefit of agricultural colleges and mechanic arts schools certain donations of land, and the States were authorized under that act to select these lands, sell them at the price then authorized, and out of the proceeds to form a permanent endowment fund for inaugurating and perpetuating the agricultural and mechanic arts colleges. Supplemental to that act the second Morrill Act, in 1890, was passed, which gave to each State having an agricultural college therein established the sum of $25,000 annually.

Now, at the time the first Morrill Act was passed there was no such thing as a manual training school, a mechanic arts school, an industrial school, or an agricultural college. The impetus given to that branch of education by this donation was very marked. It produced an effect like that produced upon our public schools when the Government donated and appropriated large tracts of the public domain in their behalf. Our common schools, which are our pride are largely the product of Federal aid. Call it paternalism, call it centralization of power, but such is the case with the present common school system, and who objects to it? In consequence of these two public acts, what has been the result? At the present time

it has incited every State government to invest, and they have invested in lands and buildings for agricultural colleges and mechanic arts schools the enormous sum of $45,834,731, making an average for each State of $954,000.

At the present time the annual appropriations by the Government for the maintenance of all these schools is less than $2,000,000. Of the total expenses of maintaining this splendid system of education, 83 per cent thereof is borne by the respective States.

Now, Mr. Speaker, I want to say just a word as to centralization. I do not agree that this provision, or any other of a similar kind, means in the least centralization of power. Centralization of power does not mean to build up and make strong an individual State. The individual State is a unit, and the more powerful you make the individual State, the more independent it becomes; and the greatest power you can give the individual State is to aid it and to educate it along the lines of industrial arts and agriculture. This amendment means decentralization in every line and every word.

The family unit is strongest when each of its members are individually strong. The State is most powerful when all of its peoples are social, moral, and intellectual giants, and the Federal Government is all powerful only when each and all of the States and Territories constituting it have attained a degree of great solidarity; call it what you may, "paternalism" or "centralization of Federal powers," yet to my mind the education obtained by and through colleges of agriculture or mechanic arts strengthens and develops not only the Government, but all and each of its constituent parts, and hence fails to be obnoxious.

During the year 1905 the total income from all sources for all of these colleges was $9,748,702, 83 per cent of which was furnished by the respective States and the balance by the Federal Government. This showing indicates the great strides that have been made in this line of education since the endowment of these colleges under the Morrill Act of 1862.

The amendment placed upon this bill by the Senate, and which I earnestly hope will be concurred in by the House, provides for an annual increase of appropriations for these colleges of agriculture and mechanic arts in the sum of $5,000 for each State and Territory in which one or more of these colleges are established and maintained, and a like increase of $5,000 for four additional years thereafter, thus making $25,000 for each State and Territory, so that ultimately the Federal Government will contribute to the States and Territories $50,000 annually for the encouragement and maintenance of these institutions of learning.

The amendment further provides that a portion of this may be used for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Statistics show that of the many thousand students now being instructed in these colleges the line of their instruction is as follows: Fully one-half thereof are pursuing a practical course of study in all the various branches of mechanic arts; and of the remainder, about two-thirds are being educated along agricultural lines and one-third in home economics.

This new education, while retaining the high moral and ethical ideals of the old, combines with these substantial training in doing the thing of everyday life. This broader field of public education is now suited to the needs alike of workers, business men, home makers, technicians, and professionals. It trains to think by thinking. It trains to do by doing. And Congress can not do too much to help the States in completing this broadest kind of public education.

These land-grant colleges have influenced the nonagricultural industries to nearly as great a degree as they have improved agriculture.

The engineering courses in these colleges have supplied a large share of the men to develop our vast systems of transportation and manufacturing.

The people are generally awakening to the value of educating the boy and girl along these lines who are to remain on our farms. They are being educated, as it were, closer to the soil, for in its last analysis productive land is the basis of our greatest and lasting prosperity.

We are nearing the 90,000,000 population mark, and about one-third of whom are of school age. Therefore let us be wise in time and educate these young men and women in a way that they will not only be self-supporting and wholly independent, but that they may by their knowledge and habits of industry contribute more surely to the welfare, happiness, and prosperity of our already great but constantly increasing civilization, ever remembering that education ought not to be, and is not, a burden upon civilization, but that education is strong and bears upon its shoulders civilization itself. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. WADSWORTH. I now yield five minutes to the gentleman from Kansas [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, the importance of the original act by which the agricultural colleges were established is of course conceded. It might indeed be called an epoch-making measure, because it began a new policy on the part of the Federal Government. It was a measure of so great importance and ran so far contrary to the policies that had theretofore been followed that the preceding President, James Buchanan, vetoed a similar, if not exactly the same, measure during his Administration. He vetoed it on the ground that it was an unwarranted, unconstitutional expenditure of Government funds to be expended in education wholly within the State.

Here we have a measure brought in in the closing hours of this session almost as important as this original act, because it doubles the appropriation which the original acts carried, brought in here without any consideration by any committee in this House, without any consideration on the floor of the Senate, and in such a shape that if it had been brought here originally it could have been stricken from the bill on a point of order. It seems to me, therefore, that the action of your conferees in refusing to concur was fully warranted in the interest of orderly and regular parliamentary procedure. But passing by for a moment the irregular way in which the measure comes before us. I most earnestly believe that the House ought to stand by its conferees on the merits or, I should say, the demerits of the measure. I want to call the attention of Members of this House to the fact that the Government of the United States is already paying to each of these agricultural colleges $25,000 a year under the Morrill Act, $15,000 a year under the Hatch Act, and when the Adams Act matures we will be paying $15,000 more a year, a total of $55,000 a year, which goes to these agricultural colleges and experiment stations in every State and Territory of the Union. If this act should become a law when it reaches maturity, we will then be paying $80,000 a year to every State and Territory, and that would make an annual appropriation for that purpose of $3,840,000. It seems to me preposterous that the States should come to the Congress after having been so generously treated and demand still further grants. I know that in the State which I have the honor to represent here we have a splendid agricultural college, and I am not saying a word against the policy, because I approve of it. We have a splendid agricultural college, and I want to say to the credit of the man who presides with honor over that institution that he has not asked the Representatives here from Kansas to support this measure, because he knows that that State can provide for itself.

Mr. PERKINS. Mr. Speaker, how much are these strictly agricultural colleges? Is it not a fact that by no means the larger proportion of students actually follow the profession of agriculture, and that to a large extent they are mostly colleges for general education for those entering all ranks of life?

Mr. SCOTT. The gentleman from New York has called the attention of the House to a very important fact, Mr. Speaker, and that is that the agricultural colleges carry general courses of instruction and do not by any means limit their work to education in agriculture—another reason why this additional grant should not be made. But I was going on to say that if any of these colleges need more money than they are getting from the Government, there is no Commonwealth in this nation that is not amply able to supply that money. I may be pardoned if I make reference to a personal experience. As a member of our own State legislature, when bills came before the committee of which I was a member making appropriations for the various educational institutions of the State, we took judicial notice of the fact that the agricultural college was getting $40,000 a year, as it was at that time, from the Government, and we cut the appropriation from the State treasury by just that amount. If we pass this measure, it simply means that when the next legislature meets the amount of money to be appropriated from the State treasury will be reduced by just the amount this bill carries. And what is true in Kansas will be true in all the other States and Territories. The passage of this bill will not result in a single additional dollar being spent for agricultural education. It will simply mean that the money shall be taken from the national and not from the State treasuries.

[Here the hammer fell.]

Mr. WADSWORTH. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. TOWNSEND].

Mr. TOWNSEND. Mr. Speaker, I shall not occupy much time, but I feel like calling the attention of the House to the

fact that this is not a departure from the methods that have been hitherto followed, and in answer to the statement of the gentleman that this is a question that has never been properly considered, I desire to inform the House that a printed document of the Senate entitled "Hearings before the Committee on Agriculture and Forestry" is in evidence before us, and to further inform the gentleman of the fact that beginning at about page 58 and concluding with page 86 there is evidence on this particular subject taken before the Committee on Agriculture in January and in the first days of February of this year. I think some of the most distinguished gentlemen that have been before any committee appeared before the committee at that time and made statements as to the necessity of this particular legislation.

It is not true that this legislation is intended for State purposes alone. The original idea which was maintained in 1862 and which was again brought to the attention of the Congress in 1890 fairly illustrated the fact that if this Government was to aid in any particular department of the public life, it could bring the most benefit through aid along the lines of our agricultural schools. One gentleman has suggested that a majority of the boys who graduate from our agricultural colleges do not follow the profession of farming (I think it is a profession at this time); but the fact of the matter is that there is scarcely a boy who goes out from our agricultural schools who does not make life mean more, who does not contribute perhaps more to the general benefit of the whole people, than is done by the graduate of almost any other college. This provision is made for the purpose of enlarging the possibilities of the work of these schools, and it is interstate. There can be no question about that. There is coming to be a common system of agricultural schools throughout the United States, and the professors in one school visit and lecture to the students in other schools. So I say that there is a fairly uniform system all through the United States. We have here in this House contributed thousands of dollars of the public money for the purpose of investigating fuels, for the purpose of investigating our geological conditions, and yet I submit that there is no money that could be expended in a more generally useful way, in a way that reaches the people more directly, that more forcibly appeals to the higher manhood and to better civilization, than this particular appropriation. [Applause.] And it is supported, I repeat, by the very best men who have appeared before any committee—men who have devoted their lives to this particular work.

I do not care to occupy any further time, although it is a most fruitful subject for discussion. Let us consider for a moment the higher principles of our civilization, and not devote ourselves always to the lower elements. We have a school in Michigan that turns out boys which reflect credit on all of the United States. It is the first of its kind in the United States. It is an inspiration for others to follow. Let us say by our vote that manhood is not at a discount in comparison with coal or gold. Can this House afford to subsidize steamship companies, develop water courses, test coal, and then refuse to aid in extending knowledge and developing manhood? I can not believe it.

[Here the hammer fell.]

Mr. WADSWORTH. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Speaker, I regret to differ with my honored colleague, but I would like to have him and the House notice a few figures. We are now, if this measure passes, contracting to give $80,000 a year in perpetuity to fifty institutions, State and Territorial. What does that mean to each college? It means a sum equal to $2,000,000 every year at 4 per cent per annum to every institution. At 4 per cent that means an accrued income at the end of twenty years of $1,600,000 to the agricultural college of the State of Michigan and every other like institution.

It means the drying up of private benevolence and that our States will withhold the hand that gives to our agricultural colleges because the General Government gives so liberally. I speak for the State of Michigan when I say I believe her great commonalty do not ask it. She is rich in agriculture, rich in mines, rich in all the elements of wealth, and she does not ask the Government to give this perpetual endowment, which would annually employ forty professors at $2,000 each. The Michigan Agricultural College is the oldest, the most renowned, and one of the best endowed in the country. The President of the United States comes to us on the 31st of May to celebrate our semicentennial as the mother of all the agricultural colleges in the United States.

Mr. TOWNSEND. Let me interrupt the gentleman. I want to remind the gentleman that before Members of this House and before Members of the Senate the president of the agricultural college in Michigan did insist that this should be granted. I know of no way of voicing the sentiment of Michigan except through its authorized agent. [Applause.]

Mr. GARDNER of Michigan. And there is no institution in the country that will not do the same. There is not a State that has not an agricultural college, and there is not a Territory that has not an agricultural college now that will not have one in twelve months and come here asking for $80,000 to sustain it. I hope, gentlemen, you will not embark upon this undertaking without ample consideration and discussion. This is far-reaching in extent. The gentleman from Michigan talks about the benefit to men living upon the farm. A former president of the Michigan Agricultural College states that very few of her graduates are practical agriculturalists——

The SPEAKER. The time of the gentleman has expired.

Mr. WADSWORTH. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, I am sincerely in favor of concurring in the Senate amendment. [Applause.] I do not regard this bill as showing any predilection toward paternalism. If it is, then paternalism with regard to the matter of education has been a favored method of procedure of the Government of the United States. The very first of the new States carved out of the Northwest Territory coming into the Union received a sixteenth section of land in each township for educational purposes. Every other State, from 1803 down to about 1860, received a sixteenth section of land for educational purposes. Then came a new policy and the sixteenth and thirty-sixth sections of land were granted to all of the new States, and to some a very much larger portion of the public domain was given.

There has been no equality in the distribution of the public lands, but very great inequality. The old States not only secured all of the land within their borders, but Pennsylvania, New York, Connecticut, and others of the old States received large grants in the Northwest Territory. Now, this is in the direction of absolute equality to all the States. Heretofore the legislation has not been of that character. The original grant made to establish agricultural colleges in 1862 was 30,000 acres for each Senator and Representative in the delegation of the State. Under that legislation the State of New York, without an acre of public lands within her borders, received about 900,000 acres. She received it in scrip, and scrip that very shortly became very much more valuable than the dollar and a quarter an acre, the money value that that act of Congress gave to this donation. Practically it was money to the old States rather than land.

Now, this bill in its operation is uniform. It operates upon all the States alike. It will be remembered that some of the States by the act of 1862 were debarred from participating in its benefits. Whether that has been remedied to the full since then I am not prepared to say, but some of them at least are compelled to take an inferior quality of land that did not bring to them the large sums that some other of the States got. This bill, however, is equal in its benefits to all, and I for one am not deterred by the fear that this is paternalism. I am not deterred by the extravagant figures of my friend, the $40,000,000 that are to be given to his State, which he will upon reflection conclude was an effort to draw upon his imagination. No such sums as those come from the Treasury of the United States. He talks about income rather than capital.

Mr. GARDNER of Michigan. Does the gentleman deny the accuracy of the figures?

Mr. HEPBURN. I do not deny the accuracy of the figures, but the gentleman has multiplied, in showing the enormousness of this grant, the actual outlay of the Government some twenty or twenty-five times.

Mr. GARDNER of Michigan. Does not the gentleman know that every college in the land creates its income in that way?

The SPEAKER. The time of the gentleman has expired.

Mr. WADSWORTH. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. The gentleman who has just taken his seat has fallen into some confusion about equality. He has forgotten that the original act of 1862 gave a certain number of acres of land or scrip to each Congressional district, and that in that way we had in the larger States the larger amount of land or scrip. He has also forgotten that States that had no land subject to be taken up got only scrip and could not enter land with it in the name of the State unless on land within the State. He has forgotten that in the States having no land subject to entry they generally sold their scrip for 50 cents an acre. I bought some of it myself, and I know. The only State that I can now

recall that violated that was the State of New York. That State had its scrip taken by Mr. Cornell, who went to Wisconsin and, perhaps, to other States and Territories and there entered it in his own name and afterwards sold it and gave the proceeds of the sale to the State of New York, and therefore New York called her agricultural college "Cornell." That is the way it worked in that State. And now it is not proposed to equalize this matter of donation and to carry it on from year to year, but it is proposed to give to each agricultural college in each State, and to each little agricultural college as much as the greater ones. If this is equity, I do not understand it. That is the reason, no doubt, that it has friends all around here, but if we are going to do equity we should give in proportion to numbers in each State, in proportion to students in the colleges. You ought to do it by following the same general principle and rule established in the original act of 1862, which laid the foundation for all these colleges. That act only intended to endow, through the public lands, these agricultural institutions, and it did not contemplate the carrying on of those institutions, and it devolved on the States to carry them on, as has been done ever since.

[Cries of "Vote!"]

Mr. WADSWORTH. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Alabama to recede from the disagreement and concur in the Senate amendment.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. CLAYTON. Division!

The committee divided; and there were—ayes 100, noes 92.

Mr. WADSWORTH. Mr. Speaker, I ask for the yeas and nays.

Mr. WILLIAMS. Mr. Speaker, I want to suggest to the gentleman from New York that we take a recess from now until 8 o'clock, and at 8 o'clock have the yeas and nays.

Mr. PAYNE. Regular order!

Mr. WILLIAMS. That destroys the recess, and you will have to be here all night.

The yeas and nays were ordered.

The question was taken; and there were—yeas, 120, nays 87, answered "present" 4, not voting 166, as follows:

YEAS—120.

| | | | |
|---|---|---|---|
| Adamson | Darragh | Hull | Robinson, Ark. |
| Aiken | Davis, Minn. | Humphreys, Miss. | Russell |
| Allen, Me. | Dawes | Kline | Samuel |
| Bankhead | Deemer | Lafean | Saunders |
| Beall, Tex. | Dickson, Ill. | Lamar | Sheppard |
| Bell, Ga. | Dixon, Ind. | Lee | Small |
| Bennet, N. Y. | Dixon, Mont. | Legare | Smith, Md. |
| Birdsall | Dunwell | Lewis | Smith, Mich |
| Bonynge | Ellerbe | Littlefield | Smith, Pa. |
| Bowers | Finley | Lowden | Southall |
| Brantley | Flood | McKinney | Sparkman |
| Buckman | Foster, Vt. | McMorran | Sperry |
| Burleigh | Fowler | Macon | Steenerson |
| Burnett | French | Mahon | Stevens, Minn. |
| Burton, Del. | Gill | Maynard | Sulloway |
| Butler, Pa. | Glass | Moon, Tenn. | Talbott |
| Calderhead | Gregg | Mudd | Taylor, Ala. |
| Candler | Grosvenor | Murphy | Taylor, Ohio |
| Capron | Hale | Nelson | Thomas, N. C. |
| Cassel | Hamilton | Olmsted | Townsend |
| Chaney | Haskins | Overstreet, Ga. | Trimble |
| Chapman | Hay | Page | Underwood |
| Clark, Fla. | Heflin | Patterson, N. C. | Wallace |
| Clark, Mo. | Henry, Conn. | Patterson, S. C. | Watkins |
| Clayton | Hepburn | Pearre | Webb |
| Conner | Higgins | Pou | Wiley, Ala. |
| Cooper, Wis. | Hill, Miss. | Powers | Wiley, N. J. |
| Cousins | Houston | Rainey | Williams |
| Crumpacker | Howard | Randell, Tex. | Wood |
| Currier | Hubbard | Reynolds | Zenor |

NAYS—87.

| | | | |
|---|---|---|---|
| Allen, N. J. | Garrett | Longworth | Riordan |
| Andrus | Gilhams | Lorimer | Ryan |
| Babcock | Gillespie | Loudenslager | Scott |
| Barchfeld | Goldfogle | Lovering | Sherley |
| Bartholdt | Graff | McCreary, Pa. | Smith, Cal. |
| Bates | Graham | McNary | Smith, Iowa |
| Brick | Granger | Mann | Smyser |
| Brumm | Greene | Miller | Southard |
| Burton, Ohio | Hayes | Mondell | Stafford |
| Cocks | Hill, Conn. | Mouser | Sterling |
| Cromer | Hinshaw | Murdock | Sullivan |
| Cushman | Humphrey, Wash. | Needham | Tawney |
| Dalzell | James | Olcott | Tirrell |
| Denby | Jones, Wash. | Otjen | Vreeland |
| Driscoll | Keifer | Overstreet, Ind. | Wachter |
| Englebright | Kennedy, Nebr. | Parker | Wadsworth |
| Esch | Kennedy, Ohio | Parsons | Waldo |
| Fassett | Knopf | Payne | Wanger |
| Fitzgerald | Lacey | Perkins | Weems |
| Gardner, Mass. | Lamb | Pollard | Wharton |
| Gardner, Mich. | Lawrence | Reeder | Wilson |
| Gardner, N. J. | Littauer | Reyburn | |

ANSWERED "PRESENT"—4.

| | | | |
|---|---|---|---|
| Jenkins | Norris | Shackleford | Sherman |

NOT VOTING—166.

| | | | |
|---|---|---|---|
| Acheson | Dresser | Kitchin, Claude | Rhinock |
| Alexander | Dwight | Kitchin, Wm. W. | Rhodes |
| Ames | Edwards | Klepper | Richardson, Ala. |
| Bannon | Ellis | Knapp | Richardson, Ky. |
| Bartlett | Field | Knowland | Rives |
| Bede | Fletcher | Landis, Chas. B. | Roberts |
| Beidler | Floyd | Landis, Frederick | Robertson, La. |
| Bennett, Ky. | Fordney | Law | Rodenberg |
| Bingham | Foss | Le Fevre | Rucker |
| Bishop | Foster, Ind. | Lever | Ruppert |
| Blackburn | Fulkerson | Lilley, Conn. | Schneebell |
| Boutell | Fuller | Lilley, Pa. | Scroggy |
| Bowersock | Gaines, Tenn. | Lindsay | Shartel |
| Bowie | Gaines, W. Va. | Livingston | Sibley |
| Bradley | Garber | Lloyd | Sims |
| Broocks, Tex. | Garner | Loud | Slayden |
| Brooks, Colo. | Gilbert | McCall | Slemp |
| Broussard | Gillett | McCarthy | Smith, Ill. |
| Brown | Goebel | McCleary, Minn. | Smith, Ky. |
| Brownlow | Goulden | McDermott | Smith, Tex. |
| Brundidge | Griggs | McGavin | Snapp |
| Burgess | Gronna | McKinlay, Cal. | Southwick |
| Burke, Pa. | Gudger | McKinley, Ill. | Spight |
| Burke, S. Dak. | Hardwick | McLachlan | Stanley |
| Burleson | Haugen | McLain | Stephens, Tex. |
| Butler, Tenn. | Hearst | Madden | Sulzer |
| Byrd | Hedge | Marshall | Thomas, Ohio |
| Calder | Henry, Tex. | Martin | Towne |
| Campbell, Kans. | Hermann | Meyer | Tyndall |
| Campbell, Ohio | Hogg | Michalek | Van Duzer |
| Cockran | Holliday | Minor | Van Winkle |
| Cole | Hopkins | Moon, Pa. | Volstead |
| Cooper, Pa. | Howell, N. J. | Moore, Pa. | Washburn |
| Coudry | Howell, Utah | Moore, Tex. | Watson |
| Dale | Huff | Morrell | Webber |
| Davey, La. | Hughes | Nevin | Weeks |
| Davidson | Hunt | Padgett | Weisse |
| Davis, W. Va. | Johnson | Palmer | Welborn |
| Dawson | Jones, Va. | Prince | Woodyard |
| De Armond | Kahn | Pujo | Young |
| Dovener | Keliher | Ransdell, La. | |
| Draper | Kinkaid | Reid | |

So the motion to recede and concur was agreed to.

The following additional pairs were announced:

For this session:

Mr. SHERMAN with Mr. RUPPERT.

Mr. BRADLEY with Mr. GOULDEN.

Mr. FOSS with Mr. MEYER.

Until further notice:

Mr. BROWNLOW with Mr. GAINES of Tennessee.

On this vote:

Mr. ELLIS (against) with Mr. PADGETT (in favor).

Mr. MCKINLEY of Illinois with Mr. LEVER (against college).

Mr. NORRIS (favor receding) with Mr. ROBERTS (against receding).

Mr. COOPER of Pennsylvania with Mr. BARTLETT.

Mr. LILLEY of Connecticut with Mr. STEPHENS of Texas.

Mr. KINKAID with Mr. RUCKER.

Mr. BEIDLER with Mr. BRUNDIDGE.

Mr. BEDE with Mr. SMITH of Texas.

Mr. WATSON with Mr. CLAUDE KITCHIN.

Mr. SIBLEY with Mr. RICHARDSON of Alabama.

Mr. GOEBEL with Mr. LLOYD.

Mr. SNAPP with Mr. SHACKLEFORD.

Mr. DRAPER with Mr. BURLESON.

Mr. BARTHOLDT with Mr. DE ARMOND.

Mr. GARNER (in favor) with Mr. KELIHER (against agricultural college).

Mr. ALEXANDER with Mr. DAVEY of Louisiana.

Mr. BURKE of Pennsylvania with Mr. HUNT.

Mr. DAWSON with Mr. SIMS.

Mr. HOWELL of Utah with Mr. SLAYDEN.

Mr. PRINCE with Mr. SULZER.

Mr. THOMAS of Ohio with Mr. SPIGHT.

Mr. KNAPP with Mr. TOWNE.

The result of the vote was then announced as above recorded.

On motion of Mr. CLAYTON, a motion to reconsider the vote by which the House receded from its disagreement and concurred in the Senate amendment was laid on the table.

Mr. BURLESON. Mr. Speaker, I send to the Clerk's desk a bill and ask that it be read.

The Clerk read as follows:

A bill (H. R. 13671) to provide for the taking of a census of agriculture in the year 1906 and every tenth year after the year 1905.

*Be it enacted, etc.*, That in addition to the census now required by law to be taken every ten years, there shall be taken in the year 1906 and every tenth year after the year 1905 a census of agriculture, which shall show:

First. A classified census of live stock, with their values.

Second. The acreage of the principal crops, including cotton, corn, wheat, rice, and oats, grown in the United States.

SEC. 2. That the Director of the Census is hereby authorized and required to prepare such schedules and to make such rules and regulations and to submit such estimates as may be necessary to carry this act into effect. And he may utilize the services of rural free-delivery carriers wherever practicable in distributing and collecting schedules along the routes of such carriers, who will perform this service without additional compensation: *Provided*, That for the purpose of securing the statistics required by this act the Director of the Census may select and appoint special agents when necessary, and such special agents shall receive compensation at rates not to exceed $4 per day and actual necessary traveling expenses and an allowance in lieu of subsistence not exceeding $2 per day during their necessary absence from their usual place of residence: *And provided further*, That said special agents shall be residents of the counties where they are to be employed.

SEC. 3. That the Director of the Census is hereby prohibited from publishing any statistical data gathered under the provisions of this act containing an element of estimation, but he shall only cause to be announced actual facts ascertained to exist through careful canvass and enumeration.

Mr. BURLESON. Mr. Speaker, more than three years ago I introduced a bill embodying substantially the same provisions contained in this bill. I did so after consultation with the representatives of many agricultural associations and at the instance of the late secretary of the National Live Stock Association of America, who urged the importance of a more frequent enumeration of live stock. At that time the purpose of the bill was indorsed by the National Board of Trade. Shortly before then a committee had been appointed, representing the various commercial organizations of our country, to investigate agricultural statistics as disclosed by the last census, and this committee, consisting of a member of the Philadelphia Commercial Museum, the New York Produce Exchange, the Chicago Board of Trade, the Baltimore Chamber of Commerce, the Cincinnati Chamber of Commerce, and the National Board of Trade unanimously reported in favor of "a census report every five years, especially for agricultural data which form a basis for calculations of estimates and of area and production by other official service, governmental and otherwise, as to the more prominent crops and as to the number of farm animals." Since introduction this bill has likewise been indorsed by a number of agricultural societies and farmers' institutes and associations throughout the Southern States.

The purpose of the measure is first to obtain a quinquennial census of the live stock of the country. The necessity and importance of this is readily and naturally suggested to the mind of every thoughtful person. A second purpose is to obtain a quinquennial census of the acreage planted to the more important crops like cotton and wheat, for the purpose of furnishing the Bureau of Statistics of the Agricultural Department more frequent standards, in order to enable it more accurately to prepare its annual estimate of these crops.

Mr. Speaker, the annual estimate of live stock issued by the Agricultural Department largely depends for its accuracy upon a base line of established fact. This base line is furnished every ten years by the national census. It is believed by those most competent to judge that there should be furnished to the scientific statisticians who make these estimates a more frequent standard. Believing this, the cattle growers of the Northwest and the Southwest have been for many years persistently urging the necessity of a quinquennial census of live stock. They say that the period of time between each decennial census is so long that they become uncertain whether or not the annual estimate furnished by the Agricultural Department is sufficiently accurate to enable them to determine the real value of their stock.

If error should creep into the annual estimates of live stock made by the Agricultural Department, one can readily understand that the error might become more hurtful year by year as we get away from the standard which is furnished by each decennial census, and this error might not be corrected until the next decennial period was reached. You can easily understand what great damage might be done our live-stock interests, especially when it is remembered that we annually export approximately a quarter of a billion dollars of live stock and meat products. Furthermore, a material change in the market price of live stock frequently results in a decrease of the output for several years following this change of price. I will illustrate what I mean: Suppose there is a marked advance in the price being paid for cattle in Fort Worth, Chicago, Kansas City, or St. Louis. It frequently results in many female cattle being disposed of, and in consequence of this fact there is for several years a smaller increase in the number of cattle. Or, on the contrary, as has happened, if cattle sell for a number of years at a very low price, the stock raiser is not encouraged to enlarge his herd, but, on the contrary, reduces the number of his female cattle, which is followed, of course, by a decrease in the annual output of cattle. These conditions can only be known to the parties at interest through the instrumentality of the Department of Agriculture when it announces its annual estimate of live stock, and any action we can take to make these estimates more accurate is, of course, of the greatest importance. All stock growers thoroughly understand this.

The purpose of this bill has therefore been indorsed by the National Live Stock Association of America and by the Texas Cattle Growers' Association. Mr. Martin, late secretary of the National Live Stock Association, made a trip from Denver to Washington for the purpose of setting this measure on foot, having been directed to do so by the membership of that organization.

Mr. Speaker, the knowledge of the number of stock raised in the country has not only a very material effect upon the value of the stock, but if the fact is made known (through the annual estimates) that the number of cattle or hogs has for any reason decreased or increased it enables the grower to determine the correct line of policy to adopt—whether to sell or to hold; whether to prepare to increase or diminish the number he is growing.

The principal difficulty besetting the statistician in making the annual estimate of live stock has been the marked changes in conditions occasioned by the extraordinary development of the southwestern and northwestern sections of our country.

These varying conditions have brought about many radical changes, especially with regard to domestic animals, which the system of the Department has found it difficult to meet as time has elapsed after each census. The transference of stock raising from range to farms, the multiplication of farms upon hitherto public land, the expansion of dairying, the feeding of beef animals, the breeding of horses, and the shifting of sheep-growing areas—all these have presented difficulties with which no system short of a census enumeration could cope during years far subsequent to a census. If this country had such constant and stable agricultural conditions as are found in Great Britain, Germany, or France, perhaps the crop-reporting system, outside of census enumeration, might be trusted to work along upon this census base line for a period of ten years, since it would find no place where it would be balked by radical and momentous changes in agriculture and stock raising; but in this country, where such changes are constantly going on, the country certainly needs to give to the Department of Agriculture a more frequent base line than one every ten years with respect to the principal crops and domestic animals.

Mr. Speaker, I desire to impress on the House the importance of the special agricultural census under discussion, and I ask consideration of two or three commodities or groups of commodities. Take the *live stock on farms and ranges*. They have increased to vast numbers, and in the aggregate amounted to 204,000,000 on January 1, 1907, at a time when the number of sheep and of swine is from 15 to 20 per cent below the number in early summer.

The value of live stock on farms and ranges in the United States was ascertained by the Department of Agriculture to be $4,424,000,000 on January 1, 1907. The increase in the number of domestic animals on the farms and ranges of this country for a period of sixty-seven years is exhibited in certain tables which I will embody in my remarks.

TABLE A.—*Number of domestic animals on farms and ranges June 1, as ascertained by census enumerators in contiguous United States, 1840–1900.*

[Not including calves, colts, and lambs under 1 year.]

| Census of June 1— | Cattle. | | | Horses. | Mules.[a] | Sheep. | Swine. |
|---|---|---|---|---|---|---|---|
| | Total. | Dairy cows. | Other cattle. | | | | |
| | *Number.* | *Number.* | *Number.* | *Number.* | *Number.* | *Number.* | *Number.* |
| 1840.. | 14,971,586 | ..... | ..... | ..... | ..... | 19,311,374 | 26,301,293 |
| 1850.. | [b]17,778,907 | 6,385,094 | [b]11,393,813 | [b]4,336,719 | [b]559,331 | 21,723,220 | [b]30,354,213 |
| 1860.. | [b]25,620,019 | 8,585,735 | [b]17,034,284 | [b]6,249,174 | [b]1,151,148 | 22,471,275 | [b]33,512,867 |
| 1870.. | [b]23,820,608 | 8,935,332 | [b]14,885,276 | [b]7,145,370 | [b]1,125,415 | 28,477,951 | [b]25,134,569 |
| 1880.. | [c]39,675,533 | 12,443,120 | [c]27,232,413 | [b]10,357,488 | [b]1,812,808 | [c]42,192,074 | [c]49,772,670 |
| 1890.. | [c]57,648,792 | 16,511,950 | [c]41,136,842 | [c]15,266,244 | [c]2,251,876 | [c]40,876,312 | [c]57,426,859 |
| 1900[d] | 52,403,828 | 17,135,633 | 35,268,195 | 16,952,191 | 3,032,987 | 39,852,967 | 62,868,041 |

[a] Prior to 1890 asses and burros were enumerated with mules.
[b] No separate report or estimate of range animals.
[c] Including estimated number of range animals separately reported.
[d] For purposes of comparison spring calves, colts, and lambs are not included in the total numbers of neat cattle, horses and mules, and sheep, respectively, for 1900. In 1850 they were excluded from reports by instructions to enumerators. For other census years no instructions were given concerning them. It is probable that a few, but not all, were reported.

TABLE B.—*Total value of domestic animals, 1900 and 1907, in contiguous United States.*

[Including calves, colts, and lambs under 1 year.]

| Date. | Total. | Cattle. | | |
|---|---|---|---|---|
| | | Total. | Dairy cows. | Other cattle. |
| CENSUS. | | | | |
| 1900, June 1: | | | | |
| On farms and ranges | $2,970,121,053 | $1,475,204,633 | $508,616,501 | $966,588,132 |
| Off farms and ranges | 213,556,356 | 41,102,637 | 28,879,619 | 12,223,018 |
| Total | 3,183,677,409 | 1,516,307,270 | 537,496,120 | 978,811,150 |
| DEPARTMENT OF AGRICULTURE. | | | | |
| 1907, January 1: | | | | |
| On farms and ranges | 4,423,697,000 | 1,527,054,000 | 645,497,000 | 881,557,000 |

| Date. | Horses. | Mules. | Sheep. | Swine. |
|---|---|---|---|---|
| CENSUS. | | | | |
| 1900, June 1: | | | | |
| On farms and ranges | $896,513,217 | $196,222,053 | $170,203,119 | $231,978,031 |
| Off farms and ranges | 154,013,750 | 11,052,504 | 678,624 | 6,708,841 |
| Total | 1,050,526,967 | 207,274,557 | 170,881,743 | 238,686,872 |
| DEPARTMENT OF AGRICULTURE. | | | | |
| 1907, January 1: | | | | |
| On farms and ranges | 1,846,578,000 | 428,064,000 | 204,210,000 | 417,791,000 |

TABLE C.—*Total number of domestic animals, 1900 and 1907, in contiguous United States.*

[Including calves, colts, and lambs under 1 year.]

| Date. | Total. | Cattle. | | |
|---|---|---|---|---|
| | | Total. | Dairy cows. | Other cattle. |
| CENSUS. | | | | |
| 1900, June 1: | *Number.* | *Number.* | *Number.* | *Number.* |
| On farms and ranges | 213,622,799 | 67,719,410 | 17,135,633 | 50,583,777 |
| Off farms and ranges | 6,776,626 | 1,616,422 | 973,033 | 643,389 |
| Total | 220,399,425 | 69,335,832 | 18,108,666 | 51,227,166 |
| DEPARTMENT OF AGRICULTURE. | | | | |
| 1907, January 1: | | | | |
| On farms and ranges | 204,132,000 | 72,534,000 | 20,968,000 | 51,566,000 |

| Date. | Horses. | Mules. | Sheep. | Swine. |
|---|---|---|---|---|
| CENSUS. | | | | |
| 1900, June 1: | *Number.* | *Number.* | *Number.* | *Number.* |
| On farms and ranges | 18,267,020 | 3,264,615 | 61,503,713 | 62,868,041 |
| Off farms and ranges | 2,936,881 | 173,908 | 231,301 | 1,818,114 |
| Total | 21,203,901 | 3,438,523 | 61,735,014 | 64,686,155 |
| DEPARTMENT OF AGRICULTURE. | | | | |
| 1907, January 1: | | | | |
| On farms and ranges | 19,747,000 | 3,817,000 | 53,240,000 | 54,794,000 |

NOTE.—The number of sheep and swine January 1 is 15 to 20 per cent below the number of the preceding June 1.

Mr. Speaker, a very cursory examination of these tables discloses the great importance of the meat animals of this country. They furnish not only one-third of the food of the nation, but sustain an export trade amounting in value to $200,000,000 annually. If the value of the exports of live animals and of dairy, packing-house, and other animal products be combined, the exports have ranged during the last ten years from about $200,000,000 to $270,000,000 annually.

TABLE D.—*Value of exports of live animals and dairy, packing-house, and other animal products, 1897–1906.*

| Year ending June 30— | |
|---|---|
| 1897 | $188,322,221 |
| 1898 | 217,808,053 |
| 1899 | 218,377,750 |
| 1900 | 233,764,590 |
| 1901 | 254,966,844 |
| 1902 | 250,815,851 |
| 1903 | 220,998,208 |
| 1904 | 233,034,209 |
| 1905 | 224,000,796 |
| 1906 | 268,748,834 |

The interest of the consumer in this matter is often overlooked, and it may be affected to the extent of many millions of dollars annually. It is the consumer, fully as much as other parties, who would be benefited by the quinquennial census of farm products and domestic animals. It has been estimated by the Department of Agriculture that in 1900 the production of meat, in terms of dressed weight and of weight of extra edible parts not included in dressed weight, amounted to 19,000,000,000 pounds, of which about 2,400,000,000 pounds were exported.

TABLE E.—*Meat production, exports, and consumption, expressed in pounds of dressed weight and weight of extra edible parts, 1900.*

| Kind of meat. | Production. | Net exports (mean of three years). | Consumption. |
|---|---|---|---|
| | *Pounds.* | *Pounds.* | *Pounds.* |
| Beef, including veal | 8,771,263,000 | 830,855,000 | 7,940,408,000 |
| Mutton, including lamb | 1,135,484,000 | 615,000 | 1,134,869,000 |
| Pork, including lard | 9,279,583,000 | 1,601,565,000 | 7,678,018,000 |
| Total | 19,186,330,000 | 2,433,035,000 | 16,753,295,000 |

If, through any failure on the part of the Bureau of the Census or of the Department of Agriculture to report the full number of meat animals, the price of meat at retail were to be advanced as little as one-quarter of a cent a pound, the meat expense of the consumers of the country, upon the basis of the consumption of 1900, would be advanced about $42,000,000, and an increase of 1 cent per pound would mean to them an advance of $168,000,000 in their annual meat bill.

Are not these great interests entitled to most serious consideration at our hands?

Now, Mr. Speaker, a word about the necessity of a more frequent census of the acreage planted to the more important crops. Recently the Keep Commission, a board consisting of some of the most intelligent officials connected with this Administration, recommended that an agricultural census be taken every year. I myself do not think there is a necessity for that, but I do think there is necessity that we have more frequent and more accurate knowledge of the acreage of the important crops. It would be of incalculable benefit to the Bureau of Statistics of the Agricultural Department in making its annual estimates if it could have a quinquennial census of the acreage planted, thereby preventing to a great extent or lessening the chances of making inaccurate estimates. If a census could be had every five years, it would decrease the percentage of chances of error creeping into its estimates, which might increase from year to year as we get away from the decennial census result, which is now the sole standard.

There are frequent changes in the acreage planted to the more important crops, sometimes from one cause and sometimes from another. The price for wheat or cotton being very high one year may result in a very large increase in the acreage for the succeeding year, or the invasion of a section of our country by an insect pest may, as it frequently does, result in a material reduction in the acreage planted to an important crop. And when you consider that agriculture furnishes the exports that retain for our country the balance of trade in her favor, I think everything should be done that can be done to aid the farmer to intelligently and profitably market the fruits of his labor.

To illustrate my meaning, Mr. Speaker, we all must recognize the importance of accurate statistical information relating to wheat. It is not only important as a source of domestic food, but it has been valuable as an article of export. A knowledge of the quantity of wheat raised in this country is of great importance not alone to the farmer and the miller, but also to the vast number of bread consumers. For years the amount produced has been so large that the surplus itself has been of great proportions, great enough to exert a very large influence upon world prices, if not at times a dominating one. More than one-fifth of the wheat of the world is raised in the United States, with a value in recent years that reaches $500,000,000.

TABLE F.—*Place of United States in world's production of wheat.*

| Year. | The world (nearly). | United States. | |
|---|---|---|---|
| | | Production. | Fraction of the world's crop. |
| | *Bushels.* | *Bushels.* | *Per cent.* |
| 1899 | 2,783,885,000 | [a] 658,534,252 | 23.7 |
| 1901 | 2,955,975,000 | 748,460,218 | 25.3 |
| 1902 | 3,126,624,000 | 670,063,008 | 21.4 |
| 1903 | 3,224,993,000 | 637,821,835 | 19.8 |
| 1904 | 3,170,723,000 | 552,399,517 | 17.4 |
| 1905 | 3,337,400,000 | 692,979,489 | 20.8 |
| 1906 | 3,209,464,000 | 735,260,970 | 21.6 |

[a] Census.

TABLE G.—*Wheat production, exports, and consumption, 1899–1906.*

| Year. | Production. | | Domestic exports, year beginning July 1. (Flour reduced to wheat, at 4½ bushels per barrel.) | Consumption of domestic crop (including seed and animal feed). |
|---|---|---|---|---|
| | Quantity. | Farm value. | | |
| | *Bushels.* | | *Bushels.* | *Bushels.* |
| 1899 (census) | 658,534,252 | $369,945,320 | 186,096,762 | 472,437,490 |
| 1901 | 748,460,218 | 467,350,156 | 234,772,516 | 513,687,702 |
| 1902 | 670,063,008 | 422,224,117 | 202,905,598 | 467,157,410 |
| 1903 | 637,821,835 | 443,024,826 | 120,727,613 | 517,094,222 |
| 1904 | 552,399,517 | 510,489,874 | 44,112,910 | 508,286,607 |
| 1905 | 692,979,489 | 518,372,727 | 97,609,007 | [a] 595,370,482 |
| 1906 | 735,260,970 | 490,332,760 | ..... | ..... |

[a] Stocks on hand at beginning and end of this year as well as of previous years modify the apparent consumption.

It is patent that any ignorance with regard to the supply of wheat which would indicate a shortage that would increase the price by, say of 5 or 10 cents per bushel, might increase the consumers' expense for flour to the extent of $25,000,000 to $50,000,000 annually. This is on the basis of a consumption of 5½ bushels of wheat per capita annually for food purposes. Its market price might be materially affected because of a lack of such information.

But, Mr. Speaker, I now want a word about cotton—our most important crop. Cotton is more sensitive to influences upon its price than any other crop or product of the farm, and, more than any other product, it is the object of false reports, of efforts legitimate and illegitimate to depress or raise its price. Until within the last half dozen years the cotton grower was the frequent victim of the professional crop estimator, whose object is always to overestimate the crop and thus depress the price.

Mr. Speaker, this situation, so disastrous to the cotton growers, has now been largely relieved, because the professional estimators have been put out of confidence, if not out of business, by the two governmental offices that now issue crop reports—the Bureau of the Census, and the Bureau of Statistics of the Department of Agriculture. The cotton crop alone is of such great importance that it should have the benefit of a quinquennial census of acreage in order that the Department of Agriculture may be given every opportunity to make its annual estimate of the yield just as accurate, just as near the truth as possible. To do this the Department of Agriculture must have a foundation not more than five years distant at the farthest.

The cotton crop of this country now amounts to more than 5,000,000,000 pounds annually, with a value, not including seed, of $560,000,000, or, with seed, of $650,000,000. Two-thirds of the cotton of the world is raised in the United States, and about the same fraction of the world's exports of cotton go out of this country, mostly to Europe. Let the exports of cotton from this country cease and the apparent balance of trade in favor of this country on account of the interchange of commodities would be nearly, if not completely, extinguished.

The consequences of false reports concerning the prospective quantity of the cotton crop are very large, and as far as they are merely a question of dollars can be approximately ascertained. If the Government were to cease its cotton reports and the crop left at the mercy of the speculators, for every cent per pound that the price were unfairly depressed the growers would lose $50,000,000 or more, according to the size of the crop; and to a proportionate degree the whole country would suffer because of the decreased value of our exports.

TABLE H.—*Production, exports, and consumption of cotton, 1899–1906.*

[500-pound bales, gross weight.]

| Year. | Production. | | Domestic exports, year beginning September 1. | Consumption of domestic crop. |
|---|---|---|---|---|
| | Quantity. | Value, not including linters. | | |
| | *Bales.* | | *Bales.* | *Bales.* |
| 1899 | 9,459,935 | $323,758,171 | 6,505,133 | 2,954,802 |
| 1900 | 10,266,527 | ..... | 7,178,782 | 3,087,745 |
| 1901 | 9,675,771 | ..... | 7,245,507 | 2,430,264 |
| 1902 | 10,827,168 | 421,687,941 | 7,286,748 | 3,540,420 |
| 1903 | 10,045,615 | 576,499,824 | 6,575,922 | 3,469,693 |
| 1904 | 13,679,954 | 561,100,386 | 9,546,384 | 4,133,570 |
| 1905 | 10,804,556 | 556,833,818 | 7,302,818 | 3,501,738 |

TABLE I.—*Importance of cotton and other principal products in the exports of the United States.*

[Department of Commerce and Labor.]

| Article or group of articles. | Value of domestic exports, year ending June 30— | | | |
|---|---|---|---|---|
| | 1904. | | 1905. | |
| | Value. | Per cent. | Value. | Per cent. |
| Cotton fiber | $372,049,264 | 25.9 | $381,398,939 | 25.6 |
| Breadstuffs | 149,050,378 | 10.4 | 107,732,910 | 7.2 |
| Provisions | 176,027,586 | 12.3 | 169,998,873 | 11.4 |
| Iron and steel, manufactures of | 111,948,586 | 7.8 | 134,728,363 | 9.0 |
| Agriculture, products of | 853,643,073 | 59.5 | 821,074,439 | 55.0 |
| Manufactures | 452,415,921 | 31.5 | 543,620,243 | 36.5 |
| All other | 129,120,023 | 9.0 | 127,049,959 | 8.5 |
| Total domestic exports | 1,435,179,017 | 100.0 | 1,491,744,641 | 100.0 |

| Article or group of articles. | Value of domestic exports, year ending June 30, 1906. | | Six months ending December 31, 1906. | |
|---|---|---|---|---|
| | Value. | Per cent. | Value. | Per cent. |
| Cotton fiber | $401,005,921 | 23.3 | $251,726,379 | 27.1 |
| Breadstuffs | 186,468,901 | 10.9 | 90,954,906 | 9.8 |
| Provisions | 210,990,065 | 12.3 | 98,283,829 | 10.6 |
| Iron and steel, manufactures of | 160,984,985 | 9.4 | 87,823,682 | 9.5 |
| Agriculture, products of | 969,457,306 | 56.4 | (a) | (a) |
| Manufactures | 603,227,836 | 35.1 | (a) | (a) |
| All other | 145,268,240 | 8.5 | (a) | (a) |
| Total domestic exports | 1,717,953,382 | 100.0 | 928,328,154 | 100.0 |

[a] The Bureau of Statistics of the Department of Commerce and Labor has made a new classification, which renders it impossible, at this time, to compare with preceding years.

How important is this crop, not alone to the section producing it, but to all the United States? Can we afford to fail to do anything within our power which will tend to increase its production? Is it not to our interest to do all we can, considering its importance as an export product, to increase its market value?

Mr. Speaker, it is palpable that frequent information concerning the prospective production and the harvested amount of the principal farm crops is essential alike to successful agriculture, to the stability of the business of marketing the crops, and to the financial safety of the manufacturers who use them as raw materials.

So well has this matter been understood that traders and manufacturers who have had a business large enough to sustain the expense have for many years undertaken to acquire a knowledge of present conditions affecting principal farm crops; and for a shorter period of time these efforts have been supplemented by private crop-reporting agencies, which have sold their reports or have given them gratuitously to the public in order that they might sell their publications.

In more recent years most of these private lines of crop estimation have drifted toward, if not positively into, the uses of speculators and gamblers in prices. As far as these private agencies are concerned, some of them make earnest endeavors to publish the truth; others are at the service of bulls or bears in the market, if they are not actually manipulated by them.

If left to themselves they would create a situation in which the few would profit at the expense of the many, and these few at any time would be in danger of themselves becoming losers to another set of winners for the moment.

In the meantime the farmers, the producers of fabulous contributions to the wealth of the nation, the men upon whom the prosperity of the nation rests and ever must rest, would find their crops the football of speculation and price gambling were it not for an impartial service furnishing accurate statistics.

It is practically out of the question that 100,000, much less 1,000,000, farmers should combine to report to a central office of their organization information which would enable that office to indicate the size of the forthcoming crops or of the harvested crops. Even if such large numbers of farmers should cooperate for this purpose and find incorruptible managers of the undertaking, there would be small confidence in the accuracy of the work, and those who buy these crops from the farmers would reject the estimates for fear that self-interest might have exerted a controlling influence in their preparation. Still we need estimates, impartial and as near accurate as possible, and these are now being given us by the able and upright statistician, Mr. Victor H. Olmsted, who heads the Bureau of Statistics in the Agricultural Department.

In such a large field of production as that of the United States, with crops so large as to be beyond the efforts of the mind to grasp, with countless diversities of conditions of soil, of rainfall, of heat, and of transportation, with its numerous antagonistic forces within the domain of production, of trade, and of industrial consumption, and particularly with its greater antagonisms reaching out from each of these domains into one or both of the others, it becomes a herculean task to prepare with any degree of accuracy an estimate of any particular crop. It is distinctly a situation in which a governmental office must be called into requisition, and it should be required to establish facts and to make them known to all parties. To do this in such a way as to win the confidence of the public every facility for securing accuracy should be afforded.

The system of estimation should be as perfect as it can be devised, and it can be readily seen that the success in making such estimates depends essentially upon a base line of established fact. This all-important base line has so far been furnished the statistician of the Department of Agriculture only once in each decade.

Mr. Speaker, to furnish an additional base line is the purpose of this measure. I think the facts I have brought to your attention demonstrate the necessity of a restricted agricultural census midway between the decennial census.

The interests that are concerned and that would be benefited by this extra agricultural census are too large to be measured. On the part of the farmers alone there is a capital which has now reached $28,000,000,000. On the part of the traders in farm products and industrial consumers of them no corresponding figure can be estimated.

A quinquennial census of live stock and of the acreage of the important crops can be taken for about $900,000; this amount distributed over a period of ten years would be $90,000 a year. This would cover the cost of this all-important work. How trivial this sum is compared with the interests to be affected. Mr. Speaker, I now desire to read from the hearings had in support of this bill a short statement by Mr. Secretary Wilson. When asked to express his views with reference thereto he said:

Secretary WILSON. Look up the discussion, Mr. Chairman, in regard to the taking of a quinquennial census of manufactures, and apply every word of the reasons therein set forth to a quinquennial census of crop acreage and live stock. There is not a reason given for having a census taken of manufactures that does not apply with much greater force to a census taken of those things mentioned in this bill.

We sell every year to foreign countries approximately $900,000,000 worth of farm products. In round numbers, $250,000,000 of that is live stock and animal products; $650,000,000 of that is the value of the farm crops of the country—first, corn; I shall not mention hay; next, cotton, then wheat, rice, etc.

* * * * * * *

The farmers of the United States last year produced, using round numbers, $6,415,000,000 worth of farm products and sent abroad approximately $900,000,000 worth, which is considerably more than half of all the stuff we export in a year.

Mr. BURLESON evidently has in mind a quinquennial census between the decennials, for the purpose of giving to those who are growing these articles and those who are dealing in them a closer idea of the tendency and trend of production along those lines. Before there was a permanent Census Bureau provided for, the Department of Agriculture had for many years been in the habit of making estimates of the production of all those things. But the time between decennial censuses was too long, because the increase of production of one class of things and the possible standstill or decrease in the prduction of another might have a very great influence on the producer and the dealer in the United States. The benefit that would come to the Department of Agriculture would be that instead of having once in ten years a reliable basis for estimating we should have it once in five years.

Mr. Speaker, every time there is a long gap between the Government reports upon the conditions of the crops or the size of the crops private agencies begin to get in their work, and there never has been a case when these private agencies, unless checked through Government sources of information, have not overestimated the production, with a consequent depression of prices. To-day if the Government should cease to make its estimate of the cotton crop, we might just as well put the price fixing of that great product in the hands of Mr. Buston, Mr. Neill, and other professional estimators. For a number of years I have been laboring to make the estimates issued by these professional estimators as little hurtful to the farmer as possible. It was to accomplish this end that I caused to be enacted the law providing for the Ginners' reports, and it is a source of much satisfaction to me that the Neills and Bustons can not affect the market price of cotton as they once could by giving out gross and outrageous overestimates of the crop. The passage of this bill will still further aid in securing honest and accurate statistics relating to this important crop and thereby aiding in making still less hurtful the practices of the professional estimators.

Mr. Speaker, I have endeavored to show the importance of this measure. I believe it is of vast importance to the people of the entire country, and especially to the people of the South. After a most careful hearing, the Committee on the Census, on April 31 of last year, unanimously reported the same, and now for a year it has been pending on the Calendar awaiting consideration at the hands of this House. I have repeatedly made efforts to secure an opportunity to have the same given a hearing. In these efforts I have had the cooperation of the chairman of the Census Committee, the gentleman from Indiana [Mr. CRUMPACKER]. We have gone to the extent of asking that the bill be taken up on suspension day, when, as we all know, it would require two-thirds majority to pass it; but, Mr. Speaker, all my efforts have resulted in failure, and this bill, though of the utmost importance to my people, will die upon the adjournment of this body day after to-morrow. I now send to the Clerk's desk, and ask that same be read, a letter I have recently received from the Secretary of the National Live Stock Association of America.

AMERICAN NATIONAL LIVE STOCK ASSOCIATION,
*Denver, Colo., January 29, 1907.*

Hon. ALBERT S. BURLESON,
*House of Representatives, Washington, D. C.*

DEAR SIR: I have the honor to inclose you herewith copy of a resolution adopted at the Tenth Annual Convention of this association, held at Denver, Colo., January 23, 1907, indorsing your bill for a new and more frequent census of live stock in the United States. I trust you will have this resolution read in Congress and referred to the proper committee.

If there is any assistance our association can render you in having this bill enacted into law, please advise.

Very respectfully, yours,

T. W. TOMLINSON, *Secretary.*

Mr. Speaker, I now ask that the resolution be read.

The Clerk read as follows:

Resolution adopted at the Tenth Annual Convention of the American National Live Stock Association, held at Denver, Colo., January 22 and 23, 1907.

Whereas live stock growers of the United States are absolutely without correct information as to the number of animals being produced for food purposes; and

Whereas it would be greatly to the advantage of both the producer and the consumer to have correct data as to the probable meat supply for present and future markets; and

Whereas the Federal Government provides estimates regarding crops, such as cotton, wheat, etc., greatly to the advantage of the producers of those commodities; and

Whereas we believe the Government should supply similar information as to live stock: Now, therefore, be it

*Resolved*, That the American National Live Stock Association, in convention assembled in Denver, Colo., January 22 and 23, 1907, respectfully petitions the Federal Government to at once take a full and comprehensive census of all cattle, sheep, and hogs in the United States; and be it further

*Resolved*, That the bill now pending in Congress providing for such census every five years, known as the "Burleson bill," be hereby indorsed by this convention; and be it further

*Resolved*, That a copy of these resolutions be forwarded to the proper Department of the Federal Government in Washington and to all Members of Congress.

I hereby certify that the above is a true copy.

T. W. TOMLINSON, *Secretary.*

Mr. BURLESON. Mr. Speaker, the fate of this bill is an apt illustration of the tremendous power which the majority of the membership of this body has lodged in the hands of our presiding officer. Here is a bill of tremendous importance to all the people of the United States. It has been reported favorably, both Democrats and Republicans joining with unanimity in recommending its passage. I am confident if I had been permitted by the organization of this House to bring it before this body that this bill, with all its provisions fully understood, would have received the support of 90 per cent of the Members of this House. No difficulty was experienced when the effort was made to secure a quinquennial census of manufacturers; but notwithstanding the persistence with which I have urged this quinquennial census of agriculture, only disappointment has been my portion. I have been unable to secure even consideration of same.

Mr. Speaker, it is my purpose to reintroduce this bill at the beginning of the Sixtieth Congress, and I shall press it to enactment if energy and persistence can possibly accomplish that end.

Mr. WADSWORTH. Mr. Speaker, I move that the House agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. WADSWORTH, Mr. SCOTT, and Mr. LAMB.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army;

H. R. 25630. An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved June 8, 1906;"

H. R. 19275. An act for the relief of T. E. Boyt;

H. R. 6104. An act to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails;
H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;
H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals;
H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;
H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoal;
H. R. 20128. An act to complete the naval record of Patrick Naddy;
H. R. 8984. An act to amend the laws governing labor or improvements upon mining claims in Alaska;
H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River;
H. R. 11040. An act to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys;
H. R. 24122. An act in reference to the expatriation of citizens and their protection abroad;
H. J. Res. 31. Joint resolution authorizing the wearing of the distinctive badge adopted by the Army and Navy Union upon all occasions of ceremony;
H. J. Res. 240. Joint resolution to create a joint committee to consider the revision and codification of the laws of the United States;
H. R. 15320. An act to remove charge of desertion standing against Peter Parsch;
H. R. 22210. An act to correct the military record of Homer Quick;
H. R. 11044. An act authorizing and directing the Secretary of the Treasury, in certain contingencies, to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds;
H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;
H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906;
H. R. 24390. An act to correct the military record of Charles H. Kellen;
H. R. 24605. An act granting to the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va.;
H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals;
H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida;
H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;
H. R. 21857. An act to correct the military record of Jacob Rockwell;
H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;
H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals; and
H. R. 19524. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:
H. R. 25483. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes;
H. R. 19751. An act to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.;
H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.;
H. R. 3268. An act for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased;
H. R. 10095. An act making certain changes in the postal laws;
H. R. 19500. An act for the relief of Indian traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier, a Menominee Indian trader, with the Menominee Indians of Wisconsin;
H. R. 24816. An act to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906;
H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company;
H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;
H. R. 25801. An act granting an honorable discharge to Seth Davis;
H. R. 22588. An act for the relief of homestead entrymen who have paid more than the lawful purchase money;
H. R. 25437. An act to grant American registry to the German bark *Mariechen;*
H. R. 15859. An act ceding certain lands to Colorado State Agricultural College;
H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals;
H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana;
H. R. 13418. An act for the relief of W. S. Hammaker;
H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same;"
H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River;
H. R. 11401. An act granting an increase of pension to William Kling;
H. J. Res. 236. A joint resolution authorizing the Secretary of the Navy to furnish metal for a bell;
H. R. 10305. An act to provide for the repayment of certain customs dues; and
H. R. 8699. An act for the relief of James A. Carroll.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:
S. R. 92. A joint resolution to authorize the Secretary of War to permit Jose March Duplat to receive instructions at the Military Academy at West Point;
S. 8580. An act granting land to Anna Johnson;
S. 7550. An act for the relief of Harry A. Young;
S. 6729. An act authorizing the President to appoint Webb C. Maglathlin a second assistant engineer in the Revenue-Cutter Service;
S. 6134. An act providing for the conveyance to the State of North Dakota of certain tracts of land for the use and benefit of the North Dakota State Historical Society;
S. 5869. An act for the relief of Larvon Gordon;
S. 8540. An act to ratify a certain lease with the Seneca Nation of Indians;
S. 5660. An act for the relief of William N. Hughes;
S. 4964. An act for the relief of Thomas F. Walters;
S. 8427. An act to annul certain titles to land acquired by judicial proceedings in the courts of the United States in Texas, and for other purposes;
S. 8303. An act to establish the Foundation for the Promotion of Industrial Peace; and
S. 7840. An act granting an increase of pension to Lewis A. Towne.

AGRICULTURAL APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I have introduced, during this session of Congress, a certain bill which I deem, if enacted into law, one of the greatest importance to all of the people of the United States, and I feel confident that when its provisions are fully understood by the Congress it will almost unanimously meet its approval. During this short session, owing to the vast amount of other business which has engrossed attention, little opportunity has been given for consideration of this measure; and my purpose at this time in addressing myself, as I shall, to the provisions of this bill is that the Congress and the country at large may in the interim consider it and be prepared to place a just estimate upon it, and that we may, during the first session of the Sixtieth Congress, act accordingly. The bill as introduced is known as H. R. 24757, and entitled "A bill to provide an annual appropriation for industrial

education in agricultural high schools and in city high schools and for branch agricultural experiment stations, and regulating the expenditures thereof." Specifically its language is as follows:

*Be it enacted, etc.*, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid, as hereinafter provided, to each State and Territory for the maintenance of instruction in agriculture and home economics in agricultural high schools of secondary grade and instruction in mechanic arts and home economics in city high schools of secondary grade, a sum of money equal to 10 cents per capita of the population of each State and Territory, respectively, as shown by the last preceding national or State census, as shall be apportioned by the Secretary of Agriculture and estimated for in the annual estimates submitted to Congress for the Department of Agriculture: *Provided*, That the funds thus appropriated shall be used only for instruction in agriculture, mechanic arts, and home economics, and that all States and Territories and all schools accepting these funds shall provide other funds with which to pay the cost of providing the necessary lands and buildings and of instruction in all general studies required to make well-rounded high school courses of study.: *And provided further*, That not less than one-half of the sum thus appropriated to any State or Territory shall be expended for instruction in agriculture and home economics in agricultural high schools maintained under State authority in rural communities, and the number of such agricultural high schools which shall be entitled to receive the benefits of this act in any one State or Territory shall not exceed one school for each ten counties in that State or Territory.

SEC. 2. That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid, as hereinafter provided, to each State and Territory for the maintenance of branch agricultural experiment stations under the direction of the State agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March 7, 1862, the sum of $2,500 for each branch experiment station already established by legislative enactment of the respective States and Territories, or which shall be established by said States or Territories in connection with agricultural high schools as appropriated for by this act: *Provided*, That no State or Territory shall be entitled to the benefits of section 2 of this act until its legislature shall by law provide for the establishment of such branch stations and shall provide annually for the equipment and maintenance of such branch stations a sum at least equivalent to that appropriated annually to the State or Territory under section 2 of this act; and the sum paid to each State or Territory under section 2 of this act shall be applied only to paying the necessary expenses of conducting at such branch experiment stations experiments bearing directly upon the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories and the respective agricultural regions therein.

SEC. 3. That the sums hereby appropriated to the States and Territories for the maintenance of branch agricultural experiment stations and for instruction in agriculture, mechanic arts, and home economics shall be annually paid, one-half on the 1st day of July of each year and one-half on the 1st day of January of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations and schools to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the 1st day of September of each year a detailed statement of the amounts so received during the previous year and of its disbursement on schedules prepared by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants.

SEC. 4. That if any portion of these moneys received by the designated officers of any State or Territory for the maintenance of instruction in agriculture, mechanic arts, and home economics or for the maintenance of branch experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory concerned, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory: *Provided*, That no portion of said moneys shall be applied directly or indirectly under any pretense whatever to the purchase or erection of any building or buildings or to the purchase or rental of lands.

SEC. 5. That it shall be the duty of each of said city high schools, agricultural high schools, and branch experiment stations annually, on or before the 1st day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said agricultural high schools, city high schools, and branch experiment stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States, said reports to be made on blanks to be supplied by the Secretary of Agriculture.

SEC. 6. That on or before the 1st day of July in each year after the passage of this act the Secretary of Agriculture shall certify to the Secretary of the Treasury as to each State and Territory whether it has complied with the provisions of this act and is entitled to receive its share of the allotment herein provided for branch experiment stations, for agricultural high schools, and for city high schools under this act and the amount thereupon which it is entitled to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory for the whole or part of its appropriation, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separately in the Treasury until the close of the next Congress in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury, and the Secretary of Agriculture is hereby charged with the proper administration of this law.

SEC. 7. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and on the work of the agricultural high schools, city high schools, and branch agricultural experiment stations in all of the States and Territories to which allotments are made, and also whether the appropriation of any State or Territory has been withheld, and, if so, the reasons therefor.

SEC. 8. That Congress may at any time amend, suspend, or repeal any or all the provisions of this act.

A Federal appropriation is sought for the purpose of encouraging the several States and Territories in the promotion of industrial and agricultural education, and with their cooperation. It is mainly for the purpose of encouraging a type of education for the mass of our people that will train them for the practical affairs of life; and while the Morrill Act of 1862 has undoubtedly stimulated great activity along this line, the present measure supplants it and to a large extent will consummate the purposes desired. The science of agriculture is basic in principle, and sooner or later we should return to first principles, and in the last analysis we must recur to the soil as the fundamental source of our wealth, prosperity, and happiness as a people. The practical training to be obtained, if this bill becomes a law, for the young men and women on the farm will undoubtedly make country life more attractive and beneficial, and the industrial training sought to be encouraged in city schools add very materially to the prosperity and happiness of all those who will avail themselves of the opportunities thus provided. The measure therefore responds to the needs of both rural and city conditions.

This bill is designed especially to secure simple justice to the workers and home makers of our country. We have too long confined technical education to the professional classes. Let us carry out the wise plan begun by Congress in 1862—the land-grant act establishing colleges of agriculture and mechanic arts—and provide, along with general schooling, industrial education, not only to the privileged 5 per cent, but also to the 95 per cent who are doing the world's work.

The increase of knowledge, the specialization of industries, and the close division of labor have made a new world, into which the graduates of our schools are precipitated. The old education leads the pupil to believe that he is prepared for life. His preparation is only general. The new education must prepare the pupil for some specific line of life. It must be both broad and practical. It must combine the theme written in the book, the theme written in the soil and in the machinery, with the inspiration for the best living which modern conditions can provide.

The Congress of the United States and other legislative bodies in the world ere long will have spent more than $100,000,000 in agricultural research. Along other lines much greater sums are being expended in university laboratories, in laboratories supported by our great industrial organizations, and in private laboratories devoted to research and invention. The utility results of science have gained recognition in agriculture, in the non-agricultural industries, and in home making. The much-enlarged body of knowledge rapidly becoming available in all vocations has made necessary such organization of our school system that the rising generation may have the key to this new knowledge. The old forms of education, which have so wonderfully aided in bringing forward our civilization, must be rearranged, that the curriculum of our schools may be broadened and enriched with this rapidly accumulating new knowledge.

We shall soon have about 90,000,000 of people in this country, one-third of whom, or 30,000,000, will be of school age—between 5 and 20 years—and entitled to school privileges. The Twelfth Census, using round numbers, showed that one-half the persons of school age attended school in 1900, and thus we may calculate that we shall soon have 15,000,000 pupils in schools. Since practically one-third of our population is engaged in agriculture and two-thirds in nonagricultural pursuits, we may roughly say that we shall have 5,000,000 pupils preparing for country life and 10,000,000 preparing for city life. Since three teachers are required for each 100 pupils, we shall need 150,000 teachers in country-life education and 300,000 teachers for schools leading to city life, or a total of 450,000 teachers. With the material increase in the numbers of pupils taking secondary and higher courses of study, we may hope to have 7 per cent of American youth entering high schools of secondary grade, and of these 2 per cent entering higher institutions of collegiate grade; but the great educational problem will remain—the training of the 93 per cent who will stop with the primary city school and the primary rural school. As our schools are improved in their general educational work and in their efficiency to aid the pupil to make a good living, we may expect to increase the proportion of children attending school. Since the teachers in the primary schools are mainly trained for their work in the secondary schools, the most important means for improving the primary schools is better to provide for the preparation of their teachers. Our high schools have three important functions, viz: (1) To give to a large number of people a better education that individually their success may be greater; (2) to place among the people of the country a large number of trained workers whose success, example, and help will enable all people with whom

they associate to become more efficient and more successful, and (3) to prepare the necessary teachers to conduct the primary schools in the most efficient manner possible.

Our educators, farmers, professional, and business classes are of one mind in a desire that the evolution of our school system shall be directed into lines which shall carry to all the people our accumulating technical knowledge and thus add efficiency to our workers. When our population reaches 90,000,000, we shall have engaged in gainful occupations 33,000,000 of people. Of the latter at least 30,000,000 will be interested in agriculture and mechanic arts education and at least another 25,000,000 in home economics education. At $1 a day the industrial and home-making value of these 55,000,000 people, counting 300 days as a year, is $16,500,000,000. It would seem easy by sharply turning our school system somewhat more toward technical instruction to increase the economic efficiency of our workers 1 per cent, or $165,000,000 annually. This bill proposes to devote $8,000,000 to this purpose.

In 1862 the Congress of the United States ventured upon an experiment by providing for the establishment in each State of a college devoted to agriculture and the mechanic arts. Out of this action has grown not a theory, but a condition. The situation demands that we utilize the results of these experiments and the new knowledge thus secured. The knowledge is of more value than any dozen mechanical inventions ever devised. Our American educational machine must be so evolved and even reorganized as to reach every industry and every home in the land. This bill undertakes to point the way and to provide the funds with which to accomplish this purpose. The undertaking is too important to be left to sporadic action, and is too expensive to be inaugurated systematically throughout the United States under any auspices less able to provide funds and to secure cooperative action than the Federal Government.

We now have over fifty State colleges of agriculture and mechanic arts. Their past growth warrants the hope that before long they may have an average of 1,000 students each in collegiate courses related to industry; 500 in mechanic arts courses, 300 in agriculture, and 200 in home economics, or a total of 50,000 students, where there are now 20,000.

Minnesota, Nebraska, Alabama, Georgia, and other States have demonstrated that the industrial education started in our State colleges should be extended into a system of agricultural high schools and into our city high schools. The trend has been to organize an agricultural high school for each group of about ten counties, as has been done in Alabama and Georgia, and to develop mechanic arts education, both in separate city high schools and as courses of study in general city high schools. Minnesota and Nebraska led in devising and developing schools of agriculture of high school grade articulating with the college above, and with both the rural schools and the farms below. Alabama and Georgia have recently taken the lead in establishing one of these schools in each Congressional district. Minnesota and Nebraska have agricultural high schools with 600 and 300 students, respectively. The graduates of these schools nearly all go back to the farm. A very small number go into other vocations, and probably 10 per cent go forward into collegiate courses in agriculture, most of them to become agricultural technicians. These schools have demonstrated so effectively that farm boys and girls can be educated for country life and returned to country life that everyone who looks into the work of these institutions is ready to promote this kind of schools for the entire country.

To Georgia belongs the credit and honor of first taking the step thoroughly to establish a sufficient number of well-equipped agricultural high schools to meet the needs of the farm boys and farm girls of the State. Last July the Georgia legislature authorized Governor Terrell to establish an agricultural high school in each of Georgia's eleven Congressional districts. A State appropriation of $6,000 was provided annually as a current expense fund with which to begin each school. The districts securing these schools were required to provide at least 200 acres of land and to erect buildings and equip the schools. The different localities sought to secure the location of these schools. The result was such that it is inspiring the entire country with an interest and faith in high school education in agriculture and home economics. By private subscription Georgia has raised $800,000 with which to establish and equip these eleven schools. Never before have the American people so emphatically expressed their faith in agricultural education. In no way has the South better expressed the fact that she is rising from the difficulties and depression which resulted from the civil war.

The passage of this bill will precipitate a similar movement in every State in the Union. If all of the States will follow Georgia's example, we shall have 300 agricultural high schools for our 3,000 agricultural counties. With each of these schools averaging 500 students we would have a total of 150,000 students in agricultural high schools, an average of 3,000 in each State. This number of students would provide a large number of men technically trained in agriculture to become leading farmers, and a large number of young women trained in home economics to develop exemplary farm homes. It would also provide a body of young people who could rapidly be developed into teachers who could carry instruction and inspiration in agriculture and home building into all the rural schools of the land and thus carry this education to all farm youth. There may be a difference of opinion as to whether we shall make our rural schools more efficient by retaining the present unit—the isolated rural school—or whether we should consolidate these into larger units. Which ever plan is pursued, all must agree that this class of schools must be improved by providing teachers trained both in general studies and in the subjects relating to the future life work of that 85 per cent of rural youth which will remain in country life. It may be presumed that the expense will not be very greatly different whether we develop the rural schools under a plan of consolidation or by adequately improving the little rural schools. At present we have no body of people in our rural communities who have either knowledge or faith to reorganize our country schools. Probably the chief function of the provisions of this bill will be to provide a large class of leaders in our rural communities who, as progressive farmers and home makers and as rural school-teachers, will press to a successful issue the development of our rural primary school system.

The State colleges of agriculture and mechanic arts established by the Congress have developed mechanic arts education even much more rapidly than agricultural education. The engineering courses of these colleges have been very successful and popular from the start, and this class of instruction has extended into numerous city high schools, as in the mechanic arts high schools of St. Paul, Pittsburg, Philadelphia, and Washington. The graduates of these colleges and high schools have profoundly modified our mechanical and transportation industries. Our manufacturing and transportation companies are in touch with these local mechanic arts high schools and with these State colleges and are offering good positions to every young man who shows technical instincts and ability. Graduates of these mechanic arts high schools in turn have carried the elements of this line of instruction under the name of "manual training" into very many of the primary city schools of the country. Most of these mechanic arts high schools are as yet relatively small because of the difficulty of securing local appropriations sufficient to pay the larger expenses of these more practical studies which require laboratories and shop practice as well as class-room instruction. This bill is designed to meet this difficulty. Our State colleges were more tardy in developing education in home economics than in either mechanic arts or agriculture, but even in this line it may be said that the Congressional act of 1862 has developed a revolution in education in domestic economy. Numerous of the State colleges having successfully organized instruction in domestic-science subjects have provided teachers who have successfully introduced this line of education into city high schools, agricultural high schools, and into a large proportion of the colleges and academies attended by women, and even into city primary schools and into some rural schools. It is found that this line of technical education is relatively inexpensive and yet very important for the future home makers.

Under the movement for industrial education and research started in the sixties, including the Federal Department of Agriculture, the State experiment stations, the State agricultural colleges, and the two or three dozen agricultural high schools, we now spend, exclusive of inspection and other general work, something like $10,000,000. These expenditures have added not less than a billion dollars in value to the products of our American farms, shops, and other industries, and greatly improved the social conditions of our workers and of all our people. Thus for the price of one battle ship there is created sufficient additional wealth to pay two or three times over our direct and indirect expenses incident to war.

I maintain that we should have a properly equipped Army and Navy that we may have stability and peace for our industries; but, on the other hand, those who advocate large expenditures for the Army or for the Navy should be the first to see the importance of expenditures which create individual efficiency and wealth. Now that our national wealth has reached nearly $100,000,000,000, our annual production nearly $30,000,000,000, and our Federal appropriations nearly $1,000,000,000, are we not ready seriously to consider the proposition of making it possible for every boy and girl in the entire country to secure at least the rudiments of technical industrial education? The

relatively small cost is clearly within the scope of our public financial ability.

Of the three great wastes in the economies—land, material, and labor—by far the greatest waste is from inefficient labor. It has been truthfully said that while America wastes land the Old World wastes labor. In America labor commands $1 to $2 a day; in Europe one-fourth of that amount, and in the Orient one-tenth of that amount. The greatest economic need is that our industries be so changed that labor be not wasted. The recent wonderful and far-reaching developments in transportation of all kinds is suddenly bringing together, in close economic competition, all the peoples of the entire world. The nation that uses its labor, lands, and products to the best advantage will take the lead in civilization and in power.

Can America afford to continue the kind of education which cultivates tastes too expensive for the earning capacities of her people, while other peoples are willing to labor cheaply and live within their means? Even more than with boys we are making the mistake of educating the tastes of our girls more rapidly than we are training them in the ability to secure those things which satisfy their tastes. Our most important racial and national institution—the home—can be developed along with our other institutions only as we give to it the discoveries of science and build it up through education. It is not enough that America have homes averaging better than homes of other parts of the world; they should be very much better. The leadership assumed by Congress in 1862 brought with it responsibilities. These responsibilities may now be clearly seen. There is only one organized body competent to deal with the question of the rapid development of technical education for the workers in the industries throughout all of the States, and that is this Congress.

This bill provides for the inauguration of a movement in industrial education second only in importance to the original bill of 1862 creating in America this class of education. It provides for introducing throughout all our public schools of a secondary or high school grade education in mechanic arts, agriculture, and home economics. The sum it is proposed to appropriate is less than 1 per cent of the revenues of the Government, and is based upon an appropriation to the various States and cities of 10 cents per capita of the inhabitants thereof provided that a like sum is raised by them. This means practically appropriating for the industrial education of each pupil of school age 30 cents per annum, or for each pupil actually in school 60 cents per annum.

The bill provides that the money allotted to each State shall be equitably divided between the city people and the country people. Each city will receive 10 cents per captia on its population at the last national or State census. The money thus allotted to the respective States and not apportioned to city high schools will be available for use toward the maintenance of one agricultural high school in each rural Congressional district, or its equivalent. Thus, my own State of Minnesota, with a population of about 2,000,000, half of whom are in cities, will receive $200,000 annually, $100,000 to be apportioned to the respective cities according to their population and $100,000 to be used in eight or ten agricultural high schools distributed throughout the State. Under this bill thousands would be provided with industrial and agricultural education where now hundreds receive this kind of instruction in the one or two schools of each class now in operation.

The course of study in agricultural high schools and mechanic arts high schools, having now been under trial and development for nearly twenty years, has been nearly as well worked out as the general courses of study in our city high schools, and are also successfully articulated with the rural school and the primary city school below and with the college courses above. Passing the land-grant act of 1862 was an experiment, because no agricultural or mechanical college had then been successfully started. The passage of this measure would not be an experiment, because agricultural high schools and mechanic arts high schools, both including industrial work for women in relation to the home, are recognized as among our most successful institutions. It is believed by those well informed that every dollar appropriated for the Federal Department of Agriculture and for the State experiment stations and State college returns to the American people, or rather earns for the American people, at least $20. There is no reason why the appropriations under this act shall be less productive.

The farmers of America have rapidly changed from an indifferent attitude toward so-called "book farming" to a high appreciation of and a profound respect for agricultural science and institutions devoted to improving agriculture. Education in mechanics and home economics has likewise risen to a plane of high appreciation. It requires no prophet to predict that within ten years after the passage of a law as outlined in this bill the entire point of view recently held by the farmers of this country toward agricultural schools and by the practical men of affairs toward city high school education will have been changed.

The feverish desire to leave the land and go to the city will have been removed. Farms as places of business and farm homes as places to develop splendid families will be appreciated at their true American value. With the great Federal Department of Agriculture, with fifty State agricultural colleges and experiment stations, with two or three hundred agricultural high schools and branch experiment stations, and with tens of thousands of improved consolidated rural schools and with other educational machinery as college-extension work, and with highly developed agricultural literature, and with a like equipment for education in city industries, the American people will be so informed and inspired in industrial affairs and home making that we shall have a new America. The pivotal place in turning the education of our workers, whether in country or city, more toward the things with which they must deal is in the high school, because here the teachers for primary schools are trained in those subjects in which they are to instruct the primary pupils.

The provision in this bill which appropriates $2,500 to be placed with an additional amount to be supplied by the respective States for branch experiment stations for each agricultural high school is important from two standpoints. It is necessary that the teachers of agriculture, horticulture, live stock, and dairying in these agricultural high schools have as part of their instructional machinery actual farm operations and such research work as the State experiment stations and the Federal Department of Agriculture may properly delegate to these institutions. The working out of crop rotations and farm plans, the testing of commercial fertilizers, the testing and breeding of plants, the demonstrating of methods of destroying insects, and many other similar lines will have a large value, both as part of the school education and as a means of working out improvements in agriculture.

The question is often asked, Why should the Federal Government take up the burden of the State? Will not the use of Federal money tend to retard activity along educational lines in the States and cause them to depend on Federal aid? Is Congress not already doing too much for the people of the States? Congress, and especially the State legislatures, have not taken full cognizance of the fact that the Federal Government raises and expends more than three times as much money as do all of the State governments combined. The fact that the Federal Government has the indirect, and therefore easy, methods of raising taxes, while the States have the direct and more difficult methods of raising taxes is the best of reasons why the Federal Government should lead general cooperative movements in bringing about important changes affecting the entire length and breadth of the country. Congress, with $800,000,000, offering to cooperate with the States with their aggregate of $200,000,000, will help the States so to increase their $200,000,000 that they will have means with which to improve their secondary and primary schools, tasks which now seem so large as to well-nigh paralyze effort in many States. Material Federal aid will greatly encourage and inspire State and local effort. If this bill is passed, and the States duplicate the amount of money thus appropriated, American education can be put upon a new plane in every State in the Union. Georgia's experience shows that the States are willing to supply the equipment and part of the current-expense fund. Let the Federal Government meet Georgia halfway, and every State will follow the noble example set by that vigorous Commonwealth.

Does not this plan of using some of our immense national funds with which to build up local institutions decentralize rather than increase the tendency to centralization? How can we better strengthen the States than by turning over to State management funds with which to strengthen their educational institutions, around which local interest and local pride center?

This bill does not establish a new precedent in principle, because it simply carries out the precedent established in our country in organizing State colleges of agriculture and mechanic arts in 1862. The British Government several years ago, from their large income from taxes, passed an almost identical act, thus building up local institutions. Under that act technical education, for the most part secondary in grade, has been supplied to the people of the cities of the British Islands, and numerous agricultural high schools have been organized in individual counties or by groups of counties. Through the legislation provided in H. R. 24757 America will not only keep pace with the most progressive nations, but will be in a position to take the lead in industrial education for the masses.

We need to build up a class of people educated in distinctive industrial and agricultural schools, highly organized, so as to give instruction and to inculcate pride in industrial affairs and in the American home. So long as the teachers of our schools are trained in schools devoted mainly to nonindustrial interests they can not well build up an industrial community with full knowledge and inspiration for their life work. Let us have as a dominating force in the education of our country youth and our city youth teachers who are chosen as trained leaders in building up rural and industrial science and practice and in home making.

There is encouragement in the fact that year by year the strong men of the world's legislative bodies are joining the ranks of those who favor larger appropriations for research and education related to the industries. The time has arrived in many of the States when the farming interests demand that legislative bodies counteract the tendency to pile up the largest part of our annual increase of permanent wealth in our largest cities. Labor, too, under wise leadership, is ready to demand more of the fruits of science and art in the form of technical training for their children.

The proposition in this bill at first seems radical. When carefully considered it is not as radical as the proposition to build new battle ships. It is a plan for investing money in the higher industrial efficiency of the nation's 60,000,000 workers and in the better living of all people of all classes. It proposes that we give our workers a square deal by giving them a chance to secure technical training, as we now provide technical training for the professional classes. It looks to universal technical education. This kind of education is not a net expense. It is a net profit. It is an expenditure such as we make in business, only here the economic return plus the social benefit is greater than the expected profits in business. This plan is not an experiment. It will bring the results. No other solution has been offered to the problem of bringing to a free people the results accruing from their own expenditures in scientific research. If another plan superior to this can be devised, let us adopt it, and, failing in that, let us perfect and utilize the plan outlined in this bill.

PERSONAL REQUEST.

Mr. FLOOD, by unanimous consent, obtained consent to file, as a part of the report of the Committee on Expenditures in the Department of Agriculture, the views of the majority of the committee on Mount Weather, and to ask that the report filed by the chairman of the committee be reprinted with the majority's views on Mount Weather substituted for those of the chairman, and the chairman's views on Mount Weather be printed as a minority report from the committee on that subject.

Mr. PAYNE. I move that the House take a recess until 8.30 p. m.

The SPEAKER. The Chair desires to say to gentlemen that the pension appropriation bill must again be sent to conference, and there are many other important bills that ought to be considered to-night, and they can not be considered without a quorum. The question is on the motion of the gentleman from New York [Mr. PAYNE] that the House take a recess until 8.30 p. m.

The question was taken; and the motion was agreed to.

Accordingly (at 6 o'clock and 33 minutes p. m.) the House took a recess until 8.30 o'clock p. m.

## EVENING SESSION.

The recess having expired, the House (at 8.30 p. m.) resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. ROSE, its assistant secretary, announced that the Senate had passed the bill of the House (H. R. 25692) to provide for an additional district judge for the northern and southern districts of California, with an amendment thereto, in which the concurrence of the House was requested.

NORTHERN AND SOUTHERN DISTRICTS OF CALIFORNIA.

The SPEAKER laid before the House the bill (H. R. 25692) to provide for an additional district judge for the northern and southern districts of California, with a Senate amendment thereto.

Mr. JENKINS. I move that the House concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

PENSION APPROPRIATION BILL.

Mr. GARDNER of Michigan. Mr. Speaker, I desire to call up the conference report on the pension appropriation bill, and ask that the report be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24640) "An act act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes," having met, after full and free conference have been unable to agree.

WASHINGTON GARDNER,
W. P. BROWNLOW,
JOHN A. SULLIVAN,
*Conferees on the part of the House.*

P. J. MCCUMBER,
N. B. SCOTT,
*Conferees on the part of the Senate.*

Mr. GARDNER of Michigan. I move that the House insist on its disagreement and accede to the request of the Senate for a conference.

The motion was agreed to; and the Speaker announced as conferees on the part of the House Mr. GARDNER of Michigan, Mr. BROWNLOW, and Mr. SULLIVAN.

CERTAIN STREET RAILWAY TRACKS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I desire to call up a Senate bill and to make the motion which I send to the Clerk's desk.

The Clerk read as follows:

I move to suspend the rules and agree to the following:

"*Ordered*, That immediately upon the adoption of this order it shall be in order to take up the bill (S. 6147) entitled 'An act authorizing changes in certain street railway tracks within the District of Columbia, and for other purposes,' with the amendment thereto reported by the Committee on the District of Columbia, to offer thereto the following amendments: First, strike out section 13 of the House substitute providing for wide tires; second, to provide for universal 3-cent fares, to be collected only from passengers provided with seats; and after votes on the aforesaid amendments the question shall be on the committee amendment and on the bill to a final passage without intervening motion or appeal."

The SPEAKER. Is a second demanded?

Mr. JAMES. I demand a second, Mr. Speaker.

Mr. BABCOCK. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Wisconsin is entitled to twenty minutes and the gentleman from Kentucky [Mr. JAMES] to twenty minutes.

Mr. BABCOCK. Mr. Speaker, this bill provides for the extension of the tracks of the existing street car lines to the Union Depot in the most direct way possible.

Mr. SULZER. Does it provide for 3-cent fares?

Mr. BABCOCK. The order provides for an amendment being offered for 3-cent fares.

Mr. SULZER. What does it provide about the fare?

Mr. BABCOCK. Three-cent fares, not to be paid unless a passenger is given a seat. Do you want any more?

Mr. SULZER. Oh, yes; transfers, too?

Mr. BABCOCK. That is the amendment that is to be considered.

Mr. SULZER. All right; it is about time the people got something. At last, it seems their day is coming.

Mr. BABCOCK. Now, Mr. Speaker, in addition to this is the new construction of the Capital Traction Railway in northeast Washington that has been asked for by the citizens for many years, a good piece of construction that public policy demands. Further than that, Mr. Speaker, it reenacts what is known as the "smoke bill," that the House has passed once or twice before.

And I want to say just a word in reference to the smoke proposition. For several years the people of the District of Columbia—the manufacturers, the hotels, and the restaurants—have been obliged to comply with the present smoke law. Many of them have been fined many times. The electric light company has been driven out of the city, at a cost of $1,000,000 to build a new plant on account of this smoke ordinance. Now, this bill provides that the steam locomotives in the city of Washington shall come under the provisions of this act, a matter of equity between the citizens of Washington and the locomotives in the city.

Mr. Speaker, this is all this bill provides, except that it provides that a motion shall be in order to strike out the provision for wide tires; that it shall be in order for the gentle-

man from Kentucky to offer an amendment for 3-cent fares. It ought to pass, it should pass, and this House will fall far short of its duty unless it does pass.

Mr. PAYNE. Will the gentleman yield?

Mr. BABCOCK. Certainly.

Mr. PAYNE. Does this resolution give any Member the liberty of proposing an amendment that any person shall be carried free on the street cars?

Mr. BABCOCK. It does not.

Mr. PAYNE. I am surprised that the gentleman has made that admission.

Mr. BABCOCK. I notice that the gentleman from Mississippi [Mr. WILLIAMS] is not here.

Mr. SIMS. Yes; the gentleman is here. He will be in his seat in a moment.

Mr. BABCOCK. It was understood that he was to offer the amendment.

Mr. SIMS. The gentleman from Mississippi understands that this motion, if carried, itself eliminates the wide-tire amendment.

Mr. BABCOCK. I do not think it does. It is in order for that motion to be considered, and, if the motion should be made, to strike it out. I will yield to the gentleman from Mississippi.

Mr. WILLIAMS. Mr. Speaker, when this bill was before the House the other day I opposed a motion to suspend the rules and put it upon its passage for two reasons, first, because if it were put on its passage on a motion to suspend the rules, the House would have no opportunity to discuss or to vote upon the amendment offered by the gentleman from Kentucky [Mr. JAMES]; secondly, because the bill contained a provision requiring wide tires in the city of Washington. This provision was subject to a point of order under the ordinary procedure when the opportunity to make the point of order could be given to that provision, to which I was opposed independently of an opportunity of making the point of order.

The chairman of the District Committee now offers the bill with the broad-tire provision stricken out of the bill if this resolution is passed. Moreover, the amendment offered by the gentleman from Kentucky [Mr. JAMES] will be subject to discussion, adoption, amendment, or rejection.

Mr. CLARK of Missouri. But the chairman of the District Committee says that the motion will have to be made in order to strike out the section relating to wide tires.

Mr. WILLIAMS. I understood the broad-tire provision, section 13, is stricken out of the bill, as the gentleman presented it.

Mr. BABCOCK. That is the report, but I think the gentleman should make the motion to strike it out formally.

Mr. WILLIAMS. The gentleman from Michigan agreed with me that the bill would be presented with that stricken out.

Mr. BABCOCK. Yes; it says that it shall be in order to strike it out.

Mr. WILLIAMS. Is it in order to make the point of order on it now?

Mr. BABCOCK. No; but make a motion to strike it out.

Mr. WILLIAMS. Then the gentleman has not presented to the House the matter as he and I agreed that it should be presented.

Mr. BABCOCK. Yes; he has as far as possible.

Mr. WILLIAMS. What I insist upon is this: This bill to permit certain railroads to extend their lines to the Union Depot had placed upon it by the Committee on the District of Columbia a provision for broad tires for road wagons, which was not germane to the bill and against which a point of order would lie.

Now, unless the gentleman presents the bill in such shape as to enable me to make that point of order for the consideration of the Chair, then I must insist that this bill be defeated.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent that the section the gentleman refers to be stricken from the bill.

Mr. SHACKLEFORD. Mr. Speaker, I object.

Mr. BABCOCK. Then, Mr. Speaker, I move that the section be stricken from the bill.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. I will ask the Speaker to read the order and to tell me whether or not, worded as it is, it would be in order for me to raise the point of order as to the germaneness of section 13. If it be in order for me to raise that point of order, I know it will have to go out on the point of order. Then I do not care. The point of order is that section 13, being an amendment, is not germane to the subject-matter of the bill.

The SPEAKER. The Chair would suggest that, by unanimous consent, the gentleman from Wisconsin can change his motion so as to put it in the following form, which the Clerk will read.

The Clerk read as follows:

*Ordered*, That immediately upon the adoption of this order it shall be in order to take up the bill S. 6147, entitled "An act authorizing changes in certain street railway tracks within the District of Columbia, and for other purposes," with the amendment thereto reported by the Committee on the District of Columbia, to offer thereto the following amendments:

First, to strike out section 13 of the House substitute, providing for wide tires, unless said amendment shall have been ruled out on a point or order, which is hereby authorized.

Second, to provide for universal 3-cent fares to be collected only from passengers provided with seats; and after votes on the aforesaid amendments the question shall be on the committee amendment and on the bill to a final passage without intervening motion or appeal.

Mr. BABCOCK. Mr. Speaker, I make the request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. JAMES. Mr. Speaker, how much time has the gentleman consumed?

The SPEAKER. The gentleman has fourteen minutes left.

Mr. JAMES. Mr. Speaker, the amendment which I shall offer gives an opportunity to the House of Representatives to vote on a 3-cent fare. I desire to ask the gentleman from Wisconsin [Mr. BABCOCK] how much time he is willing to agree on for a discussion of this question as to the merits of the amendment?

Mr. BABCOCK. I understand there are twenty minutes on each side.

Mr. JAMES. Oh, no; that is on this question of suspending the rules upon my demand for a second.

Mr. SIMS. It is on the other also.

The SPEAKER. That question does not arise at this time.

Mr. JAMES. Then, Mr. Speaker, I want to be heard in support of the amendment that I shall presently offer affording 3-cent fares in this District.

We have been legislating for the various States trying to curb the rapacity of the railroads throughout the country, trying to make them deal equitably and fairly with the shippers, with the produce from the farm, with the great commerce of the country, and in that battle on behalf of the people in favor of justice to all I most heartily joined; and now, Mr. Speaker, I want to urge that this House remedy the daily outrage that is being perpetrated right within the shadow of this Capitol by the street car monopoly, an outrage being perpetrated on the laboring people, the men who work, the women who toil. It is for these that I now appeal.

Mr. Speaker, a 5-cent fare does not amount to much to the Members of Congress. It does not amount to anything to a man who has money, but when we consider the fact that it is 10 per cent, 15 per cent, 20 per cent, and sometimes 25 per cent of the wages of the laboring people of this District, people who labor by the hour for their money, to them it amounts to a very great deal. To these people who toil at 5 cents, 10 cents, and 15 cents an hour, when we consider, Mr. Speaker, that street car fares mean hours of toil to them, then it is time for this House of Representatives to give consideration to this question. [Applause on the Democratic side.]

There are two street-car systems in this city. One is the Capital Traction Company, the other is the Washington Electric Company. The Capital Traction Company goes right by this Capitol. It has a franchise which was given to it by this Government without a dollar being paid for it by the company. The company then capitalized and valued that franchise at $12,000,000, and last year this street-car company collected as street-car fares $1,700,000 and declared a dividend of 6 per cent upon $14,000,000, including $12,000,000 of watered stock. They take the franchise given by the people to them without charge and make it a burden to be borne upon the bending backs of the people from whom it came. [Applause on the Democratic side.]

These companies are given a monopoly of the people's highway, a highway which belongs to all the citizens, a highway of the beggar as well as the street-car magnate, and yet, Mr. Speaker, these street-car companies virtually pay no taxes and not a dollar for the purpose of keeping up the streets of this city.

The Capital Traction Company has made and declared dividends amounting to over $7,000,000 in the last ten years, and this does not take into consideration the extension of their tracks, which was paid out of their profits. They made this last year as profits off the people of this District within a hundred thousand dollars of the original cost of the 22 miles of double track which they own in this District. The Washington Electric lines, that have all the other lines trustized and monopolized in this District, collected last year off of the people $2,879,000, and, allowing 50 per cent as operating expenses, it declared dividends of $1,400,000, and the 50 per cent operating expenses is far more, in my judgment, than it would cost; and

I now appeal to this Congress and ask you, will you allow this outrage to go on right here in the capital of your country? [Applause on the Democratic side.] Not only that, but they go further. They pay the president of this street-car company twice as much salary as is paid to the Vice-President of the United States of America. After all of the exorbitant salaries, which are prolific, to the men high up in places, with a juggling of figures, with a concealment of profit, with a payment of interest upon debts which they do not owe, yet their dividend is so enormous absolutely that they have to add millions of water to the stock in order to keep all the people everywhere from rising up in outrageous protest against it. [Applause.]

The Capital Traction Company, which it cost in round numbers not more than $1,500,000 to build, after adding the $12,000,000 of watered stock, they put that stock upon the market, and it is selling to-day for $1.40. So we see that by the exactions of this company and by the enormous and wonderful profit it makes that its stock to-day is on the open market worth close on to $20,000,000. Mr. Speaker, there can be no doubt on earth that these companies can make abundant profit out of a 3-cent fare.

The legislatures of the various States, in obedience to the public will, are requiring the railroads to charge reasonable fares. Railroads that cost many times as much to operate their lines as it does a street car line, cost more to build, people are demanding that they should come down to that basis of justice of "live and let live." [Applause.]

Mr. Speaker, we do not represent the people of this great city directly. They are orphaned, so far as direct representation is concerned, but on behalf of those people at home for whom we do directly speak, in their names I appeal to the manhood of this Congress to rise up and do justice to these people here, although you do not represent them directly; draw in front of the aggressions of these combinations the naked sword of American justice and in behalf of the laboring people command these companies to do common justice. [Loud applause on the floor and in the galleries.]

Mr. Speaker, I reserve the balance of my time. If the gentleman from Wisconsin desires to yield some of his time, I trust he will do so; if not, I yield five minutes to the gentleman from Tennessee.

Mr. SIMS. Mr. Speaker, will the gentleman from Wisconsin yield me some time? I wish to speak on both amendments?

Mr. BABCOCK. How much time does the gentleman want?

Mr. SIMS. Ten minutes.

Mr. BABCOCK. I have only fourteen minutes remaining. I yield the gentleman four minutes.

Mr. SIMS. The gentleman from Kentucky will yield me six?

Mr. JAMES. I yield six minutes and the gentleman from Wisconsin yields four, making ten minutes.

Mr. SIMS. Mr. Speaker, I wish to state to the House that I have worked hard for a long time to compel the street railway companies of this District to agree to universal free transfers. It was my purpose to offer such an amendment to this bill. I certainly desired to do so. The gentleman from Wisconsin [Mr. BABCOCK] desired to have an amendment known as the wide-tire amendment, but in order to get legislation upon that, about which there seems to be no disagreement, the gentleman from Wisconsin has agreed that the amendment for wide tires may be stricken out, and I have agreed to yield and not offer the amendment for universal free transfers. But I do believe that something ought to be done. The street railway companies will not do anything until they are forced. They did not want to furnish vestibules for their cars to save the lives of their motormen, until Congress forced them to do so. For the same reason I was not willing to advocate 3-cent fares, but inasmuch as we have been threatened by the street railway companies to litigate and test in the courts the question of universal free ransfers I gave it up. Now, I wish to state a few facts, and take them from the hearings, that the House may have a clear knowledge of the condition of affairs. The gentleman from Kentucky has truthfully stated that not one cent has been paid by any street car company of the District of Columbia for the privilege of constructing and operating its railway. I can not discuss at length both of these railroad companies in the brief time I have, but inasmuch as the gentleman from Kentucky has referred to the Capital Traction Company, I will give you from the hearings the facts. Mr. Dunlop was asked what constituted the Capital Traction Company, what its properties were. I quote from the hearings:

Mr. SIMS. I want to ask you a line of questions; whether these provisions are just. What companies does the Capital Traction Company embrace? What does the title "Capital Traction Company" embrace?

Mr. DUNLOP. The Capital Traction Company is the Rock Creek Railway Company with its name changed. If you will turn to the law of March 1, 1895, you will get the whole thing. The Capital Traction Company is simply the Rock Creek Railroad Company with the name changed by act of Congress.

Mr. SIMS. What was the capital stock of the Rock Creek Railway Company?

Mr. DUNLOP. I don't remember; I think it was about $200,000, but you will find it in that same law; I want to answer all your questions absolutely.

Mr. SIMS. I know that; but I want to have to ask them before you answer them.

Mr. DUNLOP. The Capital Traction Company is the Rock Creek Railway Company with its name changed. The same law that authorized that authorized it to purchase the Washington and Georgetown Railway and to pay for the consideration of that purchase in stock, giving them the right to issue their stock to pay for that consideration.

Mr. SIMS. Now, I want to ask this; I think we will get along faster if we will just follow the path that I have mapped out. When you changed the name to Capital Traction, then you issued $12,000,000 of capital stock?

Mr. DUNLOP. Yes, sir; and it was authorized by the law. Just as much as if it had been authorized in the original charter.

Mr. SIMS. You issued $12,000,000, and then you started to float it?

Mr. DUNLOP. There was no floating of it then; and there was never a dollar of cash passed in the transaction.

Mr. SIMS. Never a dollar; all stock?

Mr. DUNLOP. All stock.

Mr. SIMS. Now, when that $12,000,000 was first issued, and put upon the market, for what did it sell? I do not mean what you people exchanged between yourselves, but what was the stock worth on the market?

Mr. DUNLOP. I don't remember; it was something below par; it went down finally to 45.

Mr. SIMS. Went as low as 45?

Mr. DUNLOP. Yes; went as low as 45, and sold on our local exchange for 45.

Mr. SIMS. What is it worth now?

Mr. DUNLOP. About 141 or 142.

Mr. SIMS. Now, then, all purchases or extensions or improvements since that time have been made without any increase of the capital stock?

Mr. DUNLOP. There has never been an issue of stock; there is no law to allow us to increase; we would not attempt to do that.

Mr. SIMS. Consequently all improvements and extensions have been made out of the earnings of the road?

Mr. DUNLOP. No, sir; they have been made by the issuance of bonds.

Mr. SIMS. You have issued how much, one million?

Mr. DUNLOP. There is outstanding $1,080,000.

Mr. SIMS. You paid in 1896, $419,873; in 1897, $209,000; in other words, going on down giving the different dividends; you made extensions in 1891, and your extensions were $480,000, and sale of real estate $558,000.

Mr. DUNLOP. That was the sale of the old powerhouse site to the Government.

Mr. SIMS. And you issued the next year as dividends amounting to $960,000.

Mr. DUNLOP. Four hundred and eighty thousand dollars of that came from the proceeds of the sale of that lot.

Mr. SIMS. Why didn't you pay that on the bonds?

Mr. DUNLOP. Why didn't we pay that on the bonds? That was a matter for the directors to decide. I can not say why they did not pay it. It belonged to the stockholders, and they gave it to them.

Mr. SIMS. And you received $250,000 insurance at the same time?

Mr. DUNLOP. Yes, sir.

Mr. SIMS. Why was it not paid on the bonded indebtedness?

Mr. DUNLOP. Because that was to be put into the electric system on Pennsylvania avenue.

Mr. SIMS. There has been no increase of capital, but a vast increase of value. I gather from the reports for ten years, until 1906, a few days ago, you have paid out in dividends and extensions, together with the proceeds of real estate, $558,000, $6,515,245.15. Your stock to-day is worth about 140.

Mr. DUNLOP. It is selling at about 141 or 142 on the exchange.

Mr. SIMS. In addition to the stockholders receiving all this amount of money and the company's extensions, amounting to about $1,000,000, the increased value in your stock is about $14,000,000. Now, the Capital Traction, since it was formed and started, has got in the way of profits and added value to stock more than the entire issue of stock.

The CHAIRMAN. Didn't you make an error when you said $14,000,000? It should be $480,000.

Mr. SIMS. It went as low as 45. There was an increasing value of $10,000,000 in the price of the stock, and they received $6,000,000 in the way of dividends and consideration. Of course, we realize——

Mr. DUNLOP. Well, General, I think this would throw some light on that: The Washington and Georgetown Railroad Company had sold all of its property to the Rock Creek Railway Company, and went out of existence. The stockholders numbered between 180 and 200, I think. I do not think it ever was over 200, and my recollection is that at the time this took place it was about 180. The Capital Traction Company's stockholders number about 1,250, and you have the names of them in the last report.

Mr. SIMS. I don't want to get off on that.

Mr. DUNLOP. I want to get off on that because I want to disabuse your mind of one thing, that the people who own this stock now have paid a great deal——

Mr. SIMS. I do not care anything about that. I want to ask you, at the time this capital stock was issued you had of single track 35.90 miles, and of double track 17.95 miles; in other words, 18 miles of double track. Now, at $12,000,000 the capital you issued would amount to $666,666.66⅔ per mile of double track. I mean when you issued it.

Mr. DUNLOP. That goes right to the question. You criticise the Rock Creek Railway Company for paying such prices.

Mr. SIMS. I only want to get at the facts. For the 18 miles of double track you issued stock at the rate of $666,666.66⅔ per mile.

Mr. DUNLOP. The Rock Creek Railway Company issued stock for the consideration paid to the owners of the Washington and Georgetown Railway Company, whether it was $500 a mile or $1,000 a mile.

Mr. SIMS. Your statement heretofore has been that it cost $120,000 to construct double track.

Mr. DUNLOP. I looked that up since last meeting. What we built last year cost $63,612 per mile of single track.

Mr. SIMS. But the whole construction has not cost that?

Mr. DUNLOP. I am speaking of the track construction—just what Mr. Madden said cost $30,000, and that he had seen a contract for. And I

went further back than that. I want to get that clear in the minds of the committee. I went back and looked up all the extensions we had made under the Capital Traction Company's management, and the F and G street line and this extension out east here were $66,000, because there were a great many more gas mains and water mains to move in the streets.

Mr. SIMS. You say it cost $66,000. Say it cost $150,000 per mile of double track. You have it capitalized at $666,000 per mile of double track. How much of that is water and how much money?

Mr. DUNLOP. There is none of it water; not a drop of water in it. The Capital Traction Company paid that consideration under an act passed by Congress, and issued that stock.

Mr. SIMS. Perhaps I should not have used the word "watered." What is the difference between the capitalized value and the actual money value?

Mr. DUNLOP. The actual money value upon which it is bound to pay dividends is $12,000,000; that is the actual value.

Mr. SIMS. Is it bound to pay dividends upon that?

Mr. DUNLOP. Yes; it is bound to pay dividends, if it makes the money. That is the money value of the present company.

Mr. SIMS. You are paying 6 per cent dividends upon that value?

Mr. DUNLOP. We are.

Mr. SIMS. And paying for all construction out of the earnings?

Mr. DUNLOP. Not at all. I just said we were issuing bonds, and if you have a report you will find that we have a floating debt this last year of $405,000, and that really is not completed.

Mr. SIMS. But you do not contemplate increasing your capital stock to pay those bonds?

Mr. DUNLOP. No, sir; because we have no right to do it, and we do not contemplate doing anything unlawful.

Mr. SIMS. Why don't you pay the $558,000 you got for real estate on your indebtedness, and reduce it?

Mr. DUNLOP. We paid $480,000—not $580,000—to the stockholders. We paid it by order of the directors.

Mr. SIMS. You received $558,000?

Mr. DUNLOP. The balance of it was used in other matters of the company.

Mr. SIMS. You received that?

Mr. DUNLOP. Certainly we received it.

Mr. SIMS. You were carrying at least $480,000 bonded indebtedness and you were paying 6 per cent on it, and you were paying dividends on approximately $700,000 per mile, and then you tell this committee and this country that you can not take the little reduction that might come about by free transfers, and further acknowledge that your capital stock has enhanced in market value $10,000,000 since shortly after——

Mr. DUNLOP. Whose stock are you talking about?

Mr. SIMS. You said it went to 45 cents.

Mr. DUNLOP. I said the present stock went down to 45.

Mr. SIMS. That was all it was worth then.

Mr. DUNLOP. Not at all.

Mr. SIMS. Then why didn't you sell the stock for what it was worth?

Mr. DUNLOP. How do I know? How does anybody know? It is worth 141 now.

Mr. SIMS. Because it brings it. Anything is worth what it will sell for.

Mr. DUNLOP. That was on the stock exchange.

Mr. SIMS. But the people sold the actual stock, didn't they?

Mr. DUNLOP. I think you will find that there was not very much sold then.

Mr. SIMS. Hasn't there been an enhanced value in the stock of your company out of all proportion——

Mr. DUNLOP. Certainly the stock has enhanced, and the interest of the stock is only 4 per cent on 150. Would you loan money at 4 per cent? I wouldn't.

Mr. SIMS. Would the price of your stock be materially reduced or affected in any way by giving free transfers?

Mr. DUNLOP. Certainly it would.

Mr. SIMS. What effect would it have?

Mr. DUNLOP. It would have the same effect as the issuing of 15,000,000 transfers has now. If we got full fares we would get greater receipts. It will affect it just to the extent that we haul passengers from all the other systems coming to us.

Mr. SIMS. But your business will increase and your receipts will increase with each passenger you carry free after a certain number.

Mr. DUNLOP. That is speculative.

Mr. SIMS. And the idea that it would reduce receipts is also speculative.

Mr. DUNLOP. I know something about that.

Mr. SIMS. Would you take less than 140 for your stock if we put on free transfers?

Mr. DUNLOP. I do not want to sell mine, for just the reason that none of you gentlemen would want to. I think I am entitled under any State law or any law in the country to reasonable compensation on that stock, and I think 6 per cent is not unreasonable. You fix 6 per cent as a point where it is not usury, and I think it is reasonable that the courts will bear me out in that.

Mr. SIMS. Isn't 4 per cent stock good stock; isn't it par everywhere?

Mr. DUNLOP. It is better than 3.

Mr. SIMS. It is practically 100 cents on the dollar?

Mr. DUNLOP. Not at all; some men would not touch it. You would not invest in 4 per cent stock, you said.

Mr. SIMS. No, sir; I said I did not have any money to lend. Now, you would not as a stockholder in your company agree to sell your stock at less than 140 if we put on free transfers?

Mr. DUNLOP. No, sir; because I have it at par and it is bearing me 6 per cent.

Mr. SIMS. You have made 4 per cent then?

Mr. DUNLOP. I have not made anything because I have not sold it.

Mr. SIMS. You have received 6 per cent?

Mr. DUNLOP. Yes; and I have also received 2 per cent.

Mr. SIMS. You have received what was allowed.

Mr. DUNLOP. You will find that we paid——

Mr. SIMS. Your stock has been improved by extension, etc.?

Mr. DUNLOP. Not at all; extensions have a tendency to draw it down.

Mr. SIMS. Are not your extensions a part of the property?

Mr. DUNLOP. Of course.

Mr. SIMS. Is 22 miles of Capital Traction worth more than 36?

Mr. DUNLOP. No; we could have made more money on the 22 than on the 36.

Mr. SIMS. Yes; you said it cost $166,000 a mile to build it.

Mr. DUNLOP. I want to say on that point, because the public doesn't understand this any better than General Sims does, that the more miles you operate the less net profit you get out of it. We have been asking to be allowed to cover this whole District with our lines, and stand ready to build them to-day, but it would reduce our net profits if we did, and it would do away with the demand for free transfers.

Mr. SIMS. With your road as it is, will you not be able without extension, if we give free transfers, to pay your 6 per cent dividend year in and year out with the normal growth of the District?

Mr. DUNLOP. I think not, because we will simply be a dumping line for everything.

Mr. SIMS. You think your company would be injured worse than any other?

Mr. DUNLOP. I think we would be very materially injured.

Mr. SIMS. You would be very materially injured. And yet you would not sell your stock for any less than you say it is bringing now?

Mr. DUNLOP. I do not run the Capital Traction Company on my personal interest. I put that aside absolutely. I try to operate that company on business principles; if my stock didn't pay me 1 per cent I would not have anything to say.

Mr. SIMS. Because you get a salary as president?

Mr. DUNLOP. My salary is known of all men. It is in the public documents here in the Capitol. I am not ashamed of it; I earn every dollar of it. And if the stockholders do not think so, they can say so and I will get out. They pay me $15,000 a year.

Mr. SIMS. That is the reason why I said that you can afford to be in this company, even if you did not have a share. You would not sell your stock because it carries with it something more than the dividend. Suppose you held no office in the company.

Mr. DUNLOP. It carries with it a dividend on its face value that I invested in.

Mr. SIMS. Suppose you had no office and we were going to pass a bill materially reducing the value of the stock, would you not sell your stock at present prices?

Mr. DUNLOP. If I knew you were going to pass a bill to ruin me, I would sell it to-morrow.

Mr. SIMS. But we can not injure you, as you are getting a salary, even if we allowed free transfers. But I believe, Colonel, that you can give free transfers without hurting the stockholders or salaried officers or anybody else.

Mr. DUNLOP. I disagree with you, General, from any standpoint. I think I know more about the business than you do.

Mr. SIMS. You know it better ten times than I do.

Mr. DUNLOP. And then there is the other question to which I want to call the committee's attention. As I said before, we will obey any law that Congress passes that is reasonable. We have always done it, and there need be no penalty in it to make us obey; we will do it without that; but if Congress passes an unreasonable law the courts are open to us.

Mr. SIMS. They ought to be open to you.

Mr. DUNLOP. They ought to be, and I think there is not one gentleman at this table who will deny it. If you pass a law loading us up with free transfers, no one here will deny that we will have a right to go to the courts. But I want to say that there is another question involved there, the right to make any corporation or individual carry a passenger or do any other kind of work without reward. The free transfer means that we must carry those passengers without reward. That question will go to the courts.

Mr. SIMS. The reason I have asked you so much about your own company is because I can not understand the reports of the other companies at all, but I can understand yours.

Mr. DUNLOP. We make everything so that any man can understand. We have nothing to hide, gentlemen, and I want to say here that we make money, too.

Mr. SIMS. Your reports show it.

Mr. DUNLOP. We do not deny it.

Mr. SIMS. But for the franchises——

Mr. DUNLOP. For the franchises we hold the receipts of the District government at 4 per cent.

Mr. SIMS. It is the lowest tax on the face of the earth.

Mr. DUNLOP. The lowest tax on the face of the earth?

Mr. SIMS. The lowest that I have heard of to call it tax. I do not think that it would be reasonable to call it tax if it were any lower.

Mr. DUNLOP. That is your private opinion.

Mr. SIMS. It is about 30 cents per $100 on the selling value of the stock.

Mr. DUNLOP. You are getting into stock; I am not a stock dealer.

Mr. SIMS. It is good property with or without free transfers, and it will be 200 one of these days, and the reason of it is because the city is growing.

Mr. DUNLOP. I want to tell this committee now that if I can make it worth 500 I am going to do it, and you do it, too, at home.

Mr. SIMS. You are looking at it from a salary standpoint, while we are looking at it from the standpoint of the good of the people. When will the day come that your company will be willing to give something in the way of reduced fares?

Mr. DUNLOP. Never. If Congress opens the way to us and says that we can build out to the sections that are clamoring for the car lines it will do away with the demand for free transfers.

Now, I will not read it all, because it is too long. But here is the Capital Traction Company, that, as shown by the statements of its president, was simply the Rock Creek Company with its name changed. The Rock Creek Company had $200,000 of capital stock. The name was changed and stock reissued for $12,000,000. The hearings show that only 18 miles of double track then existed. Five miles of that double track was overhead construction, which cost only half the cost of underground. The capitalization, as is thus shown, was $666,000 per mile. Not a dollar was added to the treasury, not an additional dollar put in. Then the power house, or the lot upon which it stood, was sold. The Government bought it, because it was cheap, at over $550,000, and instead of the company then paying its bonded indebtedness of $1,000,000 then existing, it put $480,000 in the pockets of its stockholders as an extra dividend. The capital stock has advanced from 45 cents on the dollar, market value, to $1.47 on the dollar, for which it sold to-day, making

more than $10,000,000 in profits by advancement of stock. Over $6,000,000 in dividends have been paid, until the enhanced value of stock and dividends exceed every dollar ever put into the treasury of the company by way of investment. And yet they say they will not have free transfers—they will not do something for nothing. When I asked Mr. Dunlop if free transfers would reduce the value of the stock materially he said yes. I asked him if he would sell his at the present market value in case the law passed, and he said he would not. I said to him, "Your stock is a good property, and it will go to 200." He said, "I will make it 500 if I can."

This shows the spirit of those who own and conduct these roads, and here are the facts. This House is as capable of judging whether they can carry passengers for 3 cents as I am. The proof shows that the highest cost of underground construction has never exceeded $60,000 per single mile, or $120,000 for a double track of underground construction, and it is capitalized at $666,000 per mile, including overhead and underground construction, besides having built all new construction out of earnings or without additional issue of stock. These are the facts briefly stated, but not fully stated, as to the railway proposition.

Now, as to the smoke amendment. The terminal company came to Congress last session and asked for a law to permit them to acquire additional real estate at the terminal station by way of condemnation. Upon that bill was ingrafted the smoke amendment, which I had the honor to offer, simply making the steam railways subject to the same law that every other interest and every individual in the District is now subject. One concern, the Washington Traction Railway Company, has paid $5,000 in fines for violating that law. The people of this District stood at the doors of the District Committee for years to get the law repealed or modified. Congress has stood firm on it, and at a cost of hundreds of thousands of dollars every individual and industry in the District of Columbia has been forced to accept this law, while every steam railroad that runs through the District of Columbia can run its engines through the District burning soft coal or anything else, and smoking up the city. The railway engines make more smoke than all the other industries in the District combined. What a farce to require everybody else to obey the law and let go scot-free the railways. There is the great Union Station, toward which the Government has paid by way of cash and real-estate contributions more than $5,000,000—that, taken in connection with the fact that the railways have occupied public property—the Mall—for more than thirty years without paying one single cent of rental, and without even paying taxes. The Government gave them the Long Bridge, and with it the contract that they should maintain the highway part in perpetuity——

The SPEAKER. The time of the gentleman has expired.

Mr. SIMS. Mr. Speaker, could I get two minutes in which to finish the statement?

Mr. BABCOCK. I have no more time, I am sorry to say.

Mr. SIMS. I am right in the midst of a statement which is not complete. I ask unanimous consent for three minutes.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent for three minutes. Is there objection?

There was no objection.

Mr. SIMS. I thank the House for the opportunity to finish this statement, which will have to be hurried. This company was bound to keep that highway bridge in repair in perpetuity. But an act of Congress relieved them and built a new highway bridge at the expense of the District and the nation. This company is now occupying public property, and have charged every other railroad entering here for the use of terminals that they have absolutely free except the cost of the buildings. I have before me the ordinance of New York City, and this same railway company pays to the city of New York for the privilege of going under her streets $75,000 a year for the first ten years and $225,000 for the next fifteen years, with the power to readjust after that time, as I am informed by a gentleman from New York. They are spending in the neighborhood of $100,000,000 in construction of tunnels under East River and North River and through the city. The New York ordinance provides that they must use electricity. We do not provide that they shall use any particular method of preventing smoke, but leave it alone to them. Is this House by its vote going to say that the railroad property of this country is a pet, a select and special favorite, and that these companies shall not be held to the observance of the same law to which every other property holder of the city is subject?

Now, before the tracks are laid, before the plans are executed, is the time to legislate. After its tracks are laid, the plans executed, then if we should undertake to do what we are doing by this bill they will say they constructed their terminals as provided by Congress and now it would be unjust and inequitable to force them to change their construction after completion. We give them to January, 1908, to prepare to obey the law. If they will only make an effort, and it shall appear that they have not had sufficient time, I am confident Congress will give them an extension of time if necessary. Is New York City to be held up to this country as a model, where a single board of aldermen act, while the great Congress of the United States, in its own Capitol, allows them to dig a tunnel under Capitol Hill, spoiling the street in front of the finest building on earth, absolutely free, and allow them to smoke up and ruin these fine buildings simply because it will cost them something to prevent the nuisance? [Loud applause.]

Mr. WILLIAMS. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. If the bill is to be read, the point of order which I would make would come immediately after the reading of the section to which the point of order is to be made, but if the bill is not to be read, I would ask the Chair whether it is not in order now to make the point of order?

The SPEAKER. The rule has not yet been adopted.

Mr. BABCOCK. Mr. Speaker, I understand that the amendment proposed by the gentleman from Kentucky has not yet been offered.

The SPEAKER. Well, the rule has not been passed, and the gentleman from Kentucky can not offer the amendment until the vote is taken on the motion to suspend the rules and agree to the order.

Mr. BABCOCK. I yield five minutes to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Speaker, it rarely happens that important legislation meets the wishes of us all in every particular. There are some features of this proposed legislation that do not meet my approval.

I would like to have Congress at this time give notice to the railroads entering the city of Washington that in a reasonable time they will be expected and required to bring their trains into the city with electrical engines or by some power that will avoid the smoke nuisance.

We know from what has already transpired that the railroads will oppose this proposition, but there is no good reason to be given in opposition except the question of expense.

The New York Central and Hudson River Railroad is using electrical engines at their terminals in New York City by means of the third rail. They now have thirty-five electrical engines, and this new method of moving their trains in and out of the city seems to be a decided success.

I am told that we have appropriated between twelve and fifteen millions of dollars for white marble buildings that are being or are soon to be erected in this city. Is not this the time and place to take the precaution and give notice to the railroads entering the city that we feel that they ought to join with us in sparing no efforts to preserve these beautiful buildings from the discoloration that will surely come to them in a short time if the smoke trouble is not abated?

I desire to spend just a moment upon the amendment with reference to 3-cent fares. A few days ago this House passed a bill fixing the rate of fare for a suburban railroad desiring to enter this city at 3 cents. If there is a gentleman within the sound of my voice here to-night that knows where in the financial markets of this or any other country you can get money to build a suburban railroad with a 3-cent fare, I would like to have that gentleman stand up now.

Gentlemen, we are asked by an amendment to this bill to say that the electric railroads in the city of Washington shall charge only 3 cents. I wish for one that it were possible to do so—perhaps it is. Knowing, as we all do, that the underground system here costs much more than it does in the most of the cities, where the overhead system is used, and where in many cities a straight 5-cent fare is charged, and in some cases six tickets sold for a quarter, as they are here, I do not feel at this time that I can give my vote to the 3-cent proposition without some additional light. I think so important a matter should receive further and more careful consideration and that we should move cautiously at this time.

My judgment is that the people are not complaining so much about the rate of fare and universal transfers as they are about the want of cars and the lack of proper service. [Applause.]

Mr. HEPBURN. Mr. Speaker, a few days ago when the proposition was made to suspend the rules and pass this bill I was opposed to that action not because of the provisions of the bill, but because an opportunity was not given to secure certain amendments that I thought ought to be engrafted upon the bill. I am in favor of the passage of the bill, but I am confident that its merits can be enhanced by the adoption of the amendment

to be proposed by the gentleman from Kentucky [Mr. JAMES]. It has been suggested that this amendment, providing for universal 3-cent fares and prohibiting the collection of fare from any passenger who is not furnished with a seat, is untimely, that this is not the fit occasion for its consideration.

I am free to admit, Mr. Speaker, that it would have been better that there should have been ample time for the discussion of this question; that there should have been hearings, and that all of the facts beyond disputation should have been brought to the attention of the House; but, Mr. Speaker, if that has not been done, it is not the fault of those who favor this amendment. [Applause.] We have sought opportunity time and again to engraft amendments upon the legislation that would compel, upon the part of the owners of these franchises within the District, some attention to be paid to the interests of the people of this District. Mr. Speaker, I am not able to prove to the satisfaction of this House that a 3-cent fare will be remunerative to all of the roads that are interested in this subject, but I have no doubt that every Member of this House, from the ample information that we now have, is satisfied that to one of the great street railway corporations a 3-cent fare would be remunerative and will enable them to pay fit and proper dividends upon their stock, watered as it is.

The other corporation, the Washington Electric, consists, I think, of thirteen distinct corporations. Five of the roads owned by that company, and consolidated under this new name, are remunerative roads. The other eight perhaps to-day are not, but, Mr. Speaker, remember they have cost this corporation next to nothing. They have but little real investment in those roads, which have been built largely out of bonds. The capitalization of this Washington Electric Company amounts to about $229,000 for each mile of single track. Forty-two miles of single track they own and now operate, and their lines have been built out of the bonds that they have issued, and the stock has cost the present proprietors nothing, as I am informed. So that if they do not secure the ample dividends immediately that will in five or six years raise the price of their stock from forty-five to one hundred and forty-seven, they can afford to wait. They will not be out anything.

Now, Mr. Speaker, it is within the knowledge of all the membership of this House that the people of this District are not furnished with those proper facilities for comfortable riding that it is their right to demand. It is my fortune very frequently to be compelled to take, between the hours of 4 and 6 o'clock, a car near the Library building. On all of the occasions but four or five since I came into this city nearly four months ago, when I have attempted to use that road, I have been compelled to stand. On one occasion I counted the passengers who overloaded the car that I was in. Twenty-four persons were sitting, nineteen persons were standing between the seats, twelve persons were on the rear platform, and one passenger was on the front platform. Here was a much larger number of men and women who were compelled to pay their fares who were not provided with seats than those who had seats. In my humble judgment, it is a crime, it is a robbery for these corporations to compel men and women to pay for a comfortable ride and then habitually refuse to furnish it. [Applause.]

So it is that I most heartily favor the adoption of this amendment that makes it a crime, punishable under the law, for any of their servants to demand, with threats, from a reluctant passenger compensation for that which the company habitually refuses to give to its customers. We are in their power; we can not help ourselves. They can say, "Walk, if you do not want to ride." There are some people that can not walk, that need to ride, that need these rights, that are entitled to them, and that are willing to pay for them, and I insist that they ought to be permitted to have them.

One gentleman sneeringly said, a little while ago, "Is there any provision in this bill to compel these corporations to carry passengers for nothing?" and seemed to think that the friends of the measure had been derelict because they had not incorporated such a provision. Another gentleman in my hearing sneeringly said, "Do you propose to shoot or hang the president?" Ah, no, Mr. Speaker, no one wants either to shoot or to hang; no one wants to compel them to perform a service for nothing. All that the people in this District want, all that the friends of this measure want, is to compel these corporations that have received these franchises without the payment of a cent when they come to Congress asking for other franchises, asking for still greater facilities, asking for other opportunities to build railroads out of the bonds and to issue stock for which they do not pay, at least to give those facilities which common honesty and common decency require that they should give. [Applause.]

Mr. BABCOCK. Mr. Speaker, I want to say a few words in answer to the gentleman from Iowa [Mr. HEPBURN]. It is not a question of bonds or stocks or capital. During the last year the cost of each passenger carried by the Capital Traction Company was 2½ cents; on the other line, the Washington Electric, 2.56 cents. This was the actual operating expenses; it did not include taxes, it did not include interest on bonds, it did not include dividends, and if you pass this provision for a 3-cent fare, it means confiscation. Mr. Speaker, I yield the balance of my time and ask for a vote.

Mr. HEPBURN. Will the gentleman answer me a question before he yields?

Mr. BABCOCK. Yes.

Mr. HEPBURN. Has any man, under the solemnity of an oath, made the statements that the gentleman repeated here? [Applause.]

Mr. BABCOCK. These statements made to the House are made under oath.

Mr. HEPBURN. I should like to cross-examine for half an hour the man that dares to make that statement. [Applause.]

The SPEAKER. The question is on suspending the rules and agreeing to the order.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the order was agreed to.

Mr. PAYNE. Mr. Speaker, is not the bill to be read?

Mr. BABCOCK. The bill has been read in the House two or three times.

Mr. SHACKLEFORD. I ask unanimous consent that the reading be dispensed with and that the gentleman from Mississippi be allowed to make his point of order now.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment in the nature of a substitute, as follows:

*Be it enacted, etc.*, That the City and Suburban Railway of Washington be, and it hereby is, authorized and required to construct a double-track extension of its lines from New Jersey avenue and G street NW. eastwardly to and along Massachusetts avenue with such northerly deviation as may be necessary to bring the tracks immediately in front of and adjacent to the main entrance to the Union Station to junctions with the existing tracks at Third and D streets NE. and at the northwest corner of Stanton square; also to extend its double tracks on North Capitol street southwardly from the intersection of G street to Massachusetts avenue to connect with the tracks of the City and Suburban Railway of Washington, hereinbefore authorized.

SEC. 2. That the Washington Railway and Electric Company be, and it hereby is, authorized and required to construct a double-track extension of its line from Delaware avenue and C street NE. northeastwardly along Delaware avenue to Massachusetts avenue, there to connect with the tracks of the City and Suburban Railway of Washington, hereinbefore authorized; also a double-track loop on the Union Station plaza connecting with the four tracks provided for in section 6: *Provided*, That existing transfer arrangements between the Washington Railway and Electric Company and the Metropolitan Coach Company, a corporation of the District of Columbia, shall not be terminated except by authority of Congress; and, unless said Metropolitan Coach Company shall within one year after the passage of this act substitute motor vehicles to be approved by the Commissioners of the District of Columbia for the herdics now used by it, its right to operate its line shall cease and determine: *Provided further*, That all transfers issued by the Metropolitan Coach Company shall be properly dated and punched as to time limit, and that unless said transfers are so dated and punched the Washington Railway and Electric Company shall not be required to receive them: *And provided further*, That the aforesaid companies are hereby required within one year after the completion of the work herein authorized, to remove their respective tracks from the following streets and after their removal to repave the space now occupied by said tracks to the satisfaction of the Commissioners of the District of Columbia, namely: G street NW. from North Capitol street to New Jersey avenue; C street north from First street east to Fourth street east; First street east from C street north to D street north; D street north from First street east to Massachusetts avenue; First street west from C street north to G street north; Sixth street west from Louisiana avenue to B street north; and Louisiana avenue from Fifth street west to Sixth street west; and upon neglect or refusal of said companies to remove their respective tracks and to repave said space to the satisfaction of the said Commissioners within the time above limited said companies shall be deemed guilty of a misdemeanor and shall be subject to the penalty provided in section 710 of the Code of Laws for the District of Columbia, regarding the removal of abandoned tracks, and said Commissioners are authorized to remove said tracks and to repave the space occupied by same and charge the cost thereof to such railway company, and the same shall be collected as provided in section 5 of the act providing a permanent form of government for the District of Columbia approved June 11, 1878.

SEC. 3. That the Capital Traction Company of the District of Columbia be, and it hereby is, authorized and required to construct a double-track extension of its lines from C street and Delaware avenue NE. northeastwardly along Delaware avenue to the plaza in front of the proposed Union Station, together with a double-track loop passing in front of the station on said plaza, connecting with the four tracks provided for in section 6 and northwestwardly along Massachusetts avenue to Fourth street NW., there to connect with the existing tracks of the Washington Railway and Electric Company and thence over those tracks (under intercompany agreement) to Seventh and K streets NW., there to connect with the existing Seventh street tracks of said Capital Traction Company; also a double-track extension of its lines beginning

at Florida avenue and Seventh street NW., running eastwardly along Florida avenue to its intersection with Eighth street east, thence along Eighth street to its intersection with said company's tracks at Pennsylvania avenue SE.; also a double-track extension beginning at the intersection of Eighth and F streets NE., westwardly on said F street to Second street east, thence to connect by such route as may be approved by the Commissioners of the District of Columbia with the double-track loop hereinbefore mentioned.

SEC. 4. That the companies hereinbefore named be, and they hereby are, permitted to lay duct lines on such streets as may be necessary for the proper operation of their lines, the location of such duct lines to be approved by the Commissioners of the District of Columbia.

SEC. 5. That the construction of the aforesaid street railway lines shall be commenced within six months and completed within eighteen months from the date of the passage of this act; and in default of such commencement or completion within the time in this section specified, all rights, franchises, and privileges granted by this act shall immediately cease and determine.

SEC. 6. That where the route or routes provided for in this act coincide with each other or with the route or routes of existing street railways or street railways hereafter authorized to be operated or constructed, one set of tracks shall be used in common, upon terms mutually agreed upon, or, in case of disagreement, upon terms determined by the supreme court of the District of Columbia, which is authorized and directed to give hearing to the interested parties, and to fix the terms of the joint trackage: *Provided*, That there shall be at least two sets of double tracks immediately in front of the main entrance to the Union Station facing Massachusetts avenue, the most northerly rail being not more than 50 feet south of the said main entrance.

SEC. 7. That the railway companies affected by this act shall have over and respecting the routes herein provided for the same rights, powers, and privileges as they respectively have or hereafter may have by law over and respecting their other routes and shall be subject in respect thereto to all the other provisions of their charters and of law.

SEC. 8. That authority is hereby given the Commissioners of the District of Columbia to use such portions of reservation 77 as may, in their judgment, be necessary for sidewalks and roadways and for street railway use. And authority is hereby given the Commissioners to acquire by purchase or to condemn in accordance with existing law for street purposes so much of square 626 lying north of the north building line of square 567 extended as they may deem necessary, and the cost of acquiring said property as above shall be paid by the City and Suburban Railway of Washington: *Provided*, That where a portion of any lot is authorized to be acquired as above the said Commissioners may, in their discretion, acquire the entire lot; the portion thereof, when so acquired, lying south of the north building line of square 567 extended to become the property of the said City and Suburban Railway of Washington so soon as the entire costs of acquisition as above specified shall be paid by it.

SEC. 9. That whenever, in the construction of the new tracks herein authorized, the Commissioners of the District of Columbia deem it necessary, in order to reasonably accommodate vehicular traffic, to widen the roadway of any street or streets in which such track or tracks are to be laid, the cost and expense of such widening, including the laying of new sidewalks, the adjustment of all underground construction, and of every public appurtenance, shall be borne by the said railway company, and the said railway company shall deposit with the collector of taxes of the District of Columbia the estimated cost of changing and widening the said street or streets, the work to be done by said Commissioners; and whenever, at any future time, the said Commissioners deem it necessary to widen the roadway of any street or streets occupied by the extensions herein authorized said railway company shall bear one-half the cost of widening and improving such street or streets, to be collected in the same manner as the cost of laying or repairing pavement lying between the exterior rails of the tracks of said street railroad and for a distance of 2 feet exterior to such track or tracks is collectible under the provisions of section 5 of an act entitled "An act to provide a permanent form of government for the District of Columbia," approved June 11, 1878.

SEC. 10. That whenever in the construction of any of the tracks herein authorized it is necessary, in the opinion of the Commissioners, to improve, by paving or otherwise, the roadway of any street occupied by such track or tracks, said company shall adjust the grade of its tracks to the new grade of the street or streets, the cost thereof to be borne by said company in the same manner as the cost of paving between the exterior of the tracks of the street railroad companies, as referred to in the preceding section.

SEC. 11. That the arrangement of all tracks herein authorized within the lines of the plaza in front of the Union Railroad Station shall be in accordance with the plans approved by the Commissioners of the District of Columbia, and all work of constructing the extensions herein authorized shall be executed in accordance with plans to be approved by the Commissioners of the District of Columbia, and under a permit or permits by the said Commissioners.

SEC. 12. That on and after January 1, 1908, the provisions of the act of Congress approved February 2, 1899, entitled "An act for the prevention of smoke in the District of Columbia, and for other purposes," shall be, and are hereby, extended to apply to any and all steam locomotive engines of any description used on any steam railroad within the District of Columbia; and any officer, agent, or employee of any individual, firm, or corporation operating any steam locomotive engine or any steam railroad within the District of Columbia from the smokestack of which engine shall issue or be emitted dense or thick black or gray smoke or cinders after the date above mentioned shall be deemed and held guilty of creating a public nuisance and violating the provisions of said act.

SEC. 13. That from and after the 1st day of January, 1908, every wagon or other vehicle of whatsoever kind or description weighing, when loaded, more than 2 tons exclusive of the weight of the vehicle, used, operated, or propelled on, over, or across any of the streets, avenues, alleys, bridges, or roadways of the District of Columbia, shall have wheel tires not less than 4 inches broad. Any owner or driver or other person in control of such wagon or other vehicle so using, operating, or propelling the same who shall violate the provisions of this section, shall, on conviction thereof in the police court of the District of Columbia, be punished by a fine not exceeding $25, or by imprisonment for not more than sixty days, or both.

Mr. WILLIAMS. Mr. Speaker, I make the point of order that this is a Senate bill with a House amendment, and that section 13 is not germane to the subject-matter of the bill.

The SPEAKER. The Chair sustains the point of order.

The Clerk completed the reading of the bill, as follows:

SEC. 14. That all acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 15. That Congress reserves the right to alter, amend, or repeal this act.

Mr. JAMES. Mr. Speaker, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Add a new section as follows:

"That from and after the passage of this act the rate of fare that may be charged for the transportation of passengers over any and all street railway lines in the District of Columbia shall not exceed 3 cents, good for one continuous transportation of one passenger over the whole or any part of the line of said street railway company over which tickets are sold; and all conductors or other persons are hereby prohibited from demanding or receiving a fare or ticket from any passenger who is not provided with a seat.

"For a violation of any of the provisions of this section such company or other person violating the same shall be subject to a fine of $500 for each offense."

Mr. PERKINS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PERKINS. Can I demand a division of the amendment, so that a vote shall be taken on a portion of the amendment which provides for 3-cent fares and a separate vote on the amendment forbidding the collection of fares unless the passenger is provided with a seat? If so, I demand such a division.

Mr. BABCOCK. Mr. Speaker, I would say that under the rule it is provided that the amendment shall be offered as a whole. The order specifically stated it to be one proposition.

The SPEAKER. The gentleman from New York [Mr. PERKINS] demands a division of the question. It seems to the Chair, after examining the amendment with some care, that there are two propositions.

Mr. PERKINS. I demand a division, Mr. Speaker, that the vote be taken on the question of the 3-cent fare first, and, second, the vote on the question refusing to allow any charge where a seat is not furnished.

The SPEAKER. The Clerk will read the first proposition as the Chair has marked it.

The Clerk read as follows:

That from and after the passage of this act the rate of fare that may be charged for the transportation of passengers over any and all street-railway lines in the District of Columbia shall not exceed 3 cents, good for one continuous transportation of one passenger over the whole or any part of the line of said street railway company over which tickets are sold.

Mr. HEPBURN. Mr. Speaker, allow me to suggest to the Chair that the question is not divisible, for the reason that the penalty that is to be found at the end of the second part applies to both of these prohibitions.

The SPEAKER. The Chair will state to the gentleman from Iowa that the consistency or wisdom of either or both propositions is not with the Chair. The only question is, Are there two propositions to be separated? and the Chair finds that there are.

Mr. HEPBURN. But, Mr. Speaker, how can there be two distinct propositions divided as the Chair proposes to divide them?

The SPEAKER. The Clerk will read the first one and then read the other.

Mr. HEPBURN. But the penalty applies to the first one as well as to the other.

The SPEAKER. After all, the continuity or the wisdom of the proposition is not to be passed upon by the Chair. The only question is whether there are two propositions, so that if one is taken away there would remain a substantive proposition, and the Chair finds there are two. The Clerk has reported the first one, and the question is now on the motion to insert the proposition read.

The question was taken.

The SPEAKER. The Chair is in doubt.

Mr. JAMES. Mr. Speaker, I demand a division.

Mr. BABCOCK. Mr. Speaker, I call for the yeas and nays.

The SPEAKER. The gentleman from Wisconsin demands the yeas and nays. As many as are in favor of ordering the yeas and nays will rise and stand until counted.

Mr. BABCOCK. Mr. Speaker, I withdraw the demand for the yeas and nays.

The SPEAKER. The gentleman withdraws the demand for the yeas and nays.

The question was again taken; and on a division, there were—ayes 114, nays 103.

Mr. BABCOCK. Mr. Speaker, I now demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 141, nays 102, answered "present" 8, not voting 126, as follows:

YEAS—141.

| | | | |
|---|---|---|---|
| Adamson | Esch | Knopf | Robinson, Ark. |
| Aiken | Finley | Lamar | Rodenberg |
| Bankhead | Flood | Lamb | Rucker |
| Bartlett | Fordney | Landis, Chas. B. | Russell |
| Beall, Tex. | Foster, Vt. | Landis, Frederick | Ryan |
| Bell, Ga. | French | Lee | Shackleford |
| Birdsall | Fulkerson | Legare | Sheppard |
| Bowers | Gaines, Tenn. | Lever | Sherley |
| Brantley | Garrett | Lewis | Sims |
| Brumm | Gilhams | Lloyd | Slayden |
| Brundidge | Gillespie | McKinney | Small |
| Burke, S. Dak. | Glass | McLain | Smith, Ill. |
| Burleson | Goldfogle | McNary | Smith, Ky. |
| Burnett | Graff | Macon | Smith, Tex. |
| Burton, Del. | Granger | Martin | Smyser |
| Calder | Gregg | Moon, Tenn. | Southall |
| Candler | Hale | Mouser | Southard |
| Chaney | Hamilton | Murdock | Steenerson |
| Chapman | Hay | Murphy | Stephens, Tex. |
| Clark, Mo. | Heflin | Nelson | Sterling |
| Clayton | Hepburn | Otjen | Sullivan |
| Cocks | Hill, Miss. | Overstreet, Ga. | Sulzer |
| Cooper, Wis. | Hinshaw | Padgett | Taylor, Ala. |
| Cromer | Houston | Page | Thomas, N. C. |
| Crumpacker | Howard | Patterson, N. C. | Trimble |
| Cushman | Howell, N. J. | Patterson, S. C. | Volstead |
| Davey, La. | Hubbard | Pearre | Wallace |
| Dawson | Humphrey, Wash. | Perkins | Watkins |
| De Armond | Humphreys, Miss. | Pou | Webb |
| Dickson, Ill. | Hunt | Powers | Wharton |
| Dixon, Ind. | James | Prince | Williams |
| Dixon, Mont. | Jones, Wash. | Rainey | Wilson |
| Driscoll | Keliher | Randell, Tex. | Zenor |
| Edwards | Kennedy, Ohio | Reynolds | |
| Ellerbe | Kinkaid | Richardson, Ala. | |
| Ellis | Knapp | Riordan | |

NAYS—102.

| | | | |
|---|---|---|---|
| Alexander | Draper | Law | Reyburn |
| Allen, Me. | Dunwell | Lawrence | Ruppert |
| Allen, N. J. | Englebright | Littauer | Schneebell |
| Andrus | Fassett | Littlefield | Scott |
| Babcock | Fitzgerald | Longworth | Shartell |
| Barchfeld | Fletcher | Lorimer | Sherman |
| Bates | Foss | Loud | Sibley |
| Bede | Fowler | Loudenslager | Smith, Md. |
| Bennet, N. Y. | Gaines, W. Va. | Lovering | Smith, Mich. |
| Bonynge | Gardner, Mass. | Lowden | Snapp |
| Brick | Gardner, N. J. | McCreary, Pa. | Sperry |
| Brooks, Colo. | Graham | McKinley, Ill. | Stevens, Minn. |
| Burke, Pa. | Greene | McMorran | Sulloway |
| Burleigh | Grosvenor | Mahon | Tawney |
| Burton, Ohio | Haskins | Mann | Taylor, Ohio |
| Campbell, Kans. | Hayes | Marshall | Wadsworth |
| Capron | Henry, Conn. | Miller | Waldo |
| Cassel | Higgins | Moore, Pa. | Wanger |
| Cole | Hill, Conn. | Mudd | Washburn |
| Cooper, Pa. | Howell, Utah | Needham | Weeks |
| Currier | Kahn | Norris | Weems |
| Dalzell | Keifer | Olcott | Wiley, N. J. |
| Davidson | Kennedy, Nebr. | Parker | Wood |
| Dawes | Knowland | Parsons | Woodyard |
| Deemer | Lacey | Payne | |
| Denby | Lafean | Reeder | |

ANSWERED "PRESENT"—8.

| | | | |
|---|---|---|---|
| Goulden | Hull | Kline | Meyer |
| Hughes | Jenkins | Maynard | Townsend |

NOT VOTING—126.

| | | | |
|---|---|---|---|
| Acheson | Davis, W. Va. | Klepper | Roberts |
| Ames | Dovener | Le Fevre | Robertson, La. |
| Bannon | Dresser | Lilley, Conn. | Samuel |
| Bartholdt | Dwight | Lilley, Pa. | Saunders |
| Beidler | Field | Lindsay | Scroggy |
| Bennett, Ky. | Floyd | Livingston | Slemp |
| Bingham | Foster, Ind. | McCall | Smith, Cal. |
| Bishop | Fuller | McCarthy | Smith, Iowa |
| Blackburn | Garber | McCleary, Minn. | Smith, Pa. |
| Boutell | Gardner, Mich. | McDermott | Southwick |
| Bowersock | Garner | McGavin | Sparkman |
| Bowie | Gilbert | McKinlay, Cal. | Spight |
| Bradley | Gill | McLachlan | Stafford |
| Broocks, Tex. | Gillett | Madden | Stanley |
| Broussard | Goebel | Michalek | Talbott |
| Brown | Griggs | Minor | Thomas, Ohio |
| Brownlow | Gronna | Mondell | Tirrell |
| Buckman | Gudger | Moon, Pa. | Towne |
| Burgess | Hardwick | Moore, Tex. | Tyndall |
| Butler, Pa. | Haugen | Morrell | Underwood |
| Butler, Tenn. | Hearst | Nevin | Van Duzer |
| Byrd | Hedge | Olmsted | Van Winkle |
| Calderhead | Henry, Tex. | Overstreet, Ind. | Vreeland |
| Campbell, Ohio | Hermann | Palmer | Wachter |
| Clark, Fla. | Hogg | Pollard | Watson |
| Cockran | Holliday | Pujo | Webber |
| Conner | Hopkins | Ransdell, La. | Weisse |
| Coudrey | Huff | Reid | Welborn |
| Cousins | Johnson | Rhinock | Wiley, Ala. |
| Dale | Jones, Va. | Rhodes | Young |
| Darragh | Kitchin, Claude | Richardson, Ky. | |
| Davis, Minn. | Kitchin, Wm. W. | Rives | |

So the amendment was agreed to.

The Clerk announced the following additional pairs:

For the vote:

Mr. CONNER with Mr. PUJO.

Mr. HULL with Mr. TALBOTT.

Mr. BROWNLOW with Mr. SPARKMAN.

Mr. BEIDLER with Mr. WILEY of Alabama.

Mr. GARDNER of Michigan with Mr. KLINE.

Mr. BENNETT of Kentucky with Mr. MAYNARD.

Mr. WACHTER with Mr. MEYER.

Mr. SMITH of Iowa with Mr. BROUSSARD.

Until further notice:

Mr. GRONNA with Mr. HENRY of Texas.

Mr. CALDERHEAD with Mr. UNDERWOOD.

Mr. JENKINS with Mr. CLARK of Florida.

Mr. BUTLER of Pennsylvania with Mr. GARNER.

Mr. WATSON with Mr. CLAUDE KITCHIN.

Mr. BARTHOLDT with Mr. DAVIS of West Virginia.

Mr. COUSINS with Mr. GILL.

Mr. DARRAGH with Mr. GUDGER.

Mr. OLMSTED with Mr. TOWNE.

Mr. ROBERTS with Mr. RANSDELL of Louisiana.

Mr. THOMAS of Ohio with Mr. SPIGHT.

Mr. TIRRELL with Mr. SAUNDERS.

The result of the vote was announced as above reported.

[Applause on the floor and in the galleries.]

The SPEAKER. The Speaker must admonish the galleries not to applaud. The Clerk will report the remainder of the amendment.

The Clerk read as follows:

And all conductors or other persons are hereby prohibited from demanding or receiving a fare or ticket from any passenger who is not provided with a seat. For a violation of any of the provisions of this section such company or other person violating the same shall be subject to a fine of $500 for each offense.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was rejected.

The SPEAKER. The question is on agreeing to the amendment in the nature of a substitute.

Mr. SIMS. Mr. Speaker, I do not think the House understands they are voting now on the whole substitute reported by the committee as amended.

Mr. JAMES. Mr. Speaker, a parliamentary inquiry. Has it not been passed on by a yea-and-nay vote?

The SPEAKER. The question is on agreeing to the amendment reported from the Committee on the District of Columbia as amended.

Mr. GOLDFOGLE. Mr. Speaker, I ask unanimous consent that the amendment be again reported.

Several MEMBERS. Oh, no.

The SPEAKER. Objection is heard.

The question was taken; and the Chair announced that the "noes" seemed to have it.

Mr. JAMES. Division, Mr. Speaker.

The House divided; and there were—ayes 141, noes 91.

So the amendment was agreed to.

The bill as amended was ordered to be read a third time, was the third time, and passed.

On motion of Mr. JAMES, a motion to reconsider the vote by which the bill was passed was laid upon the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the Senate of the following title:

S. 5951. An act to repeal section 3480 of the Revised Statutes of the United States.

The message also announced that the Senate had passed, with amendments, the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes.

GENERAL DEFICIENCY BILL.

Mr. LITTAUER. Mr. Speaker, I call up the bill H. R. 25851, the general deficiency bill, and ask unanimous consent to disagree to the amendments of the Senate and ask for a conference.

Mr. KEIFER. Mr. Speaker, there are some amendments we would like to concur in. I object, unless we will be allowed to make a motion to concur.

Mr. LITTAUER. Mr. Speaker, I move that the rules be suspended, the bill be taken from the Speaker's table, the amendments be disagreed to, a conference asked, and the Speaker be directed to appoint conferees without intervening motion.

The SPEAKER. The gentleman from New York [Mr. LITTAUER] moves that the rules be suspended and that the bill be taken from the Speaker's table, amendments be disagreed to, and that a conference be asked, and that the Chair be directed to appoint conferees without intervening motion. Is a second demanded?

A second was not demanded.

The SPEAKER announced the following conferees: Mr. LITTAUER, Mr. TAWNEY, and Mr. BRUNDIDGE.

CURRENCY BILL.

The SPEAKER laid before the House the bill H. R. 13566, with Senate amendments, which were read.

Mr. FOWLER. Mr. Speaker, I move to concur in the Senate amendments, and upon that motion I demand the previous question.

The SPEAKER. The gentleman from New Jersey moves to concur in the Senate amendments, and on that motion demands the previous question.

Mr. JAMES. Mr. Speaker——

Mr. LEWIS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LEWIS. Mr. Speaker, I ask for the regular order.

Mr. JAMES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JAMES. I want to offer an amendment.

The SPEAKER. The gentleman from Kentucky has not the floor for that purpose. The gentleman from New Jersey has the floor and has moved to concur in the Senate amendments, and upon that motion demands the previous question.

Mr. JAMES. Mr. Speaker, a parliamentary inquiry.

Mr. WILLIAMS. Mr. Speaker, the gentleman from Georgia [Mr. LEWIS] desires to offer a motion which has precedence of that. He calls for the regular order. The regular order is that this bill go to the Committee on Banking and Currency.

The SPEAKER. What would send it there? How does the regular order send it there?

Mr. WILLIAMS. The gentleman makes the motion.

The SPEAKER. The gentleman has not the floor for that purpose.

Mr. WILLIAMS. I now make the motion.

The SPEAKER. And the gentleman from Mississippi has not the floor for that purpose. The gentleman from New Jersey took the floor, was recognized, moved to concur in the Senate amendments, and upon that motion demands the previous question; and until that is voted down the gentleman can not obtain the floor.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Does or does not a motion to send this bill to the committee have precedence of the motion to concur? And if it have precedence, does the fact that the motion to concur has been made cut off its precedence? In other words, can a rule of the House be violated merely by a recognition?

The SPEAKER. There is no rule of the House as the gentleman seems to think. It is perfectly plain. The gentleman from New Jersey [Mr. FOWLER], the chairman of the Committee on Banking and Currency, rose in his place and addressed the Chair, and moved that the House do concur in the Senate amendments, and upon that motion demands the previous question.

Mr. WILLIAMS. Mr. Speaker, the gentleman from Georgia [Mr. LEWIS] also rose in his place and was attempting to get recognition from the Chair.

The SPEAKER. Two gentlemen can not be recognized at the same time.

Mr. WILLIAMS. I understand that, of course.

The SPEAKER. The chairman of the Committee on Banking and Currency, under usage and custom, was entitled to recognition and can not be taken off his feet until the House takes him off.

Mr. WILLIAMS. A gentleman can not be taken off his feet except in one way, and a gentleman can always be taken off his feet in that way. Whenever any gentleman on his feet makes a motion, and another gentleman rises and makes a motion which has precedence of that motion in connection with the bill which is sent in from the Senate, a House bill with a Senate amendment, then a motion to send it to the committee charged by this House with the consideration of the subject-matter is a motion having precedence, and it being a motion having precedence, the gentleman who has made a motion not having precedence can be taken off his feet by the Member making a motion having precedence.

The SPEAKER. Now, as to the question of fact. The motion of the gentleman from New Jersey is in order, and he can not be taken off his feet by a motion to refer to a committee.

Mr. SHERMAN. No such motion was made. The gentleman from Georgia simply demanded the regular order.

Mr. WILLIAMS. This is the regular order.

Mr. SHERMAN. He made no motion.

The SPEAKER. No such motion was made.

Mr. WILLIAMS. But this is the regular order.

The SPEAKER. The gentleman from Mississippi and all gentlemen will please be in order.

Mr. JAMES. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. JAMES. I want to know if a motion to concur in a Senate amendment to a House bill with an amendment does not have precedence over a motion to concur?

The SPEAKER. It would if the gentleman from New Jersey had not demanded the previous question.

Mr. JAMES. But before he demanded the previous question I was on my feet. [Laughter.]

The SPEAKER. The gentleman might be on his feet, but parliamentarily he is not upon his feet until he is recognized by the Chair. [Laughter.]

Mr. JAMES. That may be.

The SPEAKER. The question is on ordering the previous question.

Mr. FITZGERALD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FITZGERALD. Should not this Senate amendment under the rule require consideration in Committee of the Whole, or else does it not have to be referred to the committee?

The SPEAKER. The Chair is not aware of anything in it that requires consideration in Committee of the Whole.

Mr. FITZGERALD. I desire to call the attention of the Speaker to the language of the bill, which provides that the Secretary of the Treasury is authorized to issue notes under certain contingencies. That involves expense or a charge upon the Treasury.

The SPEAKER. That is a matter of argument or speculation. But even if it were correct, the point of order having not been made until the gentleman makes the motion and demands the previous question, it would come too late. But it is not necessary to decide that matter. The point of order was not made; and the gentleman from New Jersey makes a motion which is in order, and upon that demands the previous question.

The question was taken on ordering the previous question; and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Division, Mr. Speaker.

The House divided; and there were—ayes 175, noes 100.

Mr. LEWIS. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 164, nays 84, answered "present" 2, not voting 127, as follows:

YEAS—164.

| | | | |
|---|---|---|---|
| Alexander | Draper | Kennedy, Nebr. | Pearre |
| Allen, Me. | Driscoll | Kennedy, Ohio | Perkins |
| Allen, N. J. | Dunwell | Kinkaid | Powers |
| Andrus | Edwards | Knapp | Prince |
| Babcock | Ellis | Knopf | Reeder |
| Barchfeld | Englebright | Knowland | Reyburn |
| Bates | Esch | Lacey | Reynolds |
| Bede | Fassett | Lafean | Samuel |
| Bennet, N. Y. | Fletcher | Landis, Chas. B. | Scott |
| Birdsall | Fordney | Landis, Frederick | Shartel |
| Bonynge | Foss | Law | Sherman |
| Brick | Foster, Vt. | Littauer | Sibley |
| Brooks, Colo. | Fowler | Littlefield | Smith, Ill. |
| Burke, S. Dak. | French | Longworth | Smith, Iowa |
| Burleigh | Fulkerson | Lorimer | Smith, Mich |
| Burton, Del. | Gaines, W. Va. | Loud | Smith, Pa. |
| Burton, Ohio | Gardner, Mass. | Loudenslager | Smyser |
| Calder | Gardner, Mich. | Lovering | Snapp |
| Calderhead | Gardner, N. J. | Lowden | Southard |
| Campbell, Kans. | Gilhams | McCreary, Pa. | Sperry |
| Capron | Graff | McKinley, Ill. | Steenerson |
| Cassel | Graham | McKinney | Sterling |
| Chaney | Greene | McMorran | Stevens, Minn. |
| Chapman | Gronna | Mahon | Sulloway |
| Cocks | Grosvenor | Mann | Tawney |
| Cole | Hale | Marshall | Taylor, Ohio |
| Conner | Hamilton | Martin | Townsend |
| Cooper, Pa. | Haskins | Miller | Volstead |
| Cousins | Hayes | Mondell | Vreeland |
| Cromer | Henry, Conn. | Moore, Pa. | Wadsworth |
| Crumpacker | Hepburn | Mouser | Waldo |
| Currier | Higgins | Mudd | Wanger |
| Cushman | Hill, Conn. | Murdock | Washburn |
| Dalzell | Hinshaw | Murphy | Watson |
| Darragh | Howell, N. J. | Needham | Weeks |
| Davidson | Hubbard | Norris | Weems |
| Dawes | Hull | Olcott | Wharton |
| Dawson | Humphrey, Wash. | Otjen | Wiley, N. J. |
| Deemer | Jones, Wash. | Parker | Wilson |
| Denby | Kahn | Parsons | Wood |
| Dixon, Mont. | Keifer | Payne | Woodyard |

NAYS—84.

| | | | |
|---|---|---|---|
| Adamson | Burnett | Fitzgerald | Heflin |
| Aiken | Candler | Flood | Hill, Miss. |
| Bartlett | Clark, Mo. | Gaines, Tenn. | Houston |
| Beall, Tex. | Clayton | Garrett | Howard |
| Bell, Ga. | Cooper, Wis. | Gill | Humphreys, Miss. |
| Brantley | De Armond | Gillespie | Hunt |
| Brumm | Dixon, Ind. | Glass | James |
| Brundidge | Ellerbe | Gregg | Kelifer |
| Burleson | Finley | Hay | Kline |

| | | | |
|---|---|---|---|
| Lamar | Overstreet, Ga. | Ruppert | Stephens, Tex. |
| Lamb | Padgett | Russell | Sullivan |
| Lee | Page | Ryan | Sulzer |
| Legare | Patterson, N. C. | Shackleford | Talbott |
| Lever | Patterson, S. C. | Sheppard | Thomas, N. C. |
| Lewis | Pou | Sherley | Trimble |
| Lloyd | Rainey | Sims | Wallace |
| McNary | Randell, Tex. | Slayden | Watkins |
| Macon | Richardson, Ala. | Small | Webb |
| Maynard | Riordan | Smith, Ky. | Wiley, Ala. |
| Moon, Tenn. | Robinson, Ark. | Smith, Md. | Williams |
| Nelson | Rucker | Smith, Tex. | Zenor |

ANSWERED "PRESENT"—2.

Goulden Hughes

NOT VOTING—127.

| | | | |
|---|---|---|---|
| Acheson | Davis, W. Va. | Kitchin, Claude | Rhinock |
| Ames | Dickson, Ill. | Kitchin, Wm. W. | Rhodes |
| Bankhead | Dovener | Klepper | Richardson, Ky. |
| Bannon | Dresser | Lawrence | Rives |
| Bartholdt | Dwight | Le Fevre | Roberts |
| Beidler | Field | Lilley, Conn. | Robertson, La. |
| Bennett, Ky. | Floyd | Lilley, Pa. | Rodenberg |
| Bingham | Foster, Ind. | Lindsay | Saunders |
| Bishop | Fuller | Livingston | Schneebeli |
| Blackburn | Garber | McCall | Scroggy |
| Boutell | Garner | McCarthy | Slemp |
| Bowers | Gilbert | McCleary, Minn. | Smith, Cal. |
| Bowersock | Gillett | McDermott | Southall |
| Bowie | Goebel | McGavin | Southwick. |
| Bradley | Goldfogle | McKinlay, Cal. | Sparkman |
| Broocks, Tex. | Granger | McLachlan | Spight |
| Broussard | Griggs | McLain | Stafford |
| Brown | Gudger | Madden | Stanley |
| Brownlow | Hardwick | Meyer | Taylor, Ala. |
| Buckman | Haugen | Michalek | Thomas, Ohio |
| Burgess | Hearst | Minor | Tirrell |
| Burke, Pa. | Hedge | Moon, Pa. | Towne |
| Butler, Pa. | Henry, Tex. | Moore, Tex. | Tyndall |
| Butler, Tenn. | Hermann | Morrell | Underwood |
| Byrd | Hogg | Nevin | Van Duzer |
| Campbell, Ohio | Holliday | Olmsted | Van Winkle |
| Clark, Fla. | Hopkins | Overstreet, Ind. | Wachter |
| Cockran | Howell, Utah | Palmer | Webber |
| Coudry | Huff | Pollard | Weisse |
| Dale | Jenkins | Pujo | Welborn |
| Davey, La. | Johnson | Ransdell, La. | Young |
| Davis, Minn. | Jones, Va. | Reid | |

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. DRESSER with Mr. HENRY of Texas.

Mr. BENNETT of Kentucky with Mr. UNDERWOOD.

Mr. BEIDLER with Mr. CLAUDE KITCHIN.

Mr. BROWNLOW with Mr. SPARKMAN.

Mr. LAWRENCE with Mr. PUJO.

Mr. WACHTER with Mr. MEYER.

Mr. BROWN with Mr. BROUSSARD.

Mr. BUCKMAN with Mr. BANKHEAD.

On this vote:

Mr. DICKSON of Illinois with Mr. DAVEY of Louisiana.

The result of the vote was announced as above recorded.

Mr. JAMES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. JAMES. I want to offer the following amendment.

The SPEAKER. This is not the amendment stage.

Mr. JAMES. I offer the following amendment, and ask that it be reported for the information of the House.

The SPEAKER. The amendment is not in order. The previous question has been ordered. The question is on concurring in the Senate amendments.

Mr. JAMES. Mr. Speaker, I appeal from the decision of the Chair that the amendment is not in order.

Mr. MANN. I make the point of order that that appeal is dilatory.

Mr. JAMES. You know more than I do about it, then. I had made it in good faith.

Mr. SHERMAN. In good faith, after the previous question is ordered!

Mr. JAMES. Mr. Speaker, I desire to say that the amendment I offer is an amendment to the Senate amendment.

Mr. DALZELL. Regular order, Mr. Speaker.

Mr. PAYNE. The gentleman has offered an amendment after the previous question has been ordered, and every Member of the House knows that the rules of the House prohibit it and that the appeal from the decision of the Chair can not be classed as anything else but dilatory.

Mr. WATSON. Mr. Speaker, I make the point of order that the amendment by the gentleman from Kentucky is not in order under the parliamentary status.

Mr. SULZER. That can not be determined until the amendment is read.

Mr. HEFLIN. Mr. Speaker, let us have the amendment read.

The SPEAKER. The gentleman from Kentucky proposes to offer an amendment after the previous question has been ordered on a motion to concur in the Senate amendments, and the point of order is made that it is not in order to offer an amendment after the previous question is ordered. Under the present conditions the Chair sustains the point of order.

Mr. JAMES. And from that decision, Mr. Speaker, I appeal.

Mr. PAYNE. I make the point of order that the appeal is dilatory.

Mr. MANN. I move to lay the appeal on the table.

Mr. JAMES. And upon that I call for the yeas and nays.

The SPEAKER. The gentleman from Kentucky asks for the yeas and nays.

The question was taken.

The SPEAKER. Thirty-six gentlemen have arisen; not a sufficient number.

Mr. JAMES. I demand the other side.

The SPEAKER. The gentleman from Kentucky demands the other side. As many as are opposed to ordering the yeas and nays will rise. [After counting.] One hundred and sixty-one gentlemen have arisen on the other side.

Mr. JAMES. Mr. Speaker, I demand tellers.

The SPEAKER. The gentleman from Kentucky demands tellers.

The question was taken.

The SPEAKER. Forty gentlemen have arisen; a sufficient number, and tellers are ordered.

The SPEAKER appointed the gentleman from Illinois [Mr. MANN] and the gentleman from Kentucky [Mr. JAMES] as tellers.

Mr. LACEY. Mr. Speaker, I make the point of order that the gentleman from Kentucky did not demand tellers on ordering the yeas and nays.

Mr. FLOOD. The regular order, Mr. Speaker.

The SPEAKER. Did the gentleman from Kentucky intend to demand tellers on ordering the yeas and nays?

Mr. JAMES. Certainly.

The SPEAKER. The Chair so understood the gentleman.

The House divided; and the tellers reported 53 ayes and 143 noes.

The SPEAKER. On this question the ayes are 53 and the noes are 143, a sufficient number, and the yeas and nays are ordered. As many as are in favor of laying the appeal from the decision of the Chair on the table will answer "aye" and those opposed "no," and the Clerk will call the roll.

The question was taken; and there were—yeas 159, nays 67, answered "present" 10, not voting 141, as follows:

YEAS—159.

| | | | |
|---|---|---|---|
| Allen, Me. | Draper | Kennedy, Nebr. | Powers |
| Allen, N. J. | Driscoll | Kennedy, Ohio | Prince |
| Andrus | Dunwell | Kinkaid | Reeder |
| Barchfeld | Ellis | Knapp | Reyburn |
| Bates | Esch | Knopf | Reynolds |
| Bede | Fassett | Knowland | Riordan |
| Bennet, N. Y. | Fordney | Lacey | Rodenberg |
| Birdsall | Foss | Lafean | Ruppert |
| Bonynge | Foster, Ind. | Landis, Chas. B. | Samuel |
| Brick | Foster, Vt. | Landis, Frederick | Saunders |
| Brooks, Colo. | Fowler | Law | Scott |
| Brumm | French | Littauer | Sbartel |
| Burke, S. Dak. | Fulkerson | Littlefield | Sherman |
| Burleigh | Gaines, W. Va. | Longworth | Sibley |
| Burton, Del. | Gardner, Mass. | Lorimer | Smith, Ill. |
| Burton, Ohio | Gardner, Mich. | Loud | Smith, Iowa |
| Calder | Gardner, N. J. | Loudenslager | Smith, Mich |
| Calderhead | Gilhams | Lovering | Smith, Pa. |
| Campbell, Kans. | Graff | Lowden | Smyser |
| Capron | Graham | McCreary, Pa. | Snapp |
| Cassel | Granger | McMorran | Southard |
| Chaney | Gronna | Mann | Sperry |
| Chapman | Grosvenor | Marshall | Steenerson |
| Cocks | Hale | Martin | Stevens, Minn. |
| Cole | Hamilton | Miller | Sulloway |
| Conner | Haskins | Mondell | Tawney |
| Cooper, Pa. | Hayes | Moore, Pa. | Townsend |
| Cooper, Wis. | Henry, Conn. | Mouser | Volstead |
| Cousins | Hepburn | Mudd | Wadsworth |
| Cromer | Higgins | Murdock | Waldo |
| Crumpacker | Hill, Conn. | Needham | Wanger |
| Cushman | Hinshaw | Nelson | Washburn |
| Dalzell | Howell, N. J. | Norris | Watson |
| Darragh | Hubbard | Olcott | Weeks |
| Davidson | Hull | Otjen | Weems |
| Dawes | Humphrey, Wash. | Parker | Wiley, N. J. |
| Dawson | Jones, Wash. | Parsons | Wilson |
| Deemer | Kahn | Payne | Wood |
| Denby | Keifer | Pearre | Woodyard |
| Dixon, Mont. | Kelliher | Perkins | |

NAYS—67.

| | | | |
|---|---|---|---|
| Adamson | De Armond | Hill, Miss. | Macon |
| Aiken | Dixon, Ind. | Houston | Maynard |
| Bartlett | Finley | Howard | Moon, Tenn. |
| Beall, Tex. | Flood | Humphreys, Miss. | Overstreet, Ga. |
| Bell, Ga. | Gaines, Tenn. | Hunt | Padgett |
| Brundidge | Garrett | James | Patterson, N. C. |
| Burleson | Gill | Lamar | Patterson, S. C. |
| Burnett | Gillespie | Lee | Pou |
| Candler | Gregg | Lever | Rainey |
| Clark, Mo. | Hay | Lewis | Randell, Tex. |
| Clayton | Heflin | Lloyd | Robinson, Ark. |

| | | | |
|---|---|---|---|
| Rucker | Slayden | Sullivan | Watkins |
| Russell | Small | Sulzer | Webb |
| Ryan | Smith, Ky. | Talbott | Wiley, Ala. |
| Shackleford | Smith, Md. | Thomas, N. C. | Williams |
| Sheppard | Smith, Tex. | Trimble | Zenor |
| Sherley | Stephens, Tex. | Wallace | |

ANSWERED "PRESENT"—10.

| | | | |
|---|---|---|---|
| Glass | Hughes | Legare | Sims |
| Goldfogle | Kline | Richardson, Ala. | Southall |
| Goulden | Lamb | | |

NOT VOTING—141.

| | | | |
|---|---|---|---|
| Acheson | Davis, W. Va. | Kitchin, Wm. W. | Reid |
| Alexander | Dickson, Ill. | Klepper | Rhinock |
| Ames | Dovener | Lawrence | Rhodes |
| Babcock | Dresser | Le Fevre | Richardson, Ky. |
| Bankhead | Dwight | Lilley, Conn. | Rives |
| Bannon | Edwards | Lilley, Pa. | Roberts |
| Bartholdt | Ellerbe | Lindsay | Robertson, La. |
| Beidler | Englebright | Livingston | Schneebeli |
| Bennett, Ky. | Field | McCall | Scroggy |
| Bingham | Fitzgerald | McCarthy | Slemp |
| Bishop | Fletcher | McCleary, Minn. | Smith, Cal. |
| Blackburn | Floyd | McDermott | Southwick |
| Boutell | Fuller | McGavin | Sparkman |
| Bowers | Garber | McKinlay, Cal. | Spight |
| Bowersock | Garner | McKinley, Ill. | Stafford |
| Bowie | Gilbert | McKinney | Stanley |
| Bradley | Gillett | McLachlan | Sterling |
| Brantley | Goebel | McLain | Taylor, Ala. |
| Broocks, Tex. | Greene | McNary | Taylor, Ohio |
| Broussard | Griggs | Madden | Thomas, Ohio |
| Brown | Gudger | Mahon | Tirrell |
| Brownlow | Hardwick | Meyer | Towne |
| Buckman | Haugen | Michalek | Tyndall |
| Burgess | Hearst | Minor | Underwood |
| Burke, Pa. | Hedge | Moon, Pa. | Van Duzer |
| Butler, Pa. | Henry, Tex. | Moore, Tex. | Van Winkle |
| Butler, Tenn. | Hermann | Morrell | Vreeland |
| Byrd | Hogg | Murphy | Wachter |
| Campbell, Ohio | Holliday | Nevin | Webber |
| Clark, Fla. | Hopkins | Olmsted | Weisse |
| Cockran | Howell, Utah | Overstreet, Ind. | Welborn |
| Coudry | Huff | Page | Wharton |
| Currier | Jenkins | Palmer | Young |
| Dale | Johnson | Pollard | |
| Davey, La. | Jones, Va. | Pujo | |
| Davis, Minn. | Kitchin, Claude | Ransdell, La. | |

So the motion to lay the appeal on the table was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ALEXANDER with Mr. SPARKMAN.

Mr. COUDREY with Mr. BRANTLEY.

Mr. TIRRELL with Mr. ELLERBE.

Mr. EDWARDS with Mr. TAYLOR of Alabama.

Mr. MAHON with Mr. PAGE.

Mr. LE FEVRE with Mr. GOLDFOGLE.

For the vote:

Mr. DALE with Mr. MAYNARD.

Mr. CURRIER with Mr. LEGARE.

Mr. BABCOCK with Mr. SIMS.

Mr. BURKE of Pennsylvania with Mr. KLINE.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the motion to concur.

Mr. FOWLER. Mr. Speaker, just a moment. I understand that we have twenty minutes on a side.

The SPEAKER. Under Rule XXVIII, clause 3, there not having been any debate on this proposition, the previous question being ordered, there is twenty minutes' debate on a side, in the opinion of the Chair. The Chair will recognize the gentleman from New Jersey.

Mr. FOWLER. Mr. Speaker, at the last session of Congress the House passed House bill 13566, and it is now returned with certain amendments. By the act of March 14, 1900, our note issues of various kinds were all rearranged, the object being to bring our silver certificates down to practically $10 and under, although 10 per cent of the silver certificates could be issued for $20 and upward. Our gold certificates were $20 and upward. Our United States notes were to be issued in a $10 denomination and upward. The result was that in the course of three years we find that we had only practically half enough of $1, $2, and $5 bills.

The House passed a bill providing for two changes, namely, a $5 gold certificate, which also included a $10 certificate, and that the national banks could issue such a part of their notes in $5 denominations as the Secretary of the Treasury might authorize. The object was to cut up the two hundred and ninety-five millions of $5 silver certificates in ones and twos, so far as the trade of the country might require. We sent that bill to the Senate, and they have amended it in one or two respects. They have changed the $5 gold certificate to a $10 gold certificate, and they have provided that the Secretary of the Treasury may issue $1, $2, and $5 United States notes instead of cutting up the $5 silver certificates as we intended by supplying the $5 gold certificates. They also amended the bill in another respect. They exclude the exception in the act of June, 1864, which provided that customs receipts should not be placed in the banks.

That exception was made in order that we might secure gold coin in order to pay interest on the public debt. They also made another change, which provided that, with the authority or approval of the Comptroller of the Currency and the Secretary of the Treasury, we could retire by deposits of lawful money nine millions of bank notes per month instead of three millions. Another amendment was that the public money should be equitably distributed throughout the United States. Those are the only amendments which were made, and the motion was to concur in those amendments.

Now I will give the gentlemen on the other side their twenty minutes and will reserve the balance of my time.

Mr. LEWIS. Mr. Speaker, I regret that such important legislation has come up at such a late hour of the session. I do not believe the Members of this House fully understand the importance of this bill. The gentleman from New Jersey has stated the points in the bill sent over by the House to the Senate. That bill was a very innocent one. It merely provided for the cutting down of some of our larger denominations of money into smaller bills. The Senate has taken this bill and amended it and sent it back to us entirely disguised or in a new form. The original House bill provided for the cutting down of the $20 gold certificates into $5 certificates. The Senate amended the bill so as to cut them down to $10 denominations instead of $5, as provided in the House bill. The Senate then ingrafts very dangerous legislation, to my mind, on the House bill, in that it authorizes the Secretary of the Treasury to deposit all and every kind of money, including customs receipts, with national-bank depositories of the United States. In 1864, when the national-bank act went into effect, it provided that only the internal-revenue receipts could be deposited by the Secretary of the Treasury in these depositories, but this bill provides now that the customs receipts shall also be deposited in these national-bank depositories.

Now, so far as I am concerned, I have no objection to depositing this money in those depositories if we derived benefit from it by charging interest therefor. We are told that the country demands that this money go to the banks that it may bring prosperity and ease the financial stress, etc. Now, that all sounds very well, and I am willing to help the country, but through this bill we first help the national banks and afterwards the national banks help the country. Now, in Georgia we have a law by which the State money is deposited in the different State bank depositories, for which the State charges 2 per cent interest. Now, we ought to get interest on this money deposited in these national-bank depositories. I have noticed in the last ten years, and I only go back ten years, there has been an average deposit of $150,000,000 in these depositories by the Government. Let us figure the interest at 2 per cent per annum. In the last ten years at 2 per cent, and 2 per cent is a low rate, it would have amounted to $30,000,000 that this Government has given as a profit to the national banks of this country. I am putting that on the basis that the national banks only made 2 per cent. The national banks make more than 2 per cent. Now, if a national bank has a deposit with the Secretary of the Treasury of 2 per cent bonds as security to secure these deposits, then it can only make 2 per cent; but we see where the Secretary of the Treasury is now depositing other securities. I notice the statement in the morning paper, coming from the Treasury Department, in which it was stated that there were $57,000,000 of deposits secured by State, municipal, and railroad bonds. Thus the profit to the banks must be much greater. But we will go further. As I understand, the great money centers get the real benefit of these deposits, because they have the security more readily to furnish the Secretary of the Treasury. We know that savings banks, trust companies, and life insurance companies all have many securities, such as bonds, etc., suitable for securing these deposits. Therefore national banks need not own at all times bonds to secure deposits, for they can go and hire or borrow these securities from these institutions. When they do that, they do not have to put their own money in the bonds. Then they make a profit up to the amount of interest they charge for the money loaned out. In other words, I will put it this way: We will take one of these depositories, say, in the city of New York, one of the large banks of $25,000,000 capital. They want to get some of this free Government money. What would they do? They would go out to one of these trust companies, insurance companies, savings banks, or probably their customers, and borrow, or, if not, they would hire or rent, these bonds, and they can get them for a very small per cent. Then they send them on and get this money and lend it out at the present existing rate of 6 per cent. Then what profit will such

deposits net the banks? Six per cent on $150,000,000 is $9,000,000 a year. Take the New York banks, and they have been loaning money on call for the last six months at the rate of 10 and 20 per cent. Suppose we put it at 10 per cent, and what would be their profit? It would be $15,000,000 a year on this Government money put out by the Secretary of the Treasury. Now, that applies to past and present conditions. Put this Senate bill into law, and the Secretary of the Treasury would be able to loan a much larger amount to the banks, thereby giving these favored banks of depository a very largely increased profit.

Mr. HILL of Connecticut. How would the Treasury Department pay all of the debts of the Government if they deposited all the money in the banks on which they were going to draw this large amount of interest? Can the Secretary of the Treasury deposit anything but the surplus under any law?

Mr. LEWIS. I am only speaking of the surplus now. The present amount of money in the depositaries is $150,000,000, and a few days ago it was $155,000,000. I am speaking of what is in the banks now. The New York Stock Exchange is looking forward to the passage of this bill. Let me read to you what comes out in the papers every day. I will read the headnotes. Here is one:

New York Stock Exchange. Tone very weak. Depression largely due to the delay of the Aldrich bill.

Meaning the bill which is now under consideration.

That came out a few days ago. Let me read here something of a day or two ago. It is as follows:

More or less encouragement was felt in the financial community over the prospect of the passage to-morrow in Congress of the Aldrich bill.

A few days ago Wall street was troubled for fear this bill would not become a law, but on yesterday they were happy because they thought the bill would pass.

Mr. Speaker, I desire to have printed as a part of my remarks an editorial from the New York World, which I think strongly expresses the true results to come from the operation of this bill:

A GIFT TO THE BANKS.

Before the Aldrich currency bill is passed by the House of Representatives it should be amended, as ably urged by Mr. NELSON in the Senate, to provide for the payment of 2 per cent interest by national banks upon Government money deposited with them.

No Member of the House who votes for the measure without that amendment will ever be able to explain to his constituents why he does so, for there is no explanation. Senator SPOONER attempts one when he says:

"The object in depositing money in the banks is not to secure interest thereon, but to get the money in circulation among the people."

That is one object undoubtedly. But in accomplishing that object the Government need not and it should not make a free gift every year to James Stillman, George F. Baker, Valentine Snyder, and other bankers of the United States of a million dollars or so of interest money.

Now, Mr. Speaker, I would like to say more, but we have only twenty minutes for debate, and there are other Members who desire to speak. [Applause on the Democratic side.]

Mr. JAMES. Mr. Speaker, this bill properly defined is a bill to turn four hundred millions of the people's money into the Wall-street banks in New York. That is what it means. You can not deny it. It can not be disguised. You can not conceal it. That is the true situation. But it means more than that. It means not only to turn $400,000,000 into the Wall-street banks, but it means to deny to every other bank in the United States a fair opportunity to get this money deposited in those banks, that the people in the West, and in the South, and in the other parts of the United States may have the opportunity to use it. [Applause on the Democratic side.] Not only that, but you give it to these banks without a dollar of interest, and when you voted to sustain the Speaker in ruling my amendment out of order, when I appealed from his decision, you voted to turn over to the national banks four hundred millions of the people's money without a dollar of interest.

The amendment which I proposed was as follows:

The Secretary of the Treasury before depositing any public money in the national banking associations designated as depositories for same shall advertise for bids of interest under such rules and regulations as he may prescribe, and in depositing said money aforesaid in the national banking associations he shall deposit same with the national banking associations paying the greatest amount of interest for same, but in no event shall the rate of interest be less than 2 per cent. Where the rate of interest bid by more than one national banking association for any deposit of such public money is an equal rate above the 2 per cent aforesaid, the Secretary of the Treasury in such event shall distribute said public money equitably in the various national banking associations throughout the various States making such equal bids, and the rate of interest chargeable upon the public money deposited in the national banking associations under this act shall be computed from the average daily balance of such deposit: *Provided*, That the amount deposited in any national banking association, under the provisions of this act, shall not exceed 50 per cent of the capital stock of such association.

But the party in the majority upon this floor, knowing that this amendment would be presented, fearing even their own side upon a vote directly upon it, seek to conceal their true purpose behind parliamentary tactics and deny to the country the opportunity to see their votes recorded upon the amendment itself. The majority knowing I had heretofore offered it in the committee, that I had declared upon this floor on February 16 of this year that I would introduce this amendment, they resort to the previous question to hide behind it, afraid to meet an outraged people upon the direct issue, by saying the amendment was not voted on, when by their votes sustaining the Speaker they made it impossible to vote on it. On February 16 in the House I used this language:

We are told that in the Senate a bill will soon be passed that will come through here with the rapidity of a streak of lightning, providing that the customs duties shall be deposited in the national banks and the national banks shall keep that money there, perhaps $400,000,000 a year, without any interest and loan it to whom they please at from 6 to 10 per cent.

The amendment which provides for interest had been submitted to and approved by my Democratic colleagues upon the committee and to the floor leader of the minority upon this side, and had his approval as the true Democratic policy upon the question of the loaning of public money to the national banks. When I appealed from the decision of the Chair refusing me the opportunity to have this amendment considered in the House, a motion was made to lay the appeal upon the table, and in this way we have a direct vote upon the question of whether or not the national banks should use the people's money without interest or pay interest therefor. Every Member upon the floor knew when he cast his vote, if he voted to overrule the decision of the Speaker, that this amendment would be considered, and if adopted the millions of the people's money deposited in the banks would bring into the public Treasury as interest between five and ten millions of dollars yearly. The record of that vote is now history, but the country is afforded the opportunity of seeing the friends of themselves upon one side and those who believe in giving their money out to corporations without interest on the other side. [Applause on the Democratic side.]

Mr. Speaker, under this amendment the public money would be loaned out under competitive bids of interest to the highest bidder. It provides where two or more associations make equal bids of interest that then the Secretary shall distribute said money equitably to the various banking associations throughout the States making such equal bids, and it limits the amount that may be deposited in any one bank to 50 per cent of the capital stock. Who is prepared to proclaim that this is not just? When this matter was under consideration in the Senate the Senate had an opportunity to vote directly upon the question of interest, and I believe that if the House had been given such an opportunity, they would have voted by a considerable majority in favor of making the banks pay interest.

Under the provisions of this bill which you are now considering, which, when it went from the House only provided for the issuance of gold certificates in denomination less than $20, was amended in the Senate so as to strike out the words "customs dues," which is now the law, which requires all of the customs dues collected to be turned into the United States Treasury, and by this amendment turns this money into the banks in the respective ports of entry throughout the United States, and as we all know New York port collects 70 per cent of the money collected under our customs duty system, therefore 70 per cent of this money will be deposited in the New York banks. It is virtually the only system we have of getting gold, as customs dues are paid in gold. And this gold now is to be turned into the national banks without any interest at all.

Why was this scheme held back until the last hours of the Fifty-ninth Congress? And here it comes into this House at 12.30 o'clock Sunday morning to be considered, and all debate shut off, except a very limited time upon each side for the discussion of this momentous question.

The State of Missouri loans its money out to competitive bidders and by this gets 3 per cent. The State of Kentucky, which I have the honor in part to represent upon this floor, gets 2½ per cent interest upon its public money, and many other States of this Union get interest upon the public fund. If this amendment were adopted which I have offered, competitive bids would have been received by the Secretary of the Treasury from the far West, from the South, from the Northwest, and the national bankers of these sections of the country, the producing section, would have had a chance to make bids upon this money. But this opportunity is denied them and, under the provisions of this bill, three-fourths of this money will go into the Wall street banks, to be used by the gamblers upon the stock market, and the Treasury of the United States made an ally

and an aid to the bulls and bears in the market. [Applause on the Democratic side.]

Mr. WEEKS. Will the gentleman yield?

Mr. JAMES. I have not got time. Your side would not give us a chance for a fair debate, or I would have been glad to yield to any gentleman in this House. But you gentlemen knew well enough that this bill would not stand the open light of discussion, and hence you keep us down to twenty minutes' debate upon it. [Applause on the Democratic side.]

Mr. Speaker, under the provisions of this bill, which was amended in the Senate, and now up for consideration, it is provided:

That the Secretary of the Treasury shall require the associations thus designated to give *satisfactory* security by deposit of United States bonds *and otherwise* for the public money.

What does this mean? It means that the Secretary of the Treasury will have the right, under the provisions of this bill, to designate bonds of any character, whether railroad bonds, trust bonds, or bonds of whatever description, whether Southern Pacific Railroad bonds, Louisville and Nashville Railroad bonds, Illinois Central Railroad bonds, or any bonds whatever as may be satisfactory to him will be deposited as security for this money, which is to be loaned to the banks without interest; and it is further provided in this bill "that the Secretary shall on or before the 1st of January of each year make a public statement of the securities required during that year for such deposit."

Under the provisions of this bill the Secretary can affect the market value of the bonds and securities of every description. It puts the United States Government, in an official way, as a gambler upon the stock markets, because every man knows that when the secretary declares that bonds of a certain character will be received for the deposit of public money that it will have a tendency to make those bonds rise in value and therefore will aid the gamblers upon the market who are playing that side of the issue, and yet after millions of the public money have been deposited in the national banks, secured by such bonds as may be *satisfactory* to the Secretary of the Treasury, have been deposited in the national banks, we are *not* informed how the *Government is to be reimbursed* in case of a *collapse of these stocks*. It has never been held by any Secretary of the Treasury since this Government has been in existence that any bonds should be accepted for the deposit of public money except national bonds until Secretary Shaw made this ruling during his term of office. National bonds have always been accepted as security, because the Government looked upon *its bond* as being as good as gold; but now under the provisions of this bill it invites the Secretary, indeed, directs that he shall accept other bonds than national bonds, and that he shall advertise what bonds are to be acceptable. Satisfactory security to the Secretary? National bonds? No. Satisfactory security? What sort? Southern Pacific Railroad bonds.

Mr. CLAYTON. Satisfactory to whom?

Mr. JAMES. Oh, satisfactory to the bankers. Satisfactory to the money changers, not satisfactory to the people.

Mr. Speaker, only day before yesterday, by a majority of three votes, after the opposition had won upon the first vote, upon a reconsideration, which was made possible only by a majority of three, this House decided to give to the shipbuilding trust a subsidy of $4,000,000 a year for ten years. But now, to-night, you are called upon to vote to give to the national bankers' trust a subsidy of from $5,000,000 to $10,000,000 a year. [Applause on the Democratic side.] But the viciousness of this system does not end here, Mr. Speaker. Not only have you done this, but you have inaugurated this vicious system which will make it possible for the Secretary of the Treasury to get enormous campaign funds to corrupt the elections and to debauch the ballot. And how is this done? Under the provisions of my amendment bids should be advertised for the public money; the bank that bid the greatest per cent of interest could get it, but under the provisions of this bill this money is to be deposited in the national banks as the *Secretary of the Treasury may direct*. No competitive bid of interest, no interest at all, but merely to be deposited by him. After these millions of dollars have been deposited in the national banks by the Secretary of the Treasury, what will be done when election time is drawing near? The head of the Republican party will go to these national banks and to the stockholders of same and point out to them that they have had the use of millions of the *people's money without interest* through the *favoritism* of the *Republican Secretary of the Treasury* and will *modestly* suggest that the Republican party is in need of campaign money, and of course it will be forthcoming in abundance. Can the people indorse such a system as this? Is the public mind so adverse to all idea of equal chance and fair opportunity that it desires to change the doctrine that the Government should deal equitably with all her citizens, regardless of political affiliations, and that public legislation should be for the public weal and not for political campaign corruption funds? [Applause on the Democratic side.]

Let me quote to you here what Mr. Berry, the treasurer of the great State of Pennsylvania, had to say upon the question of interest, when testifying before the Committee on Banking and Currency at its hearings recently. He said:

Of course money is worth more than 2 per cent to any bank, and the demand for it makes a contention between the different bankers in the State as to who shall have it, and keeps the treasurer in constant hot water, and he has no index as to where it ought to go. If, however, we had a competitive interest rate, then the man who wanted it the most would pay the most for it and would pay it and turn the proceeds to the city, the State, or the nation, as the case might be.

So we see this brilliant financier of one of the greatest States of the Union declaring in favor of a competitive rate of interest. He states that the State of Pennsylvania gets 2 per cent interest upon its deposits; that the State of Maryland gets 2½ per cent interest on its deposits.

The purpose, Mr. Speaker, of the Democratic side in this controversy is to divorce the United States Government from Wall street. It is to give equal chance and equal opportunity to all the citizens of the United States. It is to give to the people interest upon its public funds. It is to give to the bankers of all parts of this Union an equal chance to bid for the public money and not be denied this right through the arbitrary action of the Secretary of the Treasury.

Let me quote to my Republican friends upon the other side of this Chamber the language of a distinguished Republican United States Senator, Mr. McCUMBER, who, in discussing this question when it was in the Senate, used this language:

I certainly fail to understand why the bankers receiving the benefit should not pay the 2 per cent, or whatever may be necessary. If the money is worth nothing to them, there is nothing to compel them to take the money. If they do not need it badly enough to pay the extra 2 per cent, let it go as it is. If they do not need the money, then we certainly should not give it to him. But I presume, Mr. President, that the money they have received from the Treasury of the United States has been of inestimable value to them not only in loaning it again, but in upholding an immense amount of industrial securities that are held by banks until they can get rid of them; and that, I believe, more than anything else, is the basis of the desire of these great banks of New York and other eastern cities to secure Government deposits without the payment of one cent of interest.

Who can dispute the logic and the justice of this argument? Who is willing to declare for a standard in this country of taxation so high that it will fill the Treasury to overflowing with the people's money, which is to be loaned to the banks without interest, that they may fatten upon it?

Let me quote the language of another distinguished United States Senator in discussing this bill, which is known as the "Aldrich bill." I quote from Senator NELSON:

If the banks were simply required to keep this money in their vaults and were not permitted to loan it out, or if they would loan the Government money to the people without interest, I would not say anything. But where they take this volume of Government money by the millions and loan it out and loan it out on stock collaterals at an immense profit, why, in the name of justice and fairness, should we not compel them to pay a portion of the gains to the Government of the United States?

Yet, Mr. Speaker, all these arguments have been brushed aside, and here beyond midnight on the Sabbath day this legislation is to be rushed through under the whip and spur of the previous question in less than one hour's consideration, turning over the Federal Treasury to the benign mercies of the coupon clippers and the money changers. [Applause on the Democratic side.]

The people of this country should inquire why it is that nearly every State in this Union is receiving interest upon its public money from the banks of from 2 to 3 per cent, and when these banks are paying interest to depositors of from 3 to 4 per cent, they want to know why the men who represent them upon this floor will turn over their money to the banks without any interest at all? [Applause on Democratic side.] You remember, Mr. Speaker, when the subtreasury scheme was up, you and those who thought with you denounced that as Populistic, and said that it had a tendency to anarchism; but, Mr. Speaker, it should be recalled that those struggling farmers only wanted under that system the opportunity to pledge their crops for public money, upon which they were always willing to pay interest. But now, after having denounced that system, your party turns and takes the money for which they were willing to pay interest and turns it over to the national banks without a single cent of interest, and back of this money to secure it you have no fruition of the harvest field, no gathered crop, no bursting bin, but only the inflated, watered stock as may by the Secretary of the Treasury be declared to be ac-

ceptable. In the name of the American people, Mr. Speaker, I protest against this outrage upon them. Your party, flushed with many victories, seem to have the opinion that you shall never be called to account. [Applause on the Democratic side.] I would remind you gentlemen upon the other side that a public office is a public trust; that the public money in the Treasury is a public trust, and, in my judgment, if the people of this great Republic come to understand this question, they will drive from power a party which is drunk with rapacity and public plunder. [Loud applause on the Democratic side.]

Mr. LEWIS. I ask the gentleman from New Jersey to consume some of his time.

Mr. FOWLER. You had better use all your time.

Mr. LEWIS. I prefer not to use it all at this time.

Mr. FOWLER. I yield four minutes to the gentleman from Maine.

Mr. POWERS. Mr. Speaker, notwithstanding the eloquent assertions the gentleman from Kentucky has just made on this floor, this bill is wise legislation and is demanded and indorsed by the best business interests of the country, and the persistent opposition to it by our Democratic friends will not commend itself to the country or gain for them any special credit, glory, or political advantage. The newspapers of to-day state that the prospect that this bill will pass has created confidence and strengthened the market, and so far as I have seen them, all indorse it. Assertions are not facts. The gentleman says this is to dump $400,000,000 of the people's money into Wall street for the benefit of the gamblers there, and take it away from other sections and places whenever the Secretary of the Treasury sees fit to do so. Now, let us see what the bill provides and how much of truth there is in this statement. I assert that the bill expressly prohibits such action.

Mr. JAMES. Will the gentleman allow me to ask him a question?

Mr. POWERS. I have not time to yield.

On page 6, commencing in line 23, it reads as follows:

*Provided*, That the Secretary of the Treasury shall distribute the deposits herein provided for, as far as practicable, equitably between the different States and sections.

Perhaps the gentleman from Kentucky will see in the record of his remarks that this is a sufficient answer to that contention.

Mr. JAMES. Will the gentleman state if in the Fifty-eighth Congress he did not vote that the national banks should pay interest to the Government on deposits of the public funds?

Mr. POWERS. I shall answer that in this way: That this is a bill that is dealing with the present; it has several provisions that are necessary; we must pass this as it is or get no legislation whatever. This is the one and only chance that we have to get any legislation this session along the lines the bill proposes, and the matter of interest can wait and be attended to by the next Congress.

Mr. JAMES. Well, answer the question then.

Mr. POWERS. I must absolutely decline to be interrupted. Now, it may be that it is not entirely satisfactory to me and that it could be improved if we had time to do it, but we must take this bill as it is or take none. We are not getting interest on deposits now; the bill makes no change in that regard. I think it may be proper to charge interest, since it settles the question that other securities and Government bonds may be used by the banks, but, as I have said, that question must be relegated to a future Congress. It was enhaustively discussed in the Senate and defeated by a large majority. Therefore I submit for the present to what is inevitable.

The gentleman from Kentucky says, "Why should not the United States receive interest on its money" that the State of Kentucky and the State of Missouri? The State of Kentucky, the State of Missouri, and the State of Maine deposit their money with the banks without demanding any such security from the banks receiving it as the United States would require. As far as I know none whatever is demanded. That is a very cogent reason why they should receive interest on their deposits. This bill endeavors to return to the channels of trade the money of the people instead of locking it up in the Treasury, a condition tending to create panics and which does not exist in any other civilized country, which is of vastly more importance to the country than the mere question of interest on any deposit.

It also provides for the printing and distribution of one and two dollar bills, which the business interests of the country urgently demand. It also authorizes, with the consent and approbation of the Secretary of the Treasury and the Comptroller of the Currency, an increase in the retirement of national-bank bills to the amount of $9,000,000 each month instead of the $3,000,000 limitation under existing law.

We have had before the Committee on Banking and Currency several of the leading bankers of this country, and according to the statements of all of them the one thing that is more troublesome than any other is the nonelasticity of our present currency system. It has seemed to me, though I believe my views are not fully shared or indorsed, that by permitting banks to retire a much larger sum every month we hold out the inducement to them, when money is needed, to take out or issue a larger amount of national-bank notes; and the bankers advocating credit or asset currency demand it especially for the reason that it will give greater elasticity and contract automatically when the abnormal demand has ceased.

For the purpose of effecting that a bill has been introduced substantially along the lines recommended by the bankers' committee, known as the "Fowler bill," being H. R. 23017, but I do not concede that this bill will effect any such purpose for reasons which I shall endeavor to explain, and at the same time submit my views upon the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TALBOTT. Will the gentleman yield to me for a moment?

Mr. POWERS. I understand that my time has expired, and I ask unanimous consent that I may extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. TALBOTT. Mr. Speaker, I ask for one minute.

Mr. FOWLER. The gentleman from Georgia [Mr. LEWIS] has control of the time that is left on that side.

Mr. TALBOTT. Will the gentleman from Georgia yield to me one minute?

Mr. LEWIS. The time is already promised on this side, but I yield one minute to the gentleman.

Mr. TALBOTT. The gentleman from Maine [Mr. POWERS] has stated that one of the reasons why the Government made these deposits in the national banks without interest was because the banks in the various States which do pay interest on State deposits are not required to give security. I desire to state to the gentleman that the moneys belonging to the State of Maryland are deposited in the various national banks through the State, and the State receives 2½ per cent interest, and every bank is required to give bond.

Mr. POWERS. That may be so in Maryland, but I do not believe that is the rule as to any other State in the Union, and the requiring of a bank to give bond is a very different thing from requiring the deposit of bonds.

Mr. Speaker, I apprehend, if one sought to be considered wise in reference to financial and banking matters and to escape all criticism, it might be much better and easier to subscribe to the views of the bankers' committee in reference to the issuing of credit currency, and I concede that their large experience gives them a weight that should command consideration. Nevertheless, I shall have the temerity to doubt and differ from some of their conclusions.

I listened very attentively to the eminent bankers who appeared before the Committee on Banking and Currency, and I have also carefully read the plan or method proposed by the fifteen representatives, from all sections of our country, of the great finanical institutions in different monetary centers. I must confess that I am not convinced of its desirability or wisdom or that it will accomplish what is so confidently claimed for it, especially by giving to the country a credit currency which shall be sufficiently elastic to retire from circulation as soon as the emergency or conditions that called it into existence have passed.

By general consent of all who have studied the question and have carefully looked into and considered it, it is conceded that one of the most glaring defects in our present banking laws is the want of currency elasticity, so that the amount in circulation may accommodate itself to the business demands of the country at different times, as is the case in Canada, and, I believe, in some other countries.

This condition, I am confident, could be relieved to some extent by either repealing the $3,000,000 limitation which banks may now retire in one month or increasing it so as to permit them to retire at least twelve or fifteen million dollars per month. I doubt very much if this limitation was ever necessary or has been productive of any good. The last thing that banks desire is a panic and the consequent loss flowing therefrom. Hence I do not believe that they would do anything which should create an alarming stringency through the sudden retiring of their currency if they had the power to do it. But

admitting that there was a sufficient reason for the enactment, I submit that the reason no longer exists, and that we should either repeal or modify it.

We have been adding year by year to the volume of our various kinds of currency as the national wealth and business have increased. We have increased the circulation of national-bank notes so much during the past forty years that the right of the banks to retire a very much larger sum would only be extending the proportion which was granted them when the banking laws were passed, and this change should commend itself to the Congress and be enacted into law. I have hoped that a bill might be presented for that purpose solely and not connected with anything else, so that it would be debated and considered on its merits and voted upon.

It is my deliberate judgment that a credit currency as proposed by the bankers' committee, with a 2½ per cent tax on circulation to create a safety fund, or with a 3 per cent tax as in the bill now before the House, said currency to be issued as therein provided and to be possessed of so many of the attributes of money, will be readily received by all the people of the country with the same confidence as national-bank notes or any of the other denominations of currency now in circulation. And I have no question that it will be as safe and as good as our other varieties of money which we have in circulation, and I am sure that no one can or will lose anything by receiving it as money; that it will circulate among and lodge in the pockets of the people and in all the moneyed institutions, and that it will substantially accomplish all the requirements and purposes of money.

It is not upon any doubt as to its validity or its soundness that I place my objection to it, but I do contend that these very qualifications will prevent any immediate return to the banks issuing it through the several redemption agencies which it is proposed to provide for that purpose. In short, I fear and believe that the result of this credit-currency legislation will be the addition of another variety of money to our already multiplex currency, and also that it will largely inflate the circulation of the country, thereby further reducing and cheapening its purchasing power, intensifying the era of extravagance and speculation through which we are now passing.

Now, I for one am unalterably opposed to any inflation legislation. There are still ample means by which our currency can be properly increased under existing laws. To my mind, an inflation of $200,000,000 of our currency is uncalled for, and will sooner or later prove injurious to every legitimate industry. It may benefit for the present the speculator and promoter. Certainly none other. If I do not misrecall, the Secretary of the Treasury says in his report that such an expansion would indicate or produce no peril to the stability of the currency, but it does seem to me that we are making our various paper credits pretty large, considering the amount of gold that we have at the base; yet I do not apprehend that we will have any serious trouble so long as the balance of trade is in our favor and the outflow of gold does not exceed the amount that we can produce from our mines, and confidence continues unimpaired. Therefore I am inclined to concur in the views of the Secretary, and am not fearful of any resulting panic.

By the coinage of gold and silver, the organization of additional national banks, and the issuing of national-bank notes we added to the circulating medium of the country in the past fiscal year over $148,000,000. The mines are still producing an increased amount of gold, banks are being organized everywhere, and I have no doubt that in this manner we shall increase it fully as much during the present year.

Many banks now organized—in fact, most of them—can issue more currency if they choose to do so. We have in this country to-day almost $34 per capita, more than ever before, I am confident, and more than any other country in the world, except France. There are still bonds available for banking purposes and there is no immediate danger of the supply being exhausted. Many banks have bonds which they use as security for deposits placed with them from time to time by the Secretary of the Treasury. As they use them in this manner and for this purpose rather than for increasing their issues of national-bank notes, it is fair to assume that it is more profitable to do so. The opportunity for this use of Government bonds, and perhaps I should say the necessity results from the vicious and inadequate laws which lock the people's money in the Treasury instead of permitting it to be immediately returned to the channels of commerce and trade—a peculiar condition that Congress should relieve and do away with. I doubt if anything similar to it exists in any other civilized country.

The Government has been, and doubtless will from time to time, be placing upon the market Panama Canal bonds. These are all available for banking purposes, and I think it may be assumed that a very large amount of them will be issued before we shall complete what I regard as the most difficult undertaking of modern times. I therefore submit that we have not reached the limit to which our currency can expand under the present banking laws, and that there is no such urgent and imperative demand for this credit currency legislation as some of its sponsors and advocates would have us believe. The amount authorized in the bill is not so large, if we should stop there, and it had an element of elasticity as to be seriously objected to, if it were advisable to issue it at all.

The restrictions, conditions, and limitations provided furnish, I think, ample safeguards to protect the holder, but I do respectfully dissent from the proposition that in enacting this legislation we are following a precedent of any of the countries to which its advocates refer, which furnishes to us, as they claim, a safe and reliable guide to go by, and I have a fear—I had almost said a conviction—that we are embarking on an unknown and, to a great extent, unexplored financial sea, with no reliable chart to guide us, and that inflation and not elasticity will be the inevitable and unavoidable result which must come from this undertaking. That there is great danger that when we have once opened the door and authorized this limited issue of credit currency we may soon be induced or compelled to enlarge the amount, as the same financial distress or scarcity of money that called for this issue may recur with each succeeding year; hence this experiment, in the end, by its inflation will be found very potent to nurse and aid speculation than to supply yearly a natural want to move the crops. And I submit that a careful analysis of all the evidence given by its advocates furnishes no good ground for relief, no satisfactory and convincing one to my mind, at least, showing that when the emergency was passed this currency would readily return, through the redemption channels or otherwise, to the issuing banks.

There can be no question that it would largely remain among the people and in the various banking institutions of the country. This was the view of the Secretary of the Treasury, as I recall it, in his statement before the committee. My recollection is that he thought 15 per cent might come back. There is no sufficient compelling cause to send it home. A distrust of its soundness or value in the minds of its holders would assuredly hasten it back, but, as I have tried to show, there can be nothing of this kind, as it is abundantly safeguarded.

Also, a tax so high as to make it unprofitable to issuing banks, except upon extraordinary occasions, might, and I concede would, be very effective.

If we look over the money market and the rates of interest for the past twelve months, there has been no time that the 3 per cent tax on circulation which the bill provides for would have made it unprofitable to the issuing banks. Perhaps the additional amount authorized to be issued under certain circumstances and contingencies at a 5 per cent tax might and probably would be called in. We all know that there were very low rates of interest in this country for a number of years, but that within the past one or two years, owing to our great undertakings and the rise in prices and in wages, there has been an increase in the rates of interest not only in this country, but in Europe. The Bank of England several months ago raised its rate to 6 per cent. Our unprecedented prosperity, in which most of the civilized world has shared to a considerable extent, has created an abnormal demand for money and has enabled the borrowers to pay higher rates of interest. This has resulted as a necessary consequence of our rapid and extensive industrial development and the financiering of new undertakings.

Perhaps we are suffering a little, as some claim, from too much prosperity, especially as regards the high rate of interest. Yet I contend that on the whole legitimate business of the country has not been crippled and I can see no dire calamity threatening it to-day. The chariot wheels of industry, progress, and legitimate enterprise have moved on continuously and rapidly. There has been no very marked change, so far as I know, in the rates of interest during the different months of the past year paid on good time business paper. Perhaps it may have been 1 to 2 per cent higher at some one time than at others. The farmer, the lumberman, and the manufacturer have not been very much cramped or injured for want of the necessary funds to do business with.

The great fluctuations in the price of call money have not seriously affected their loans or their business. It is the promoter and speculator, the gambler in stocks, that at times have paid very high call-money rates during the past year. They have to have it on the hour. I have been informed, and I think correctly, that there is a rule of the New York Stock Exchange which makes it imperative that all cash sales or purchases of stock must be settled every afternoon of the transaction ex-

cept upon Saturday. This obligation and peremptory requirement to settle and pay on so short a time often create great fluctuations in the rate of interest on call money from day to day, but I am not sure we need to give ourselves uneasiness or lay awake nights brooding over the hardships of these gentlemen who are striving to get rich quick by gambling in stocks. They are amply able to care for themselves; and if some one of them does occasionally get "pinched," it may be a debatable question if any honest man is hurt. It is the "lambs" they are shearing without compunction or mercy that need our protection and sympathy.

I can not agree with the oft-repeated statement that has been made before the committee, that the methods adopted for issuing currency in England, France, Germany, or Canada, so far as I have been able to learn anything about them, furnish any precedent or substantial guide for what we are proposing to do in this bill. Our systems of banking are *sui generis*. Wholly unlike those of the countries before named. There are, in round numbers, some 6,000 national banks, and I believe nearly 8,000 more chartered by the several States. They are located not only in large centers, but in nearly every small town and village. They are not interdependent; they are doing business on individual responsibility.

In Germany, France, and England there is one great central or imperial bank for each country, having various branches in different localities and all controlled and guided under one management, or this is substantially so. I have neither the time nor the requisite knowledge to explain the conditions and limitations under which currency is issued in those countries. I have never sufficiently investigated their banking systems to do this. I know, however, that they are very unlike our own in many essential particulars.

Canada is referred to in the committee's report and was also pointed out at the hearings as a guide and example for what this bill proposes to do. I deny that in its essentials there is any similarity between the proposed credit-currency scheme and the methods of issuing bank bills in Canada. The currency provided for in this bill can be issued by 6,000 banks scattered all over the Republic. There are only thirty-four banks in Canada. I do not know how many of that number can or do issue currency. I am informed, and I think correctly, that no bank in Canada has this right unless it has a paid-up capital of at least $500,000. It can do no business until at least $250,000 of its capital has been paid in. In Canada banks pay out over their counters their own bills only. The credit currency which this bill authorizes can be paid out to customers or kept in the vaults by every national, savings, and State bank in the United States. They need not send it to the issuing or the redemption bank unless they choose to do so. When a bank in Canada receives the bills of any other bank it must send them to the bank which issued them. It is very plain that this limitation would make the currency contract automatically when there is no special demand for it, after it has been returned to the bank of issue.

A similar clause in this bill would necessarily contract it very rapidly; yet I doubt very much if any of our national banks would avail themselves of the right or privilege of having this limitation upon its circulation, and the same, I think, might be true in case the tax was made much larger than this present bill provides. Banks are not philanthropic institutions. They are in business to make something for their stockholders.

It is claimed that the provision in this bill authorizing this currency is especially in the interests of the "dear" people. To my mind it is a pretty good thing for the banks. Hence it allows banks to surrender part of their present issues and reap the benefit of it under certain conditions. I grant that many bankers have declared that its passage is both necessary and wise. Yet I have not received any letters or petitions from anyone engaged in the various industries asking me to vote for it. I have found many who believe that the bill should not pass. The press of the country is not calling for it very loudly, so far as I am able to judge.

A question has presented itself to my mind as to the fund that will be raised from this 3 per cent tax, which I am not clear or sure that I am right about, and perhaps some one can explain it to me. There can be no doubt that the 3 per cent tax will in the not far distant future produce a much larger amount than will be required for the necessary expenses and the very small sum that may be lost or paid out and not ultimately recovered back on account of failing banks.

A careful examination of the cost and losses by national banks in the past will convince anyone of this proposition. Now, what I desire to know is this: Will not that fund belong to the banks collectively in the proportion of the amount each has paid into it, and will or will not any bank winding up its affairs be entitled to have its equitable proportion refunded after all costs and liabilities up to that date have been adjusted and settled? If this is so, what bearing, if any, does it have upon the burdens which a higher tax than 3 per cent, or any tax, will in the last analysis place upon the issuing bank? The Treasury of the United States holds this money in trust. It can apply a certain amount of it, whatever may be necessary, to expenses and losses of failing banks. When that trust has been accomplished there is no provision whatever to turn the balance into the Treasury.

I have said that our national banking system is peculiar. I think that in its inception and in its methods of doing business it is unlike that of any other country. Our national-bank notes are not secured by coin reserves, but by the debt of the United States. They rest upon the debt of the Government. At the time of its passage the framers of the national banking act had in view two distinct purposes at least. One was to provide the country with a safe, sound, and reliable currency which should be good and circulate freely everywhere; the other to create a demand for the then large Government indebtedness, or at least for a part of it, with which the country found itself burdened and struggling at the close of the war of 1861.

As to the latter purpose, time has proved that its authors "builded better than they knew." It has been a very potent factor in enabling the Government to refund all its obligations at constantly decreasing rates of interest and has created such a demand for Government bonds for banking purposes that its 2 percents command a premium. No other nation borrows money at so low a rate as ours, and certainly we could not if it were not for the use of the bonds for banking and the necessity of having them in order to do the banking business.

It has also provided us, as was intended, a safe and sound currency, circulating everywhere in our country, and in many foreign lands, without discount or distrust. No laborer ever lost a dime by taking it for his wage—in fact, no one cares whether a bank issuing a bill is located in Maine or Texas, whether it is solvent or has gone into the hands of a receiver. The United States stands behind it and is virtually pledged to redeem it, and it certainly has and will continue to do it.

It is common knowledge that our national banking system in the past has been most bitterly attacked and denounced by political organizations, yet it has stood the test of over forty years and to-day, I submit, the people are satisfied with it and believe in it.

Next to its transportation facilities, the currency and banking of a country are essential elements for its prosperity and development. A want of sufficient elasticity, so that it may expand and contract with the demands of business, seems to be the gravest charge now brought against our banking system, and I concede that there is much force and truth in this charge. This should, and I think can be, remedied in part at least by proper legislation. Doubtless it may have other faults and weak points, but we should not lose sight of the fact that it has in the past accomplished much of good and has fully justified its right to be and the wisdom of those creating it.

Possibly in time it may outlive its usefulness, and it may become necessary to substitute some other method of banking in its place, yet I doubt very much if we shall improve or strengthen it by any such experimental patchwork as the credit currency proposition in this bill. I am of those who believe that it is better, at least for the present, "to bear the ills we now have rather than fly to others that we know not of," and I am quite confident that the country and the people share largely in this view.

As I have stated, I fear that the measure will be productive of more harm than good. I doubt its wisdom and am not fully convinced of its imperative necessity or that it would produce the beneficial results its sponsors claim for it. We have many kinds of currency—gold, silver, copper, greenbacks, national-bank notes, silver certificates, and gold certificates. I object to increasing the list by adding the proposed credit currency notes until the country has more carefully considered and weighed the proposition and fully understood its possible consequences. Does it lead us along the road of sound or populistic finance? I am not entirely clear upon this point.

What I contend Congress can and should do, and do it speedily, is to repeal or increase the $3,000,000 limitation to which I have referred, and should also provide some safe and secure methods by which money collected from the people by the Government, except so much as is needed for its present purposes, shall be immediately available, to be used in the trade and commerce of the country. Let us have less artificial in-

terference with monetary conditions, cease locking up in the Treasury of the United States the people's money, thereby creating a stringency and compelling the Secretary of the Treasury to do something unusual to avoid disaster or panic. After we have done this, which we can readily do, let Wall Street refrain from financing more than one new deal each day, especially of the Harriman dimensions, and I prophesy we will get on very well without this asset or credit currency, that business interests will be cared for, and, to use the words of Mr. Mattilini, we shall not go to the "demnition bow-wows," but, on the contrary, under the present good, efficient, and Republican Administration and the beneficial schedules of the much-maligned Dingley tariff, enterprise, peace, and happiness will still continue to rule and bless our land.

Mr. PRINCE. Mr. Speaker, this is the best measure we can hope to have before us in the closing days of this Congress. It may not be all that we would like to have such a measure contain, but nevertheless this is the best bill that is presented to us with any hope of passing at this time. I wish we could make the banks pay interest on the deposits. The purpose of this bill is to issue gold certificates in denominations of not less than $10. It also permits the depositing of customs receipts in the banks known as "depositories." It is said by some of the gentlemen on the floor that this will permit the placing in banks of $400,000,000 that are not now placed in the banks of our country. The truth about it is that this has been done by indirection, and we are now seeking to do it directly. It is not enlarging the volume of money in this country, but it is permitting customs receipts to be placed in the banks and to check upon those deposits if they see fit. It is done now. All the statements to the effect that it is swelling the coffers of Wall street is not in accordance with the facts.

As to another provision, about raising the limit of retirement from $3,000,000 to $9,000,000 a month, if it was not for the limiting clause in this bill, saying that it should be done only with the consent of the Comptroller of the Currency and the approval of the Secretary of the Treasury, I should not favor the provision, and I will state the reason why. On page 199 of the hearing before the Committeee on Banking and Currency, the present great Secretary of the Treasury, Mr. Shaw, stated as follows:

Mr. WEEMS. Mr. Secretary, I would like to ask you if it would not be necessary in that case to repeal the prohibition against retiring?

Secretary SHAW. No; that prohibition is quite generally misunderstood. That limitation is not against the redemption of notes, but against their retirement by a deposit of money. For instance, I can send in as many of the First National Bank notes as I please, every dollar of its issue, for that matter.

Mr. WEEMS. That is the retirement as distinguished from a redemption?

Secretary SHAW. Yes; and I want to speak on that subject a moment. That provision, I think, should be amended so as to allow, with the consent of the Secretary of the Treasury, an unlimited retirement. I do not think the bridle should be taken off entirely, and I will tell you why. When I was selling the Panama bonds this year and was trying to stimulate the price, some banks started in to reduce the price so that the Government bonds would sell lower; and they started to retire their circulation and put their bonds on the market to pound the price down, while I was making deposits to crowd the price up, and we had a very nice chase.

They had a limit of three millions a month, and I had no limit, and I got away with them, and I ran the price up over 1 per cent. [Laughter.] But they would have whipped me and bought those bonds probably below one-dollar-two instead of one-dollar-four, without that limitation.

Mr. JAMES. Mr. Speaker, I desire unanimous consent to extend my remarks in the RECORD.

There was no objection.

Mr. LEWIS. I yield the balance of my time to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, the gentleman from Maine was singularly unfortunate in his statement of facts. The gentleman from Maryland stated to the House the case in his State, and I am informed that is the case in Georgia. Each State requires security as well as interest. I hold in my hands the hearings before the Committee on Banking and Currency, and I find that it is the case in Pennsylvania, too.

I find that Pennsylvania requires security; that she lends the money at 2 per cent, and Mr. Berry, who was before the committee—the treasurer, I believe, of that State—says that such is the demand on the part of the banks for money after giving security and upon condition of paying 2 per cent that, to use his language, "It keeps the treasurer in constant hot water, and he has no index as to where it ought to go—none whatever under that system." He continues:

If, however, we had a competitive interest rate, then the man who wanted it the most would pay the most for it, and the man who took it would return the proceeds to the city or the State or the nation, as the case might be.

I could go entirely through the Union and find that the gentleman from Maine simply didn't know what he was talking about. Now, Mr. Speaker, banks do not lend money without demanding of the borrower both security and interest. The banks ought not to expect to borrow money from the people—and it is the people, because the Government's money is the people's money—without paying interest and without giving security. This whole thing, Mr. Speaker, the evil upon which you have arrived and the bad remedy that you are resorting to to cure it, are alike the results of your pernicious system of class legislation.

The best way to keep money in circulation among the people is not to tax it out of circulation into the Treasury. [Applause.] But when you have taxed it out of circulation into the Treasury, then, of course, it is a bad thing to keep it in the Treasury if you can get it back into circulation. Now, then, you are forced to put out this surplus somewhere; you call it a deposit, but you are forced to put the money out at work. Everything in this world that produces value is at work, and money is no exception to the general rule. And as money works and is an employee—and is a valuable employee at that—the universal custom of humanity is that you should pay something for it as its wage, besides securing the return of the money itself. There is no more reason why the Federal Government should lend its money to a pet class of bankers without demanding a dollar of compensation for the use of it and without security for its return than there is why the bank should lend me its money without demanding interest and security from me.

Mr. Speaker, this is a significant occasion. We all remember when the Hill bill was before this House; we remember when the majority of this House incorporated upon that bill a provision whereby it became necessary to put out the deposits to competitive interest bids to the banks. We remember very well that after that provision got upon that bill that bill died "aborning." They never dared carry the bill any further, they never dared face the country with the question of interest on deposits. And now you wait until just two nights before the close of this Congress and you bring into this House an entire currency bill grafted by the Senate upon a little innocent House bill—to do what? To take the people's money and give it to the banks without a dollar of interest. [Applause.] Hide behind what pretexts you please, that is what you are doing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOWLER. Mr. Speaker, I want to say that the effect of this bill is only to give to the country a larger supply of one, two, and five dollar notes. There will be no other practical result whatever, and if the committee will bear with me, I would like to give my views of the present situation.

Let the merchants and bankers of the country answer these questions:

First. If our revenues be great enough to pay off our debt in the course of a few years, what shall we do for currency? What will become of the $600,000,000 of bank notes secured by Government bonds? Let them remember that our debt was reduced, from 1888 to 1891, $440,663,020.

Second. If, by any chance, we should be compelled to issue one or two thousand millions of bonds under stress of war, what would be the rate of interest? Not less than 3 per cent—probably under present demands for capital not less than 4 per cent. With an issue of, say, $2,000,000,000 at 4 per cent, what would be the selling price of the 2 per cent bonds? Would it exceed seventy? At this price the banks of the country would lose in their present bond investments about $200,000,000.

These possibilities alone ought to be sufficient to startle every thinking man and to condemn the present scheme of supplying currency for the country—a scheme in no way related to business demands, but distinctly a bond speculation.

But it is constantly asserted that we have the soundest currency in the world; and that it has been as good as the best for more than forty years. As a matter of fact, it has been no better than the price of our national credit. In 1862, when the banks in New Orleans were still redeeming their notes in gold coin, our bank currency was being redeemed in United States notes worth 75 cents on the dollar. And in 1864 our bank currency was being redeemed in United States notes, which were selling at $2.85, or 35 cents in gold. And they were never worth their face until we resumed specie payments January 1, 1879.

The credit of a nation, of a municipality, or of a corporation should never be the basis of currency; its only proper relation is that to the consumable wealth of a country, and its standard of value should be gold, or the metal of redemption.

The history of the bank of France and its signal aid to the

French Government in every crisis for one hundred years justifies the conclusion that the currency of a country should always rest upon its liquid wealth, as represented by the credits of commerce.

The average daily clearings last year for New York City were $342,422,000. The total clearings for New York City in 1906 were $103,754,000,000, and were settled by the payment in cash of 3.69 per cent, or $3,832,000,000.

The aggregate clearings of the United States for the year ending September 30, 1906, were $157,749,000,000 and were settled by paying approximately $5,793,000,000 in cash. Yet in the form of current credits, instead of paying only 3.69 per cent in gold or its equivalent, the percentage of lawful or reserve money in the hands of the people, with which they transact their daily business, is $1,206,531,814—the remaining money in their hands, consisting of bank notes, approximated $500,000,000. In other words about 60 per cent of current transactions are paid in reserve money, gold or its equivalent, instead of some form of credit; and $1,206,531,184 of gold or its equivalent is lodged in the pockets and tills of the people, and there locked up as effectually as though it were still in the bowels of the mountains.

If this vast reserve were in the banks, where it should be, it would serve as the basis of a credit of $6,000,000,000, with a reserve of 20 per cent. If we are going on, increasing in population and withdrawing reserves from the channels of trade for the daily transaction of current business, what effect will the practice have upon our present reserves or those we might hope to accumulate from the current production of gold?

Let no man suppose that the change of the law in respect to the $3,000,000 limit per month will have the slightest effect upon present currency conditions. It will not result in any perceptible change in our currency as related to business, but will of course facilitate the speculation in Government bonds to some extent. I challenge any man to give a single reason for supposing that the privilege of retiring $9,000,000 per month will result in any greater changes than we have heretofore had so far as our business requirements are concerned.

NATIONAL BANK-NOTE CIRCULATION, 1890–1906.

*Total national-bank notes outstanding at the end of August and December, in the years named and at the end of the following April.*

| Year. | August. | December. | April. |
|---|---|---|---|
| 1890 | $184,391,633 | $178,568,376 | $171,805,064 |
| 1891 | 168,543,059 | 172,993,607 | 172,529,451 |
| 1892 | 172,527,713 | 173,614,871 | 176,094,544 |
| 1893 | 183,755,148 | 208,948,105 | 207,875,695 |
| 1894 | 207,539,066 | 206,686,337 | 207,541,211 |
| 1895 | 211,372,045 | 213,960,598 | 221,316,027 |
| 1896 | 226,030,042 | 235,398,890 | 233,795,141 |
| 1897 | 230,844,256 | 229,634,216 | 224,481,878 |
| 1898 | 226,780,064 | 242,784,803 | 243,134,892 |
| 1899 | 241,623,553 | 243,842,067 | 271,034,337 |
| 1900 | 320,095,890 | 332,292,300 | 350,101,405 |
| 1901 | 356,152,903 | 359,720,711 | 357,476,407 |
| 1902 | 358,984,183 | 384,854,514 | 382,519,258 |
| 1903 | 417,346,487 | 421,106,979 | 434,909,942 |
| 1904 | 450,206,888 | 460,679,075 | 475,948,944 |
| 1905 | 503,971,395 | 540,914,347 | 556,646,282 |
| 1906 | 569,852,303 | | |

Mark this, that from 1890 to 1906, a period of sixteen years, there was an actual decrease of our bank-note currency from August to December in three of those years when it should have largely increased, while in seven of those years the increase was only about $3,000,000 each year. As a matter of fact, during these months the expansion of current credits ought to have been more than $250,000,000 in every year.

During nine of those sixteen years there was an actual increase of currency from December to April, when it should have decreased; and for seven years there was a decrease during the same months of only $2,700,000 per year.

Mark this, from 1864, when the first national-bank notes were issued, there was a gradual increase up to 1882, when the amount reached $357,000,000. Then, out of the plenitude of ignorance and mad prejudice, this uneconomic limitation of $3,000,000 each month was imposed.

From that very year, although the business of the country was constantly expanding, the national-bank notes began to contract, and, from 1882 to 1891, the $352,000,000 fell to $123,000,000.

Keeping these facts in mind, are we not at least put upon inquiry when we recall that in little Canada, to the north of us, with a population of only 5,800,000, they have an expansion and contraction of about $20,000,000 in the fall, or more than $3 per capita; while in Germany the expansion and contraction of bank notes or current credits is about $120,000,000 every three months.

If the principle of a true credit currency, such as is in operation in Scotland, Ireland, France, Germany, Austria, Japan, and Canada, were in force here, the expansion and contraction of current credits would annually exceed $250,000,000; and we would have no currency famines nor useless quantities of currency, at times suggesting if not leading to riotous and ruinous speculations, and constantly disturbing the natural and orderly course of business.

Again, let us not suppose that, so far as the business interests of the country are concerned, it is a matter of any consequence whatever that we have removed the words "except receipts from customs" from the statutes, except in this respect—that the Government can save the cost of transporting customs receipts from the point where received to a subtreasury, and the necessary cost of transporting internal-revenue receipts to such places or ports as pay a large amount of customs to the Government, in order that an equal amount to such customs may be returned to the channels of trade by the deposit of the internal revenues transferred for that purpose.

The internal-revenue receipts last year were $249,150,212.91, while the amount to-day deposited in the national banks is only $140,727,976.54, showing that the internal-revenue receipts largely exceed the bank deposits.

In support of the assertion that, commercially speaking, this change in the law will have little or no effect, I desire to call the attention of the House and the country to the fact that on May 9, 1906, the cash in the Treasury was $139,622,790.94, and that the liabilities outstanding against this amount were $102,492,007.36, leaving a working balance of only $37,130,783.58, or $13,000,000 *less* than the assumed working balance of $50,000,000.

As the law stands to-day, the Secretary of the Treasury could pay all the current expenses out of the customs receipts, and reserve the internal revenues, of which there have already been this year received $174,194,924.86, to deposit with the banks.

The matter resolves itself down to the mental attitude of the Secretary of the Treasury with regard to the current deposits of Government receipts. With the amendment, he may or may not from day to day redeposit all the customs receipts the Government may receive in the banks at the points where they are paid in, down to the assumed working balance of $50,000,000, and thereby save the cost of transporting internal revenues of the same amount to the points at which the customs are received. We have simply lopped off a branch long since dead.

Mr. Speaker, these questions suggested by this bill will never be settled until they are settled upon sound, economic principles—principles as certain in their operation as the laws of gravitation. Nor will any handicap be so heavy in our competition with the commercial world as the burden of bungling patchwork that precludes us from being what we ought already to have become—the leading, the controlling financial center of the world.

As it is, our methods in finance and currency only excite the derision of the financial centers of Europe; for they realize that if we but had the intelligence, courage, and patriotism to solve this one problem the world would take its financial cue from the United States every hour of the day the whole year round.

Think of these stupendous facts: The coal production of the United Kingdom, Germany, and France amounts to 422,671,000 gross tons, while that of the United States is 350,820,840 gross tons. Their production of pig iron is 23,319,000 gross tons, while ours is 22,992,380 gross tons. Their exports amount to $3,908,489,100, while ours are $1,717,953,382. Their railway mileage at the end of 1905 amounted to 80,984 miles, while ours amounted to 217,018 miles. Their gross receipts from operation of railways was $1,317,851,000, while ours was $2,082,482,406.

*Comparative industrial and commercial statistics of the United States for the years 1900 and 1905.*

| | 1900. | 1905. | Increase. |
|---|---|---|---|
| | | | *Per cent.* |
| Value of agricultural products | [a]$4,717,070,000 | [a]$6,415,000,000 | 36 |
| Value of mineral products | $1,107,020,352 | $1,623,877,127 | 46.7 |
| Value of manufactures | $11,411,121,122 | $14,802,147,087 | 29.7 |
| Production of coal .....gross tons | 240,789,310 | 350,820,840 | 45.7 |
| Production of pig iron .....do | 13,789,242 | 22,992,380 | 66.7 |
| Imports for consumption | [b]$807,763,301 | [b]$1,213,417,649 | 50.2 |
| Domestic exports | [b]$1,460,462,806 | [b]$1,717,953,382 | 17.6 |
| Mileage of railways.....miles | [c]192,941 | [c]217,018 | 12.5 |
| Gross receipts from operation of railways | [c]$1,487,044,814 | [c]$2,082,482,406 | 40 |

[a] 1900 census figures and 1905 figures of the Department of Ariculture, respectively.
[b] Figures for the years ending June 30, 1901 and 1906, respectively.
[c] Figures for the years ending June 30, 1900 and 1905, respectively.

*Principal industrial and commercial statistics of the leading foreign countries for 1905.*

| | Production of coal. | Production of pig iron. | Imports for consumption. |
|---|---|---|---|
| | *Gross tons.* | *Gross tons.* | |
| United Kingdom | 236,129,000 | 9,593,000 | [a] $2,371,153,000 |
| Germany | 171,064,000 | 10,703,000 | 1,696,660,400 |
| France | 35,478,000 | 3,023,000 | 922,329,200 |
| Total | 442,671,000 | 23,319,000 | 4,990,142,600 |
| United States | 350,820,840 | 22,992,380 | 1,213,417,649 |

| | Domestic exports. | Mileage of railways at end of year. | Gross receipts from operation of railways. |
|---|---|---|---|
| | | *Miles.* | |
| United Kingdom | $1,605,053,000 | 22,847 | $511,623,000 |
| Germany | 1,364,130,800 | [b] 33,443 | [b] 502,276,000 |
| France | 939,305,300 | 24,694 | [c] 303,952,000 |
| Total | 3,908,489,100 | 80,984 | 1,317,851,000 |
| United States | 1,717,953,382 | 217,018 | 2,082,482,406 |

[a] Net imports equal general imports less exports of foreign and colonial merchandise.
[b] Year ending March 31, 1905.
[c] Total gross receipts.

BANKING POWER OF THE WORLD.

Remember this, that while the banking power of the United States is $16,000,000,000 and that of all the rest of the world is but $21,000,000,000, we have a little over $500,000,000 of what we call bank notes, and the rest of the world has more than $4,000,000,000 of credit notes with which to carry on trade.

The banking power of the United States in 1906, as represented by capital, surplus, other profits, deposits, and circulation of national and other reporting banks, together with estimated amount of funds of this character in nonreporting banks, is shown to be $16,462,470,465. The items composing this fund are stated in the accompanying table:

| Classification. | Number. | Capital. | Surplus, etc. |
|---|---|---|---|
| National banks | 6,053 | $826,129,785 | $665,163,368 |
| State, etc., banks | 11,852 | 739,163,401 | 893,679,524 |
| Nonreporting banks [a] | 3,491 | 75,356,000 | 33,280,000 |
| Total | 21,396 | 1,640,649,186 | 1,592,122,892 |

| Classification. | Deposits. | Circulation. | Total. |
|---|---|---|---|
| National banks | [b] $4,145,783,632 | $510,860,726 | $6,147,937,511 |
| State, etc., banks | 8,159,894,029 | ..... | 9,792,776,954 |
| Nonreporting banks [a] | 413,160,000 | ..... | 521,795,000 |
| Total | 12,718,837,661 | 510,860,726 | 16,462,470,465 |

[a] Estimated capital, etc., based on reports received from private banks.
[b] Includes Government deposits.

From the latest and most reliable data obtainable the banking power of the foreign countries is estimated at $21,952,500,000, the details being set forth in the following table:

| Banks. | Capital. | Surplus. | Deposits. | Circulation. | Total. |
|---|---|---|---|---|---|
| | *Millions.* | *Millions.* | *Millions.* | *Millions.* | *Millions.* |
| Principal European and other foreign banks | $1,364.7 | [a] $587.4 | $7,642.7 | $4,111.8 | $13,706.6 |
| Foreign savings banks | ..... | ..... | 8,245.9 | ..... | 8,245.9 |
| Total | 1,364.7 | 587.4 | 15,888.6 | 4,111.8 | 21,952.5 |

[a] Estimated.

Mulhall estimated the world's banking power in 1890 at $15,985,000,000, the United States being credited with about one-third of that amount. Since that year the banking power of the United States has increased to the extent of $11,312,400,000, or over 219 per cent; that of the foreign countries, $11,117,500,000, or 102.6 per cent; and the combined banking power, $22,429,900,000, or 140.3 per cent.

The statement following, relating to the banking power of the world in 1890 and 1906, shows also the amounts and percentages of increase in 1906 over 1890:

| Classification. | 1890. | 1906. | Increase. | |
|---|---|---|---|---|
| | | | Amount. | Per cent. |
| | *Millions.* | *Millions.* | *Millions.* | |
| Banking power of the United States | $5,150 | $16,462.4 | $11,312.4 | 219.6 |
| Banking power of foreign countries | 10,835 | 21,952.5 | 11,117.5 | 102.6 |
| Banking power of the world | 15,985 | 38,414.9 | 22,429.9 | 140.3 |

Let us remember that of all the great questions confronting this country to-day none is to be compared with the importance of a sound and scientific financial system; one that automatically coordinates itself with the gigantic changes that are going on in the commercial world, and will give to the United States a mechanism of exchange as economic as sound credits and conservatism will permit.

No human mind can comprehend the frightful danger and wasteful disaster that may be attributable to the condition of our currency or complete want of any true current credit at all.

Already apprehensions are felt that something is wrong; and various excuses or explanations are forthcoming.

We are told that commodities are so far above what they ever were that this is the source of our danger. But is this true? Let us see.

I will insert in my remarks a table showing the prices of the 41 leading commodities selected by the Bureau of Labor for reference:

*Average wholesale prices of forty-one commodities, 1890 to 1897, and 1906.*

[From Bulletin No. 63 and advance figures of Bulletin No. 69 of the United States Bureau of Labor.]

| Commodities and markets. | Percentage of 1894-1898 prices. | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1890. | 1891. | 1892. | 1893. | 1894. | 1895. | 1896. | 1897. | 1893 to 1897, inclusive. | 1906. |
| Wheat, Chicago (bushel) | 128.3 | 138.2 | 113.2 | 97.3 | 80.3 | 86.2 | 92.1 | 114.2 | 94.0 | 114.0 |
| Corn, Chicago (bushel) | 119.3 | 173.5 | 136.0 | 119.8 | 130.7 | 119.5 | 77.9 | 76.9 | 105.0 | 139.9 |
| Oats, Chicago (bushel) | 134.1 | 167.2 | 131.3 | 122.1 | 134.3 | 102.5 | 77.8 | 78.8 | 103.1 | 141.7 |
| Barley, Chicago (bushel) | 126.6 | 152.6 | 127.2 | 117.2 | 128.4 | 107.6 | 74.5 | 80.7 | 101.7 | 128.0 |
| Cotton, New York (pound) | 144.2 | 111.9 | 99.9 | 108.2 | 91.1 | 94.9 | 103.0 | 93.0 | 98.0 | 143.4 |
| Cattle: Steers, good to choice, Chicago (100 pounds) | 88.5 | 109.0 | 96.2 | 103.5 | 96.7 | 105.5 | 91.3 | 102.1 | 99.8 | 114.5 |
| Hides, Chicago (pound) | 100.9 | 102.8 | 94.1 | 81.0 | 69.3 | 111.1 | 87.7 | 107.7 | 91.4 | 166.8 |
| Beef, fresh, sides, New York (pound) | 111.4 | 132.6 | 123.4 | 131.6 | 121.1 | 128.2 | 113.0 | 124.5 | 123.7 | 126.3 |
| Hogs, heavy, Chicago (100 pounds) | 98.8 | 110.5 | 128.9 | 163.7 | 124.3 | 106.9 | 83.9 | 89.7 | 113.7 | 155.9 |
| Hams, smoked, Chicago (pound) | 107.9 | 106.5 | 116.7 | 135.5 | 110.5 | 102.7 | 102.3 | 97.0 | 109.5 | 133.9 |
| Lard, New York (pound) | 109.6 | 114.3 | 133.5 | 178.3 | 133.8 | 113.1 | 81.2 | 76.4 | 116.5 | 153.6 |
| Butter, creamery, Elgin (pound) | 114.5 | 127.9 | 129.3 | 132.0 | 112.2 | 105.6 | 91.7 | 94.0 | 107.1 | 125.8 |
| Cheese, New York (pound) | 102.2 | 107.9 | 112.9 | 114.8 | 113.1 | 99.1 | 96.9 | 103.3 | 105.4 | 140.1 |
| Eggs, fresh, New York (dozen) | 106.8 | 118.6 | 118.9 | 123.3 | 100.7 | 109.9 | 95.6 | 94.3 | 104.8 | 143.5 |
| Molasses, New Orleans, New York (gallon) | 117.1 | 92.2 | 105.4 | 110.6 | 102.2 | 102.0 | 107.3 | 86.5 | 101.8 | 112.4 |
| Dried apples, New York (pound) | 132.2 | 158.1 | 81.0 | 97.3 | 120.9 | 92.1 | 59.8 | 51.1 | 84.3 | 101.9 |
| Sugar, granulated, New York (pound) | 172.2 | 131.6 | 121.6 | 135.0 | 114.8 | 116.0 | 126.6 | 125.6 | 123.6 | 126.1 |
| Coffee, Rio, New York (pound) | 151.8 | 141.5 | 121.1 | 145.9 | 140.1 | 134.8 | 104.4 | 67.1 | 118.5 | 68.7 |
| Beans, New York (bushel) | 142.9 | 158.7 | 131.7 | 140.2 | 130.1 | 126.1 | 82.7 | 73.6 | 110.5 | 133.8 |
| Rice, New York (pound) | 110.8 | 116.7 | 104.2 | 84.1 | 96.3 | 97.6 | 95.1 | 99.3 | 94.5 | 86.8 |
| Sheep, western, Chicago (100 pounds) | 136.0 | 133.3 | 142.0 | 120.3 | 86.9 | 90.2 | 91.6 | 109.9 | 99.8 | 153.9 |
| Wool, Ohio medium fleece, Boston (pound) | 163.3 | 154.7 | 140.2 | 122.8 | 94.2 | 87.2 | 84.7 | 106.3 | 99.0 | 136.2 |
| Hay, timothy, Chicago (ton) | 102.2 | 125.6 | 121.0 | 114.6 | 106.5 | 116.4 | 105.6 | 86.3 | 105.9 | 132.5 |
| Hops, New York (pound) | 214.3 | 215.9 | 204.8 | 185.7 | 123.9 | 76.9 | 71.7 | 94.8 | 110.6 | 133.2 |
| Salt, Chicago (barrel) | 117.5 | 116.7 | 112.4 | 104.2 | 106.7 | 104.2 | 92.4 | 98.1 | 101.1 | 106.0 |
| Flour, winter wheat, New York (barrel) | 128.5 | 135.4 | 113.8 | 90.7 | 75.9 | 89.2 | 100.0 | 120.4 | 95.2 | 99.8 |
| Codfish, Boston (quintal) | 114.1 | 135.3 | 141.8 | 128.2 | 119.8 | 111.0 | 84.6 | 90.9 | 106.9 | 152.9 |

*Average wholesale prices of forty-one commodities, 1890 to 1897, and 1906.*—Continued.

| Commodities and markets. | Percentage of 1894–1898 prices. | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1890. | 1891. | 1892. | 1893. | 1894. | 1895. | 1896. | 1897. | 1893 to 1897, inclusive. | 1906. |
| Silver, New York (ounce) | 165.4 | 155.5 | 137.5 | 122.9 | 100.6 | 104.1 | 107.1 | 95.5 | 106.0 | 105.8 |
| Copper, New York (pound) | 144.6 | 119.8 | 106.0 | 100.4 | 87.1 | 98.7 | 100.7 | 103.9 | 98.2 | 180.1 |
| Lead, New York (pound) | 129.8 | 128.9 | 121.8 | 110.3 | 97.6 | 96.2 | 88.5 | 105.6 | 99.7 | 173.5 |
| Pig iron, Foundry No. 1, Philadelphia (ton) | 147.3 | 140.2 | 126.0 | 116.2 | 101.3 | 104.9 | 103.7 | 96.8 | 104.6 | 167.9 |
| Lumber, white pine, No. 2, barn, Buffalo (1,000 feet) | 100.9 | 102.1 | 103.0 | 111.9 | 109.1 | 103.6 | 99.1 | 95.1 | 103.8 | 178.7 |
| Hemlock, Pennsylvania, New York (1,000 feet) | 110.8 | 109.7 | 108.3 | 105.7 | 103.1 | 98.2 | 98.3 | 96.9 | 100.4 | 192.8 |
| Shingles, cypress, at mills (1,000) | 130.9 | 127.0 | 123.0 | 117.2 | 109.4 | 103.5 | 97.7 | 91.8 | 103.9 | 126.6 |
| Nails, wire, 8 penny, Pittsburg (100 pound keg) | 154.2 | 128.3 | 113.9 | 103.6 | 85.9 | 110.1 | 152.1 | 77.2 | 105.8 | 101.8 |
| Barb wire, galvanized, Chicago (100 pounds) | 178.0 | 160.6 | 138.0 | 125.7 | 108.5 | 112.1 | 97.9 | 89.8 | 106.8 | 121.3 |
| Ginghams, Amoskeag, general market (yard) | 136.5 | 141.9 | 141.9 | 137.8 | 105.9 | 101.7 | 103.1 | 95.6 | 108.7 | 123.4 |
| Calico, Cocheco, prints, general market (yard) | 127.5 | 112.7 | 127.5 | 122.5 | 107.8 | 102.9 | 102.9 | 98.0 | 106.9 | 107.8 |
| Cotton flannel, general market (yard) | 130.6 | 130.6 | 123.3 | 109.1 | 104.4 | 99.6 | 104.4 | 104.4 | 104.4 | 137.2 |
| Brick, New York (1,000) | 125.9 | 109.5 | 110.7 | 111.9 | 95.9 | 101.9 | 97.1 | 94.7 | 100.3 | 164.0 |
| Coal, bituminous, Youghiogheny, Cincinnati (bushel) | 112.9 | 134.2 | 127.4 | 128.9 | 107.8 | 102.0 | 97.4 | 96.9 | 106.6 | 134.2 |
| Average per cent, 41 commodities | 129.1 | 131.5 | 122.2 | 120.3 | 107.1 | 104.3 | 95.7 | 94.7 | 104.4 | 133.8 |

The foregoing table shows that the prices in 1891 rose to the index number 131, against 133 in 1906.

Nor does this slight increase of only 1½ per cent in the prices of 1891 justify the declaration that gold has depreciated, for the increase in wages would more than account for this trifling advance in fifteen years; but then allowance must be made for the differential growing out of inventions, discoveries, and improved methods of production.

When the crops and general production are more abundant than ever in the history of our country, those of 1906 being upon the average more than 50 per cent above those of 1900, and nothing can be found in the general business situation to excite the suspicion and anxiety already felt, ought we not to look deeper and inquire more closely in order that we may get at the real cause and ascertain whether there is not an explanation, a solution, to this mental condition—nay, more, this financial condition—and remedy the evil before it is too late?

In search of the real reason for the universal caution now felt, I addressed certain queries to the Comptroller of the Currency, and herewith submit them and the detailed information they elicited:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE CURRENCY,
*Washington, January 17, 1907.*

SIR: In compliance with the request contained in your communication of the 16th instant, for certain information with respect to cash reserves held by national and other banks of the United States, I have the honor to inclose herewith statements prepared in the form indicated in your letter, as follows:

(1) Aggregate resources and liabilities of national banks on July 14, 1896, and June 18, 1906.

(2) Aggregate resources and liabilities of State banks, loan and trust companies, savings banks and private banks, 1896.

(3) Aggregate resources and liabilities of State banks, loan and trust companies, savings banks and private banks, 1906.

(4) Net deposit liabilities of national banks and reserve held thereon, July 14, 1896, and June 18, 1906.

(5) Individual deposits of State banks, amount and per cent of cash on hand and balance due from banks, June 30, 1896, and 1906.

(6) Individual deposits of loan and trust companies, amount and per cent of cash on hand and balance due from banks, June 30, 1896, and 1906.

(7) Individual deposits in savings banks, amount and per cent of cash on hand, and balance due from banks, June 30, 1896, and 1906.

(8) Individual deposits of private banks, amount and per cent of cash on hand and balance due from banks, June 30, 1896, and 1906.

(9) Individual deposits, amount and per cent of cash on hand and balance due from banks, of all banks reporting other than national.

(10) Net deposit liabilities and reserve held thereon, of commercial banks, savings banks, and all reporting banks together with per capita of deposits, on or about June 30, 1896.

(11) Money in the United States and distribution per capita.

(12) Reserve money held by all reporting banks on or about June 30, 1896, and 1906.

(13) Lawful money in circulation outside of banks on or about June 30, 1896, and 1906.

(14) Statement indicating the amount required to bring present cash reserve held by national banks and by all commercial banks to ratio of cash reserve held, 1896.

(15) Statement showing cash reserve held by commercial banks of the United States, Canada, Japan, and banks of issue of the principal European countries.

Respectfully,

T. P. KANE,
*Deputy and Acting Comptroller.*

Hon. CHARLES N. FOWLER,
*Chairman Committee on Banking and Currency,*
*House of Representatives, Washington, D. C.*

*Aggregate resources and liabilities of the national banks on July 14, 1896, and June 18, 1906.*

| | July 14, 1896 (3,689 banks). | June 18, 1906 (6,053 banks). |
|---|---|---|
| RESOURCES. | | |
| Loans and discounts | $1,959,166,368.99 | $4,206,890,078.33 |
| Overdrafts | 12,475,642.66 | 30,034,557.56 |
| United States bonds for circulation | 227,213,650.00 | 516,871,650.00 |
| United States bonds for deposits | 15,928,500.00 | 66,534,380.00 |
| Other bonds for deposits | ..... | 27,455,331.82 |
| United States bonds on hand | 12,835,655.00 | 8,158,300.00 |
| Premiums on United States bonds | 17,579,015.44 | 13,172,694.72 |
| Bonds, securities, etc | 190,262,918.13 | 651,171,903.32 |
| Banking house, etc | 78,227,350.23 | 143,747,117.26 |
| Real estate, etc | 27,221,722.40 | 19,349,501.59 |
| Due from national banks | 116,328,082.38 | 330,038,966.33 |
| Due from State banks | 28,388,424.79 | 127,895,385.53 |
| Due from reserve agents | 204,384,106.92 | 587,668,626.51 |
| Checks and other cash items | 13,601,452.76 | 31,213,772.60 |
| Clearing-house exchanges | 75,926,122.93 | 313,377,664.41 |
| Bills of other banks | 17,444,746.00 | 28,283,210.00 |
| Fractional currency | 999,427.31 | 1,993,213.71 |
| Specie | 203,835,449.11 | 485,987,256.88 |
| Legal-tender notes | 113,213,290.00 | 165,246,347.00 |
| United States certificates of deposit | 27,165,000.00 | ..... |
| Five per cent fund with Treasurer | 9,922,944.49 | 25,247,287.95 |
| Due from United States Treasurer | 1,677,206.43 | 3,890,858.52 |
| Total | 3,353,797,075.97 | 7,784,228,113.04 |
| LIABILITIES. | | |
| Capital stock | 651,144,855.00 | 826,129,785.00 |
| Surplus fund | 248,368,423.63 | 448,858,491.99 |
| Undivided profits | 83,483,208.76 | 216,304,875.89 |
| National-bank circulation | 199,214,049.50 | 510,860,726.00 |
| State-bank circulation | 60,393.50 | 30,966.50 |
| Due to national banks | 291,990,811.77 | 796,650,181.46 |
| Due to State banks | 162,311,142.23 | 362,693,480.22 |
| Due to savings banks | ..... | 349,804,181.05 |
| Due to reserve agents | ..... | 36,119,635.43 |
| Dividends unpaid | 2,833,357.12 | 1,753,347.21 |
| Individual deposits | 1,668,413,507.62 | 4,055,873,636.60 |
| United States deposits | 12,556,149.50 | 80,922,909.92 |
| Deposits United States disbursing officers | 2,848,176.20 | 8,987,085.03 |
| Bonds borrowed | ..... | 42,026,320.00 |
| Notes rediscounted | 11,846,960.72 | 7,584,436.68 |
| Bills payable | 15,920,902.16 | 29,818,664.73 |
| Reserved for taxes | ..... | 3,138,031.41 |
| Other liabilities | 2,805,138.26 | 6,671,354.92 |
| Total | 3,353,797,075.97 | 7,784,228,113.04 |

*Resources and liabilities of State banks, loan and trust companies, savings and private banks, 1896.*

| Classification. | 3,708 State banks. | 260 loan and trust companies. | 988 savings banks. | 824 private banks. | Total, 5,780 banks. |
|---|---|---|---|---|---|
| RESOURCES. | | | | | |
| Loans on real estate | $42,610,348 | $70,612,944 | $800,193,199 | $11,963,527 | $925,380,018 |
| Loans on collateral security other than real estate | 105,386,820 | 249,874,349 | 50,525,863 | 12,374,512 | 418,161,544 |
| Other loans and discounts | 549,158,728 | 141,513,656 | 204,053,701 | 34,332,329 | 929,058,414 |
| Overdrafts | 5,349,902 | 157,388 | 415,006 | 993,011 | 6,915,307 |
| United States bonds | 726,888 | 37,400,637 | 148,525,375 | 2,386,416 | 189,039,316 |
| State, county, and municipal bonds | 1,384,186 | 5,243,292 | 453,491,563 | 1,056,820 | 461,175,861 |
| Railroad bonds and stocks | 66,279 | 12,464,537 | 134,559,472 | 953,621 | 148,043,909 |
| Bank stocks | 343,481 | 707,119 | 44,016,805 | 806,189 | 45,873,594 |
| Other stocks and bonds | 94,713,727 | 145,348,966 | 124,608,472 | 2,023,544 | 366,694,709 |
| Due from other banks and bankers | 116,711,865 | 79,356,399 | 87,319,545 | 12,474,379 | 295,862,188 |

*Resources and liabilities of State banks, loan and trust companies, savings and private banks, 1896*—Continued.

| Classification. | 3,708 State banks. | 260 loan and trust companies. | 988 savings banks. | 824 private banks. | Total, 5,780 banks. |
|---|---|---|---|---|---|
| RESOURCES—continued. | | | | | |
| Real estate, furniture, and fixtures | $50,898,479 | $33,163,488 | $46,666,584 | $6,397,314 | $137,125,865 |
| Current expenses and taxes paid | 3,853,724 | 380,954 | 655,222 | 643,252 | 5,533,152 |
| Cash and cash items | 26,502,386 | 2,156,987 | 1,114,827 | 507,689 | 30,281,889 |
| Cash on hand | 101,038,641 | 26,800,871 | 35,201,528 | 6,157,561 | 169,198,601 |
| Other resources | 8,442,054 | 50,100,566 | 11,960,001 | 1,277,967 | 71,780,588 |
| Total | 1,107,187,508 | 855,282,153 | 2,143,307,163 | 94,348,131 | 4,200,124,955 |
| LIABILITIES. | | | | | |
| Capital stock | 240,133,835 | 111,146,973 | 27,240,505 | 22,310,086 | 400,831,399 |
| Surplus fund | 70,719,890 | 62,444,553 | 148,312,419 | 5,068,297 | 286,545,159 |
| Other undivided profits | 25,054,582 | 21,869,059 | 26,402,574 | 2,731,328 | 76,057,543 |
| Dividends unpaid | 683,966 | 414,186 | | | 1,098,152 |
| Individual deposits | 695,659,914 | 586,468,156 | 28,310,191 | 59,116,378 | 1,369,554,639 |
| Savings deposits | | | 1,907,156,277 | | 1,907,156,277 |
| Debenture bonds | | 1,762,598 | | | 1,762,598 |
| Due to other banks and bankers | 57,762,233 | 6,149,336 | 1,098,893 | 2,409,192 | 67,419,654 |
| All other liabilities | 17,173,088 | 65,027,292 | 4,786,304 | 2,712,850 | 89,699,534 |
| Total | 1,107,187,508 | 855,282,153 | 2,143,307,163 | 94,348,131 | 4,200,124,955 |

*Resources and liabilities of State banks, loan and trust companies, savings and private banks, 1906.*

| Classification. | 8,862 State banks. | 742 loan and trust companies. | 1,319 savings banks. | 929 private banks. | Total, 11,852 banks. |
|---|---|---|---|---|---|
| RESOURCES. | | | | | |
| Loans on real estate | $150,759,337 | $166,524,402 | $1,323,729,850 | $13,430,972 | $1,654,444,561 |
| Loans on other collateral security | 80,287,952 | 895,884,351 | 58,946,703 | 8,303,090 | 1,043,422,096 |
| Other loans and discounts | 2,009,756,478 | 547,059,086 | 293,274,919 | 72,715,318 | 2,922,805,801 |
| Overdrafts | 32,155,877 | 939,994 | 977,543 | 2,086,329 | 36,159,743 |
| United States bonds | 5,603,389 | 1,678,160 | 12,178,254 | 540,804 | 20,000,607 |
| State, county, and municipal bonds | 10,036,457 | 17,305,806 | 140,393,235 | 1,120,184 | 168,855,682 |
| Railroad bonds and stocks | 2,375,440 | 46,592,846 | 346,561,193 | 625,909 | 396,155,388 |
| Bank stocks | 514,496 | 10,126,733 | 25,860,373 | 170,076 | 36,671,678 |
| Other stocks, bonds, and securities | 394,437,012 | 684,581,875 | 1,084,782,527 | 4,674,732 | 2,168,476,146 |
| Due from other banks and bankers | 513,029,009 | 289,102,143 | 156,764,518 | 24,723,406 | 983,619,076 |
| Real estate, furniture, and fixtures | 108,461,141 | 86,219,390 | 52,410,539 | 6,738,248 | 253,829,318 |
| Checks and other cash items | 89,914,963 | 9,913,537 | 102,911 | 694,234 | 100,625,675 |
| Cash on hand | 231,863,412 | 70,183,686 | 26,129,931 | 6,761,156 | 334,938,185 |
| Other resources | 47,855,354 | 133,118,525 | 60,911,699 | 1,461,312 | 243,346,890 |
| Total | 3,677,050,317 | 2,959,230,534 | 3,583,024,195 | 144,045,800 | 10,363,350,846 |
| LIABILITIES. | | | | | |
| Capital stock | 421,845,705 | 268,384,337 | 28,896,367 | 20,036,992 | 739,163,401 |
| Surplus fund | 170,920,117 | 348,236,524 | 206,422,799 | 6,361,155 | 731,940,595 |
| Other undivided profits | 80,194,691 | 47,137,096 | 31,911,510 | 2,495,632 | 161,738,929 |
| Dividends unpaid | 499,360 | 440,582 | | 43,838 | 983,780 |
| Individual deposits | 2,741,464,129 | 2,008,937,790 | 3,299,544,601 | 109,947,509 | 8,159,894,029 |
| Due to other banks and bankers | 190,045,500 | 153,290,831 | 8,540,751 | 1,869,285 | 353,746,367 |
| Other liabilities | 72,080,815 | 132,803,374 | 7,708,167 | 3,291,389 | 215,883,745 |
| Total | 3,677,050,317 | 2,959,230,534 | 3,583,024,195 | 144,045,800 | 10,363,350,846 |

NATIONAL BANKS.

*Net deposit liabilities and reserve held thereon July 14, 1896, and June 18, 1906.*

| | July 14, 1896 (3,689 banks). | June 18, 1906 (6,053 banks). |
|---|---|---|
| Net deposits | [a] $1,906,287,780 | [b] $4,819,174,251 |
| Cash reserve in bank | $344,213,738 | $651,233,603 |
| Per cent cash reserve held | 18.06 | 13.51 |
| Per cent available reserve with reserve agents and 5 per cent redemption fund | 11.24 | 11.39 |
| Per cent cash reserve due from reserve agents and in redemption fund | 29.30 | 26.23 |

[a] Page 590, Comptroller's report, 1896.
[b] Page 204, Comptroller's report, 1906.

STATE BANKS.

*Individual deposits, amount, and per cent of cash on hand and balance due from banks.*

| | June 30, 1896 (3,708 banks). | June 30, 1906 (8,862 banks[a]). |
|---|---|---|
| Individual deposits | $695,659,914 | $2,741,464,129 |
| Cash on hand | $101,038,641 | $231,863,412 |
| Per cent cash reserve held | 14.52 | 8.45 |
| Due from banks | $116,711,865 | $513,029,009 |
| Deduct amount due to banks | $57,762,233 | $190,045,500 |
| Net amount due from banks | $58,949,632 | $322,983,509 |
| Per cent balance due from banks | 8.47 | 11.78 |
| Per cent cash reserve and balance due from banks | 22.99 | 20.23 |

[a] Includes banks of island possessions.

LOAN AND TRUST COMPANIES.

*Individual deposits, amount, and per cent of cash on hand and balance due from banks.*

| | June 30, 1896 (260 companies). | June 30, 1906 (742 companies). |
|---|---|---|
| Individual deposits | $586,468,156 | $2,008,937,790 |
| Cash on hand | $26,800,871 | $70,183,686 |
| Per cent cash reserve held | 4.56 | 3.49 |
| Due from banks | $79,356,399 | $289,102,143 |
| Deduct amount due to banks | $6,149,336 | $153,290,831 |
| Net amount due from banks | $73,207,063 | $135,811,312 |
| Per cent balance due from banks | 12.48 | 6.76 |
| Per cent cash reserve held and balance due from banks | 17.04 | 10.25 |

SAVINGS BANKS.

*Individual deposits in savings banks, amount and per cent of cash on hand and balance due from banks.*

| | June 30, 1896 (988 banks). | June 30, 1906 (1,319 banks). |
|---|---|---|
| Individual deposits | $1,935,466,468 | $3,299,544,601 |
| Cash on hand | $35,201,528 | $26,129,931 |
| Per cent cash reserve held | 1.81 | .79 |
| Due from banks | $87,319,545 | $156,764,518 |
| Deduct amount due to banks | $1,098,893 | $8,540,751 |
| Net amount due from banks | $86,220,652 | $148,223,767 |
| Per cent balance due from banks | 4.45 | 4.49 |
| Per cent cash reserve held and balance due from banks | 6.26 | 5.28 |

PRIVATE BANKS.

*Individual deposits of private banks, amount and per cent of cash on hand, and balance due from banks.*

| | June 30, 1896 (824 banks). | June 30, 1906 (929 banks). |
|---|---|---|
| Individual deposits | $59,116,378 | $109,947,509 |
| Cash on hand | $6,157,561 | $6,761,156 |
| Per cent cash reserve held | 10.41 | 6.15 |
| Due from banks | $12,474,379 | $24,723,406 |
| Deduct amount due to banks | $2,409,192 | $1,869,285 |
| Net amount due from banks | $10,065,187 | $22,854,121 |
| Per cent balance due from banks | 17.02 | 20.78 |
| Per cent cash reserve held and balance due from banks | 27.43 | 26.92 |

STATE BANKS, LOAN AND TRUST COMPANIES, SAVINGS AND PRIVATE BANKS.

*Individual deposits, amount and per cent of cash on hand and balance due from banks June 30, 1896 and 1906.*

| | June 30, 1896 (5,780 banks). | June 30, 1906 (11,852 banks). |
|---|---|---|
| Individual deposits | $3,276,710,916 | $8,159,894,029 |
| Cash on hand | $169,198,601 | $334,938,185 |
| Per cent cash reserve held | 5.16 | 4.10 |
| Due from banks | $295,862,188 | $983,619,076 |
| Deduct amount due to banks | $67,419,654 | $353,746,367 |
| Net amount due from banks | $228,442,534 | $629,872,709 |
| Per cent balance due from banks | 6.98 | 7.71 |
| Per cent cash reserve held and balance due from banks | 12.14 | 11.81 |

COMMERCIAL AND OTHER BANKS.

*Net deposit liabilities and reserve held thereon of commercial banks, savings banks, and all reporting banks, on or about June 30, 1896 and 1906.*

| | 1896. | 1906. |
|---|---|---|
| Commercial banks: | | |
| Net deposits | $3,247,532,228 | $9,679,523,679 |
| Cash reserve on hand | $478,210,811 | $960,041,857 |
| Per cent cash reserve held | 14.73 | 9.92 |
| Per capita deposits in commercial banks | $45.49 | $114.33 |
| Savings banks: | | |
| Deposits in savings banks | $1,935,466,468 | [a]$3,299,544,601 |
| Cash reserve on hand | $35,201,528 | $26,129,931 |
| Per cent cash reserve held | 1.81 | 0.79 |
| Per capita deposits | $27.11 | $38.97 |
| All banks: | | |
| Deposits | $5,182,998,706 | $12,979,068,280 |
| Cash reserve held | $513,412,339 | $986,171,788 |
| Per cent cash reserve held | 9.90 | 7.60 |
| Per capita deposits | $72.60 | $153.30 |

[a] Exclusive of savings deposits in State banks of Illinois having savings department.

*Money in the United States and distribution per capita.*

| | June 30, 1896. | | June 30, 1906. | |
|---|---|---|---|---|
| | Amount. | Per capita. | Amount. | Per capita. |
| Total stock of money in the United States | $1,799,900,000 | $25.21 | $3,069,900,000 | $36.26 |
| DISTRIBUTION OF MONEY IN THE UNITED STATES. | | | | |
| Money in Treasury as assets | 293,500,000 | 4.11 | 325,400,000 | 3.84 |
| Money in reporting banks (national, State, etc) | 531,800,000 | 7.45 | [a]1,016,400,000 | 12.01 |
| Money in circulation outside of banks and the Treasury | 974,600,000 | 13.65 | 1,728,100,000 | 20.41 |
| Total | 1,799,900,000 | 25.21 | 3,069,900,000 | 36.26 |

[a] Includes $5,661,868 in banks of island possessions.

*Reserve money held by all reporting banks.*

| | June 30, 1896. | June 30, 1906. |
|---|---|---|
| Cash in reporting banks in United States | $531,856,513 | $1,016,448,222 |
| Deduct nonreserve money in banks (national-bank notes and fractional currency) | [a]18,444,173 | [a]39,592,396 |
| Total reserve money in banks | 513,412,340 | 976,855,826 |

[a] Nonreserve money so far as known; banks other than national reported $72,000,000 in 1896 and $81,000,000 in 1906 as cash "not classified."

The following classification of the currency held by the banks in 1896 and 1906 is presented for the purpose of comparison:

| Currency. | 1896 (9,469 banks). | 1906 (17,877 banks). | Increase. |
|---|---|---|---|
| Gold coin | $149,260,431 | $156,699,578 | $7,439,147 |
| Gold certificates | 51,720,400 | 329,982,467 | 278,262,067 |
| Silver dollars | 13,717,838 | 22,888,827 | 9,170,989 |
| Silver, fractional | 5,619,454 | 11,357,041 | 5,737,587 |
| Silver certificates | 29,495,375 | 101,277,029 | 71,781,654 |
| Legal-tender notes | 189,078,207 | 260,433,306 | 71,355,099 |
| National-bank notes | 17,444,746 | 37,599,418 | 20,154,672 |
| Fractional paper currency, nickels, and cents | 999,427 | 1,992,978 | 993,551 |
| Unclassified specie | 2,413,485 | 7,027,629 | 4,614,144 |
| Unclassified cash | 72,107,150 | 81,528,081 | 9,420,931 |
| Total | 531,856,513 | 1,010,786,354 | 478,929,841 |
| Currency in banks of island possessions | | 5,661,868 | 5,661,868 |
| Total in banks of country | 531,856,513 | 1,016,448,222 | 484,591,709 |

*Lawful money in circulation outside of banks.*

| | June 30, 1896. | | June 30, 1906. | |
|---|---|---|---|---|
| | Amount. | Per capita. | Amount. | Per capita. |
| Money in banks and in circulation | $1,506,400,000 | $21.10 | $2,744,500,000 | $32.42 |
| Deduct national-bank notes in circulation June 30 | 225,556,520 | 3.16 | 561,112,360 | 6.63 |
| Total amount of lawful money in circulation | 1,280,843,480 | 17.94 | [a]2,183,387,640 | 25.79 |
| Deduct lawful money in banks | 513,412,340 | 7.19 | 976,855,826 | 11.54 |
| Lawful money in circulation outside of banks, in the hands of the people | 767,431,140 | 10.75 | 1,206,531,814 | 14.25 |

[a] Includes fractional paper currency, nickels, and cents not permitted to be counted as reserve for national banks.

*Statement indicating amount required to bring present cash reserve held by national banks and by all commercial banks in 1906 to ratio of cash reserve held in 1896.*

| | 6,053 national banks. | Per cent of deposits. | 16,586 commercial banks. [a] | Per cent of deposits. |
|---|---|---|---|---|
| Deposits (net deposits national banks) 1906 | $4,819,174,251 | ..... | $9,679,523,679 | ..... |
| Amount cash reserve required by national banks to equal per cent held in 1896 | 870,342,869 | 18.06 | ..... | ..... |
| Amount cash reserve required by all commercial banks to equal cash reserve held in 1896 | ..... | ..... | 1,425,793,837 | 14.73 |
| Actual amount and per cent of cash reserve held, 1906 | 651,233,603 | 13.51 | 960,041,857 | 9.92 |
| Additional amount required to increase cash reserves to ratios held in 1896 | 219,109,266 | ..... | 465,751,980 | ..... |

[a] National banks included; savings banks excluded.

*Comparative statement showing cash reserve held by commercial banks of the United States and by banks of foreign countries on or about June 30, 1906.*

| Country. | Number of banks. | Deposits. | | Cash reserve in bank. | |
|---|---|---|---|---|---|
| | | | | Amount. | Per cent. |
| United States: | | | | | |
| National banks | 6,053 | ..... | $4,819,174,251 | $651,233,603 | 13.51 |
| Other commercial banks | 10,533 | ..... | 4,860,349,428 | 308,808,254 | 6.35 |
| Canada | 34 | Deposits [a] | 468,700,000 | | |
| | | Circulation | 60,100,000 | | |
| | | | 528,800,000 | [b]48,735,000 | 9.21 |
| Scotland (Bank of Scotland and joint stock banks) | 11 | Deposits | [c]505,310,000 | | |
| | | Circulation | 37,715,000 | | |
| | | | 643,025,000 | [d]120,550,000 | 22.20 |

[a] Amount due to banks not included. [b] Specie and Dominion notes [c] Deposits and current accounts. [d] Cash, money at call and short notice.

*Comparative statement showing cash reserve held by commercial banks of the United States and by banks of foreign countries on or about June 30, 1906*—Continued.

| Country. | Number of banks. | Deposits. | | Cash reserve in bank. | |
|---|---|---|---|---|---|
| | | | | Amount. | Per cent. |
| Ireland (Bank of Ireland and joint stock banks) | 9 | Deposits | a $269,795,000 | | |
| | | Circulation | 30,530,000 | | |
| | | | 300,325,000 | b $19,880,000 | 16.61 |
| England and Wales (Bank of England and joint stock banks) | 58 | Deposits | a 3,418,940,000 | | |
| | | Circulation | 148,965,000 | | |
| | | | 3,567,905,000 | b 1,025,690,000 | 28.74 |
| United Kingdom c | 92 | Deposits | a 4,336,505,000 | | |
| | | Circulation | 217,955,000 | | |
| | | | 4,554,460,000 | b 1,231,220,000 | 27.03 |
| Germany (Imperial Bank and other banks of issue) | | Deposits | 168,000,000 | | |
| | | Circulation | 449,500,000 | | |
| | | | 617,500,000 | d 227,200,000 | 36.79 |
| France (Bank of France) | | Deposits | a 189,100,000 | | |
| | | Circulation | 908,800,000 | | |
| | | | 1,097,900,000 | 803,400,000 | 73.17 |
| Austria-Hungary (Bank of Austria-Hungary) | | Deposits | 31,100,000 | | |
| | | Circulation | 376,500,000 | | |
| | | | 407,600,000 | 299,200,000 | 73.40 |
| Japan (Imperial and other banks), December, 1905 | 2,243 | Deposits | 717,653,000 | | |
| | | Circulation | 160,300,000 | | |
| | | | 877,953,000 | 111,158,000 | 12.66 |

a Deposits and current accounts.
b Cash, money at call and short notice.
c Joint stock, colonial and foreign banks with London offices not included.
d Specie.

My thought was that our reserves must have fallen, and yet, with an increase in our gold supply of $873,397,245, from 1896 to 1906, it would seem at first blush as though this could not be, nor could it be if this vast amount of gold had gone into the banks where it belonged. But it did not go into the banks as it should, except in part. The banks got $433,000,000, and the people pocketed a little more than half of it, or $439,000,000.

Can any Member of this House tell me of what earthly use the $1,206,531,814 of reserve money, now in the pockets and tills of the people, is to the commerce of the United States, except as a medium of exchange which credit could perform as well?

It would take $465,751,980 to raise the reserves in the banks of the United States up to the ratios we held in 1896. The total reserves held by all the banks in the United States in 1906 were $960,041,857, or $250,000,000 less than the amount of the reserve money the people were using in trade. For all commercial purposes, except as a medium of exchange, it might just as well be in the bowels of the earth as in the pockets and tills of the people.

In fifteen years our population has increased 15,000,000, and the per capita pocket and till money of our people has gone up from $13.65 to $20.41, due undoubtedly to greater prosperity, higher wages, and better living. Of this $20.41 in circulation outside of the Treasury and the banks $15 is reserve money.

But can anyone explain to this House why a man should carry a check book, or demand credit, in his side coat pocket, and a gold certificate in his vest pocket? Why not the same kind of a credit in both pockets, except in this that one is a bank-book credit and the other a bank-note credit; the one a credit subject to order, the other a current credit?

Until we come to realize that it is the right of the mass of the people to have the same cheap or economic tool of trade as those who use check books, we shall fail utterly in our attempt to measure swords in the commercial world with the most advanced countries upon equal terms. Certainly every obvious advantage should be seized at once.

Let us settle once for all what a banker really is and what is his duty.

He is a merchant in credit and it is his duty to furnish to his customers the kind of credit they may ask for. If they want a book credit subject to check, the banker should give it to them. If they want current credit that passes by delivery, the banker should give it to them and keep it good by redemption in gold coin, which is insured by ample reserves.

The farmer, bringing to town his potatoes, corn, hogs, cattle, wheat, cotton, and other products, sells them to the local buyer, and getting his pay seeks the banker to sell his credit in the form of a deposit, upon which the banker pays him anywhere from 1 per cent to 3 per cent or possibly 5 per cent, just according to how large the deposit is and how long it is to remain with the banker.

The banker in return sells this credit, for which he is paying one rate of interest, to some other farmer or local dealer for a higher rate of interest. In other words, the banker is buying and selling credit, precisely as the local grain and stock dealer buys and sells produce, shipping it to other cities or commodity centers. So, too, the banker will send away all his access of credits to the market where he can sell them at the best price. As a result, we have a cotton market at New Orleans, a meat and grain market at Chicago, and a credit market at New York.

The loans made by the bankers, or credits sold by them, are approximately equal to the credits bought by them or the deposits made with them. To illustrate; September 4, 1906, the loans of the national banks amounted to $4,298,983,316.11, and the individual deposits were $4,199,938,310.35.

To compel the great mass of our people to carry about with them the actual gold coin in the form of certificates instead of a bank credit is as unjust to the people and as absurd as to pass a law to compel all farmers to bring their products to market in wagons with gold tires. Who would pay for the tires? Who pays the cost of a gold instead of a credit currency? Do you think the bankers pay it? Who is carrying the load imposed by a system that puts $1,200,000,000 of gold or reserve money into the pockets of the people instead of a current credit convertible into gold?

Do you think the bankers are paying the cost? Are they paying it any more than the stock, grain, and cotton buyers would pay for the gold tires were so onerous a burden imposed upon the productive industries of the country? What would the effect be upon the interest rates paid by the people, if one thousand millions or a billion of the reserves now locked up in the pockets of the people were in the banks where they would sustain loans of more than five thousand millions of dollars with a reserve of 20 per cent, or if the present average reserve of our country be taken, which is only 7.60 per cent, nearly three times five thousand millions, or fifteen thousand millions—three thousand millions more than all the loans in all the banks in the United States—which are now $12,000,000,000.

But our reserves are too low, and should be largely increased, and this is the very heart of this whole question.

Our people are using the reserves of the country as a medium of exchange when current credits should do this work, rising and falling in quantity precisely as the demand comes and goes, reflecting as perfectly the variation in cash transactions as our checks and drafts reflect the transactions in bank credits. Increased wages and increased cost of living have made a greater and greater demand for cash; and while the people have been

absorbing our reserves, the business of the country has gone on increasing, and the bankers have sold credits to such an extent, or, what is the same thing, have made loans to such an extent, that the reserves have gradually become smaller relatively since 1896, until now they are only 9.92 per cent against 14.73 per cent in 1896 in all the commercial banks—national, state, trust companies, and private banks—while including the savings banks they are only 7.6 per cent to-day against 9.90 per cent in 1896.

If one-third of the reserves hidden in the pockets of the people or the gold they have taken from the channels of trade since 1896 was in the banks, the ratio of our reserves would be as high as in 1896, and if two-thirds of the reserves lodged in the pockets of the people were in the commercial banks of the country, our reserves would be 20 per cent of our deposits.

Thus it is clear that the reserves in the country are more than ample for any apparent demand for credit, however great that may seem to be, if only they were in the bank vaults instead of in the pockets of the people.

Thus it happens that the condition of our national finances is such that the people are constantly absorbing more and more of our reserves as the times become more prosperous. Indeed, our financial and currency policy is such that our prosperity must inevitably lead to the destruction of that very prosperity—an anomaly, but the direct and natural fruit of our ignorance and wasteful folly.

Nor shall we escape the evil consequences of this condition, which will come to us in various ways, until we recognize two or three great economic truths and construct a financial and currency system upon them.

The first is that the place for our reserves is in our bank vaults, and not in the pockets and tills of the people.

The second is that there is not the slightest difference between bank-book credits and bank-note credits.

The third is that the required reserves should be ample; the bank-note credits passing with perfect facility into the bank-note credits, and both currently convertible into the reserves.

When we recognize and adopt these principles, incorporating them into a system, our rates of interest will become practically uniform throughout the country and throughout the year, and not England, but the United States will be the financial center and the world's commercial bills of exchange will bear the signet of the eagle and not of the lion and the unicorn.

The SPEAKER. The question is on the motion of the gentleman from New Jersey to concur in the Senate amendment.

The question was taken; and the House proceeded to divide.

Mr. WILLIAMS. Mr. Speaker, to save the time of the House, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 160, nays 72, answered "present" 2, not voting 143, as follows:

YEAS—160.

| | | | |
|---|---|---|---|
| Allen, Me. | Dunwell | Kline | Powers |
| Allen, N. J. | Ellis | Knapp | Prince |
| Andrus | Englebright | Knopf | Reeder |
| Barchfeld | Esch | Knowland | Reyburn |
| Bates | Fassett | Lacey | Reynolds |
| Bede | Fitzgerald | Lafean | Riordan |
| Bennet, N. Y. | Fordney | Landis, Chas. B. | Rodenberg |
| Birdsall | Foss | Landis, Frederick | Ruppert |
| Bonynge | Foster, Ind. | Littauer | Scott |
| Brick | Foster, Vt. | Littlefield | Shartel |
| Brooks, Colo. | Fowler | Longworth | Sherman |
| Burke, S. Dak. | French | Lorimer | Sibley |
| Burleigh | Gaines, W. Va. | Loud | Smith, Ill. |
| Burton, Del. | Gardner, Mass. | Loudenslager | Smith, Iowa |
| Burton, Ohio | Gardner, Mich. | Lovering | Smith, Mich |
| Calder | Gardner, N. J. | Lowden | Smith, Pa. |
| Calderhead | Gilhams | McCreary, Pa. | Smyser |
| Campbell, Kans. | Graff | McKinley, Ill. | Snapp |
| Capron | Graham | McKinney | Southard |
| Cassel | Granger | McMorran | Steenerson |
| Chaney | Greene | McNary | Stevens, Minn. |
| Chapman | Gronna | Mahon | Sullivan |
| Cocks | Grosvenor | Mann | Sulloway |
| Cole | Hamilton | Marshall | Tawney |
| Conner | Haskins | Martin | Taylor, Ohio |
| Cooper, Pa. | Hayes | Meyer | Townsend |
| Cousins | Henry, Conn. | Miller | Volstead |
| Cromer | Hepburn | Mondell | Vreeland |
| Crumpacker | Higgins | Moore, Pa. | Wadsworth |
| Currier | Hill, Conn. | Mouser | Waldo |
| Cushman | Howell, N. J. | Mudd | Wanger |
| Dalzell | Hubbard | Needham | Washburn |
| Darragh | Hull | Norris | Watson |
| Davidson | Humphrey, Wash. | Olcott | Weeks |
| Dawson | Jones, Wash. | Olmsted | Weems |
| Deemer | Kahn | Padgett | Wharton |
| Denby | Kelliher | Parker | Wiley, N. J. |
| Dixon, Mont. | Kennedy, Nebr. | Parsons | Wilson |
| Draper | Kennedy, Ohio | Payne | Wood |
| Driscoll | Kinkaid | Perkins | Woodyard |

NAYS—72.

| | | | |
|---|---|---|---|
| Adamson | Beall, Tex. | Brantley | Burleson |
| Aiken | Bell, Ga. | Brumm | Burnett |
| Bartlett | Bowers | Brundidge | Candler |
| Clark, Mo. | Heflin | Moon, Tenn. | Sims |
| Clayton | Hill, Miss. | Murdock | Slayden |
| Cooper, Wis. | Hinshaw | Nelson | Small |
| Dawes | Houston | Otjen | Smith, Ky. |
| De Armond | Howard | Overstreet, Ga. | Smith, Md. |
| Dixon, Ind. | Humphreys, Miss. | Rainey | Smith, Tex. |
| Finley | Hunt | Randell, Tex. | Stephens, Tex. |
| Flood | James | Richardson, Ala. | Sulzer |
| Gaines, Tenn. | Lamar | Robinson, Ark. | Talbott |
| Garrett | Lee | Rucker | Thomas, N. C. |
| Gill | Legare | Russell | Trimble |
| Gillespie | Lever | Ryan | Watkins |
| Glass | Lewis | Shackleford | Webb |
| Gregg | Lloyd | Sheppard | Williams |
| Hay | Macon | Sherley | Zenor |

ANSWERED "PRESENT"—2.

| | |
|---|---|
| Keifer | Wallace |

NOT VOTING—143.

| | | | |
|---|---|---|---|
| Acheson | Dresser | Klepper | Reid |
| Alexander | Dwight | Lamb | Rhinock |
| Ames | Edwards | Law | Rhodes |
| Babcock | Ellerbe | Lawrence | Richardson, Ky. |
| Bankhead | Field | Le Fevre | Rives |
| Bannon | Fletcher | Lilley, Pa. | Roberts |
| Bartholdt | Floyd | Lilley, Conn. | Robertson, La. |
| Beidler | Fulkerson | Lindsay | Samuel |
| Bennett, Ky. | Fuller | Livingston | Saunders |
| Bingham | Garber | McCall | Schneebeli |
| Bishop | Garner | McCarthy | Scroggy |
| Blackburn | Gilbert | McCleary, Minn. | Slemp |
| Boutell | Gillett | McDermott | Smith, Cal. |
| Bowersock | Goebel | McGavin | Southall |
| Bowie | Goldfogle | McKinlay, Cal. | Southwick |
| Bradley | Goulden | McLachlan | Sparkman |
| Broocks, Tex. | Griggs | McLain | Sperry |
| Broussard | Gudger | Madden | Spight |
| Brown | Hale | Maynard | Stafford |
| Brownlow | Hardwick | Michalek | Stanley |
| Buckman | Haugen | Minor | Sterling |
| Burgess | Hearst | Moon, Pa. | Taylor, Ala. |
| Burke, Pa. | Hedge | Moore, Tex. | Thomas, Ohio |
| Butler, Pa. | Henry, Tex. | Morrell | Tirrell |
| Butler, Tenn. | Hermann | Murphy | Towne |
| Byrd | Hogg | Nevin | Tyndall |
| Campbell, Ohio | Holliday | Overstreet, Ind. | Underwood |
| Clark, Fla. | Hopkins | Page | Van Duzer |
| Cockran | Howell, Utah | Palmer | Van Winkle |
| Coudry | Huff | Patterson, N. C. | Wachter |
| Dale | Hughes | Patterson, S. C. | Webber |
| Davey, La. | Jenkins | Pearre | Weisse |
| Davis, Minn. | Johnson | Pollard | Welborn |
| Davis, W. Va. | Jones, Va. | Pou | Wiley, Ala. |
| Dickson, Ill. | Kitchin, Claude | Pujo | Young |
| Dovener | Kitchin, Wm. W. | Ransdell, La. | |

So the motion to concur in the Senate amendments was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. PEARRE with Mr. UNDERWOOD.

Mr. HALE with Mr. WALLACE.

Mr. FOSTER of Vermont with Mr. POU.

Mr. DICKSON of Illinois with Mr. DAVEY of Louisiana.

Mr. BABCOCK with Mr. MAYNARD.

Mr. DAVIS of Minnesota with Mr. LAMB.

Mr. HALE with Mr. PAGE.

Mr. ROBERTS with Mr. PATTERSON of South Carolina.

Mr. SMITH of California with Mr. PATTERSON of North Carolina.

Mr. SPERRY with Mr. SOUTHALL.

The result of the vote was announced as above recorded.

On motion of Mr. FOWLER, a motion to reconsider the last vote was laid on the table.

Mr. WILLIAMS. Mr. Speaker, a moment ago I objected to the request of the gentleman from New Jersey to extend his remarks in the RECORD. Upon cooler reflection I desire to withdraw the objection.

The SPEAKER. The gentleman from Mississippi withdraws his objection to the gentleman from New Jersey printing his remarks.

Mr. WILLIAMS. Extending his remarks in the RECORD.

The SPEAKER. The Chair hears no objection to the request of the gentleman.

## IMMIGRATION STATION AT CHARLESTON.

Mr. LEGARE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25719) to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Department of Commerce and Labor be, and he is hereby, authorized and directed to establish an immigration station at the city of Charleston, in the State of South Carolina, and to cause to be erected, on a site to be selected, a public building to temporarily accommodate and care for immigrants arriving at said city.

SEC. 2. That the sum of $70,000 is hereby appropriated for the erec-

tion of said building, which sum shall be paid from the permanent appropriation for expenses of regulating immigration, said sum to include heating and ventilating apparatus, elevators, and approaches.

The committee amendments were read, as follows:

After section 1 insert the following:

"*Provided*, That the land and dock room necessary for said station and building to be transferred to the Government of the United States free of any cost to the United States."

Page 2, line 1, after the word "the," strike out the words "permanent appropriation for expenses of regulating immigration" and insert in lieu thereof the words "immigrant fund."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

[Mr. BENNET of New York addressed the committee. See Appendix.]

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LEGARE, a motion to reconsider the last vote was laid on the table.

IMMIGRATION STATION AT NEW ORLEANS, LA.

Mr. MEYER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 7247) to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city, on a site to be selected for said station, of a public building.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish an immigration station at the city of New Orleans, in the State of Louisiana, and to cause to be erected on a site to be selected a public building to temporarily accommodate and care for immigrants arriving at said city: *Provided*, That the land and dock room necessary for said station and building be transferred to the Government of the United States free of any cost to the United States.

SEC. 2. That the sum of $70,000 is hereby appropriated for the erection of said building, which sum shall be paid from the permanent appropriation for expenses of regulating immigration, said sum to include heating and ventilating apparatus, elevators, and approaches.

The committee amendments were read, as follows:

Page 1, line 3, strike out "Secretary of the Treasury" and insert "Secretary of Commerce and Labor." Page 2, line 3, after the word "the," strike out "permanent appropriation of expenses of regulating immigration" and insert "immigrant fund."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BENNET of New York. Mr. Speaker, the authorization of these new immigration stations, which for the first time place some southern ports on an equality with northern and western ones, calls attention especially at this time to the tide of immigration now setting so strongly toward us. There are many reasons for it. Prosperity among us, admiration for our form of Government, the fertility of our lands, and the happy experiences of friends and relatives bring to us thousands. With these voluntary immigrants we are, perhaps, entitled to exercise a high degree of care and scrutiny. But there is another class to whom, if true to our traditions, we owe a duty of maintaining a land of liberty and of refuge. This class is the refugee fleeing from persecution and dangers in his native land; to him we must temper scrutiny with mercy.

The present conditions in Russia are sending us thousands of unwilling immigrants, who leave their homes with as much reluctance as any of us possibly could ours. Not only must we receive these unfortunates, but if within our proper power we must also do what we can to remove the cause of their dire distress. Heretofore we have been advised that we were without power, but it is now suggested that this view is inaccurate. Distinguished lawyers and public citizens have united in a request to the Congress in the following form:

We, the undersigned, believe that the time has come when civilized nations may, and of right ought to, protest against the atrocities practiced by the Russian Government in its prolonged warfare against its own people.

The subject is one which interests all nations as a matter of common humanity. On more than one occasion governments have taken action for the amelioration or termination of abhorrent conditions existing in foreign countries. Many instances might be cited, but we content ourselves, as sufficient for our present purposes, in citing the case of the Bulgarian atrocities in 1877, when Russia, taking advantage of the general horror excited by the inhumanities of the Turkish forces within the dominions of the Sultan, intervened, in the name of humanity, to rescue the inhabitants of Bulgaria from their deplorable condition. Fifty years before various European powers, of whom Russia was one, intervened by force to redeem the Greek inhabitants of the Sultan's dominions from barbarities and oppression. In seeking now some means of inducing the Russian Government to ameliorate the condition of its subjects we are asking nothing for which the Russian Government has not itself in times past afforded a sufficient precedent.

This petition and protest rest solely and entirely upon the instances wherein the Russian Government has been and is disregardful of the obligations of a government toward its subjects as recognized by all civilized nations, and wherein it is guilty within its borders of flagrant violation of the terms of agreement of the Geneva treaty of 1864 and 1868 between the nations, and also of the second convention of the peace conference at The Hague in 1902, which forbid such acts of cruelty toward foreign enemies in time of war.

Knowledge of the facts involved has come from many and most varied sources—among others, reports both official and unofficial. A body of testimony has thus been accumulated, which produces upon the mind the irresistible conviction of the sad truth of these direful conditions. The principal facts may be grouped under the following heads:

(*a*) Thousands of men and women are dragged from their homes solely at the discretion or pleasure of local military or police authorities and "administratively" exiled without trial or examination and consigned to inevitable starvation and placed in the midst of remote settlements of semisavages (Ostiaks and Yakuts), close to and within the polar circle, where the most loathsome diseases are chronically epidemic. (See reports St. Petersburg "Society for Helping Political Prisoners and Exiles," 1906.)

(*b*) Hospitals are deliberately fired upon by the regular troops without rebuke. (See governmental and Douma committee reports on Kishenev, Homel, Bialostok, and Seidliz Pogroms.)

(*c*) The Red Cross is not respected, and the wounded are frequently slaughtered or thrown into the sea or buried alive with the dead. (See above reports on Pogroms; also the reports on the uprisings at Moscow, December, 1905, and at Sebastopol and Kronstadt, and also Klimkof report on the Baltic provinces. See Arts. II, III, V, XI, Geneva convention, 1864; also minutes second convention at The Hague, 1902, Art. XXIII, Secs. B and C.)

(*d*) Women, children, and aged and decrepit men—patently noncombatants—are maimed and killed by sword slashings, torn by bayonets, and trampled under hoofs of horses. (See report on pogroms; also report of Klimkof on Moscow, 1905; also official reports on events in Koursk, October, 1905. See minutes of the above convention, Art. XXV.)

(*e*) Girls and young women inhabitants of districts under military "protection" are repeatedly given over to violation by officers as well as ordinary soldiers. (See reports on pogroms by Governmental Commissioners Turau, Kouzminsky, Savich, and Douma committee of investigation; report of Pietoukhof on Seidliz; also report on the trial of Kishenev; investigation of society of Caucasian lawyers on Armenian massacres, Tiflis; and preliminary reports of official commission on the same subject, presided over by Veidenbaum.)

(*f*) Hundreds of homes are burned without warrant or reason at the mere whim and will of commanding officers. (See preliminary examination report of the Veidenbaum commission; the Captain Pietoukhof report on Seidliz. See also Albert Edwards in Collier's Weekly—affidavit certifying statements—and Kellogg Durland interview with General Alikanoff in the New York Evening Post, October 6, 1906—affidavit certifying statement; also minutes of the second convention at The Hague, Arts. XXV and XXVIII.)

(*g*) Tortures are applied to prisoners within fortresses and prisons to elicit information. (See Klimkof report and official complaints to ministers of justice; reports of Vladimeroff—Sunday World, January 27, 1907—affidavit certifying statements.)

(*h*) Field courts-martial endeavor to confuse ordinary civil offenses with revolutionary acts, leading to the almost daily execution of offenders who in civilized lands would receive the most trivial sentences. (See official proclamation through minister of war, 26th of August, 1906, and constantly appearing newspaper dispatches, for example, "Three persons hanged in public gardens in Odessa for stealing $3.50, etc."—Associated Press dispatch, January, 1907.)

(*i*) Villages are pillaged and looted by soldiers upon and during military occupancy, and by police and gendarmes during and immediately following disturbances—i. e., pogroms or massacres—and without any serious attempts on the part of the Government officials to bring to justice those who have violated their sacred duty of protecting the lives, persons, and property of the individuals, thus indicating governmental complicity or connivance. (See governmental and Douma reports, the Captain Pietoukhof report on Seidliz, and minutes of the second convention at The Hague, Art. XLVII.—Pillage is absolutely prohibited.)

(*j*) Massacres are planned and effected by the police and military authorities for the purpose of terrorizing the population in given localities to support specific political aims. ("Pogroms.") (See above reports on "pogroms.")

In view of the present appalling situation in Russia, above indicated; in view of the certainty that the ruthless methods now employed can at best lead to a purely artificial and temporary tranquillity; in view of the fact that the present policy of the Russian Government is a menace to the peace of the world, and in view of the undoubted influence of foreign public opinion upon the action of governments, even the most autocratic, we hereby request the Congress of the United States solemnly to protest against the perverted use of governmental functions, of which the Russian people are the victims.

The petition is signed, among others, by Justice Samuel Greenbaum, New York City; R. Fulton Cutting, New York City; Edwin R. L. Gould, New York City; Samuel L. Clemens, New York City; Jacob H. Schiff, New York City; A. S. Frissell, New York City; Dr. Lyman Abbott, New York City; Bishop Henry C. Potter, New York City; George Kennan, New York City; Charles Stewart Smith, New York City; William Jay Schieffelin, New York City; Julia Ward Howe, Boston, Mass.; Rev. Charles Gordon Ames, Boston, Mass.; E. H. Clement, Boston, Mass.; Louis D. Brandeis, Boston, Mass.; Joseph Lee, Boston, Mass.; Bishop Whittaker, Philadelphia, Pa.; F. Innes Forbes, Philadelphia, Pa.; Julian Kennedy, Pittsburg, Pa.; D. Chris Lange, M. D., Pittsburg, Pa.; H. D. W. English, Pittsburg, Pa.; Judge Cohen, Pittsburg, Pa.; F. H. Babcock, Pittsburg, Pa.; Bishop Regis Canevin, Pittsburg, Pa.; Chancellor Holland, Pittsburg, Pa.; Prof. John A. Brashear, Pittsburg, Pa.; Rev. S. Edward Young, Pittsburg, Pa.; Rev. J. Leonard Levy, Pittsburg, Pa.; A. Leo Weil, Pittsburg, Pa.; Clarence Burleigh, Pittsburg, Pa.; Hon. William S. Woods, Pittsburg, Pa.

It is of course too late at this Congress to take any action

whatever, but in the Sixtieth Congress the views set out in the petition and protest will be vigorously pressed.

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MEYER, a motion to reconsider the last vote was laid on the table.

IMMIGRANT STATION AT GALVESTON, TEX.

Mr. GREGG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8327) to provide for the establishment of an immigrant station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish an immigration station at the city of Galveston, in the State of Texas, and to cause to be erected, on a site to be selected, a public building to temporarily accommodate and care for immigrants arriving at said city: *Provided*, That the land and dock room necessary for said station and building be transferred to the Government of the United States free of any cost to the United States.

SEC. 2. That the sum of $70,000 is hereby appropriated for the erection of said building, which sum shall be paid from the permanent appropriation for expenses of regulating immigration, said sum to include heating and ventilating apparatus, elevators, and approaches.

The amendments recommended by the committee were read, as follows:

In section 1, line 3, strike out the words "Secretary of the Treasury" and insert in lieu thereof the words "Secretary of Commerce and Labor."

In section 2, page 2, lines 3 and 4, strike out the words "permanent appropriation for expenses of regulating immigration" and insert in lieu thereof the words "immigrant fund."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

Mr. BENNET of New York. Mr. Speaker, the passage of this and the two other bills for new immigrant stations is perhaps a proper occasion to call attention to the changes in the immigration law which, for the most part, go into effect on July 1, 1907. It is believed that the new law will greatly assist in the administration of the immigration law and also exclude certain classes of undesirable immigrants not now excluded.

The changes in the new immigration bill were made for the following reasons, and expected in each instance to accomplish the following purposes:

Section 1: The increase in the tax from $2 to $4 is expected to secure a fund of about a million dollars a year, which, paid into the United States Treasury, will recompense indirectly the country for the expenditure which it might make on individual immigrants before they become self-supporting. It is believed that this fund will be ample for that purpose, and if it does not go directly to the States spending the money, it at least goes into a fund of the country.

The change in the exemptions from "citizens of Canada," etc., to "aliens who have lived for a year in the Dominion of Canada," etc., was made for the reason that with increased head tax it was feared that some nation other than those specifically mentioned in the bill would raise the question of our right to extend a privilege to one nation which was not extended to all, and that such objecting nation might raise international questions based upon the most-favored-nation clause which is in most treaties. The words "or contract-labor laws" were inserted so as to make certain that the immigration fund could be used for the enforcement of the contract-labor laws, which are not, strictly speaking, entirely immigration laws.

The exemption of "aliens in transit through the United States" was inserted so as not to discriminate against steamship companies bringing aliens to ports in our country which aliens were destined for other countries.

The exemption of Guam, Porto Rico, and Hawaii from the head tax was made because of the effort which is being made to attract immigrants to those places, and the desire not to put any hindrance in the way of such efforts.

The labor condition maintained at the end of section 1 speaks for itself, and, while possibly useful in relation to the existing Japanese situation, will be useful at any time when industrial conditions become less prosperous; and immigrants who have gone to Canada, the Canal Zone, Guam, Cuba, Porto Rico, or Hawaii commence to feel any possible industrial depression, which would probably strike those places first, and attempt to come to the United States in large numbers, thus complicating what might by that time have become a serious economic problem among ourselves.

In section 2 the addition of imbeciles and feeble-minded persons to the excluded class needs no explanation, and the word "tuberculosis" is added because there is a controversy as to whether tubercular diseases are dangerous contagious diseases. The words "persons not comprehended within any of the foregoing excluded classes," etc., are intended to cover persons of low vitality or poor physique, or who should not, for some apparent physical reason, be admitted.

The words "or admit having committed" make a sensible and obvious change.

The words "persons who admit their belief in the practice of polygamy" bar out practicing polygamists, or those who intend practicing polygamy, without affecting some who accept literally the teachings of certain portions of the Old Testament.

The provisions in relation to women and girls speak for themselves, and merely strengthen the existing statutes.

The provision in regard to contract laborers puts back into the law language which was omitted, probably inadvertently, from the act of 1903, and makes it possible once more to enforce the contract-labor law vigorously. For the last four years there has always been a doubt as to whether contract laborers belong specifically to the excluded classes.

The provision in relation to excluding persons whose ticket or passage has been paid for by any corporation, association, society, municipality, or foreign government is aimed to prevent the bringing in of undesirable immigrants through the efforts of foreign governments, foreign cities, or benevolent or charitable societies.

The provision in relation to children under 16 years of age is aimed chiefly at the bringing in of Greek boys, who are sold into practical slavery in this country, and the provision as made is liberal, so as not to prevent the coming of all children.

The provision permitting those whose tickets or passage have been paid for by any corporation, association, etc., to go in immediate and continuous transit through the United States to foreign contiguous territory is inserted so as not to discriminate against steamships coming to our ports but bringing such passengers destined for foreign countries.

Section 3 is greatly broadened, so as to make certain the suppression of the immoral practices alluded to in the section. It is said by those connected with the enforcement of the law that the section as amended will permit of very successful efforts in this direction.

The changes in section 4 simplify and strengthen the contract-labor law.

The changes in sections 5, 7, and 8 are simply verbal, and speak for themselves.

In section 9 the addition of the words "idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with" makes this section, which is the punishment section corresponding with section 2, the excluding section, which heretofore the section did not exactly do. The other changes in the section are purely verbal.

In section 10 the addition of "tuberculosis" to the classes in which final exclusion can be had while extremely important is so simple as to require no explanation.

Section 11 enacts into law what is now the practice—that is, rejecting an accompanying alien in case of the exclusion of an alien rejected for sickness, mental or physical disability.

In section 12 the addition of the words "the name and address of the nearest relative in the country from which the alien came" is to enable the Department to send the alien back to some friend when such alien is rejected because of a mental infirmity.

The final clause of section 12 is new and provides the means for ascertaining how many aliens leave the country each year. This law gives an opportunity, which we have never had before, of finding out what the net increase of population is each year through the incoming aliens.

The changes in section 13 put on the manifest the information which is required for the examinations in sections 2, 3, and 10.

The proviso in section 15 needs no explanation.

The changes in sections 16 and 17 are simply verbal.

The changes in section 18 add railways other than those which have entered into contractual relations with the Department of Commerce and Labor to those liable for the illegal bringing in of aliens, and provide that the liability of those railways and of officers of vessels shall be for negligent failure. These changes strengthen and simplify the law, which was heretofore somewhat vague.

In section 19 the words "or shall make any charge for the return of any such alien, or shall take any security from him for the payment of any such charge," are aimed at preventing steamship companies from bringing aliens to this country, knowing such aliens to be inadmissible, but protecting themselves by taking security on the other side, so that the return passage is paid, the steamship companies thus actually profiting by

bringing to this country people who they know will be sent back. The changes in this section also permit the suspension of the deportation of any alien whose testimony is required in any prosecution for a violation of the immigration law.

In the interest of humanity the section has been amended so as to permit an alien suffering from tuberculosis, or from a loathsome or dangerous contagious disease, to be sent to a hospital, if the express permission of the Secretary of Commerce and Labor is obtained. The proviso at the end of the section also permits the detention of an insane alien whose health and safety will be imperiled by immediate deportation.

The changes in section 20 extend the time within which an alien who becomes a public charge, whether from causes existing prior to landing, may be deported, from two to three years, and puts one-half of the entire cost of removal to the port of deportation upon the contractor, procurer, or other person inducing the alien to enter the United States, and if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the immigration fund and at the expense of the steamship company from there on.

Section 21 permits the deportation of any alien, subject to deportation, at any time within three years, and in the proviso at the end of the section is added the humane provision for the employment of a person at the expense of the immigration fund, to accompany an insane or sick alien back to the place from which he or she came.

In section 22 the addition of the words "and also surgeons in accordance with the provision of section 17" enables us to send surgeons to countries where an inspection by them of aliens prior to sailing will be permitted. This will save thousands of aliens, suffering from diseases which would bar them from entry, from taking the voyage, and will save many more thousands from the danger of infection or contagion from such immigrants during the voyage. The system is now, with the consent of the Italian Government, in use in various ports in Italy, and is giving great satisfaction.

In section 24 the appropriation of the lump sum of $50,000 for the enforcement of the contract-labor law was, in the judgment of the conferees, the only way which could be devised of enforcing the contract-labor law. It is presumed that the Secretary of Commerce and Labor will, from this fund, employ detectives who will be absolutely unknown to everyone connected with the immigration service, and who will be able, by traveling to and fro on the ships, to obtain evidence as to contract laborers.

In section 25 the words "which shall be rendered solely upon the evidence adduced before the board of special inquiry" enact into law a recent regulation of the Department, which supersedes the former bad practice of receiving additional evidence on appeal. As the law now is, if new evidence is discovered after the taking of the appeal the case is sent back to the original board of inquiry, which thus acts both upon the old and the new evidence.

Section 26 permits for the first time the giving of a legal bond in the case of any alien liable to be excluded because likely to become a public charge or because of physical disability from tuberculosis or loathsome, contagious disease, and otherwise admissible. There are thousands of cases in which it is practically impossible to separate families by deporting one or more members of the family who are liable to become public charges. Under this bond section the Government can now secure itself. The section provides for the giving of a bond which can be enforced. The whole record will go up before the Secretary, who can, either on that or on outside evidence, exercise his discretion.

In section 28 the changes enlarge the saving clause of the law.

In section 32 the word "foreign" was stricken out, so as to permit the Bureau to make arrangements with the American railway lines running into the United States similar to existing contracts with Canadian lines on the northern border.

In section 33 the definition of the term "United States" is changed so as to exclude the Isthmian Canal Zone. If this change had not been made, the importation of laborers into the Zone would have been seriously interfered with.

Section 34 prohibits the sale of liquors in the Capitol. It has, of course, no place in the immigration act. It is not repealed, but is simply left out of the act, and the new section 34 permits the appointment of a commissioner of immigration at New Orleans.

Section 36 was the repealing clause of the old law. The new section 36 prohibits aliens from entering the United States except at the seaports thereof or at such place or places as the Secretary of Commerce and Labor may from time to time designate. Curiously enough, although there was under the old law provision for deporting aliens who were found to be in the United States illegally, there was no provision preventing aliens from coming in wherever they saw fit, whether there was an inspection at the point or not. The proviso is to facilitate the passage of residents of Canada and Mexico across our northern and southern boundaries, respectively.

Section 37 had a curious history. It was drafted by the late Senator Hoar to cover the case of the wife and *two* children of a Syrian living in Worcester, Mass., and so strictly was this idea followed that it provided for the admission of "said wife and *either* of said children." It also provided that the act should be applicable only when the contagious disorder was contracted on shipboard, and, curiously enough, after further providing that said wife or children should be held until it should be determined whether the disorder was easily curable, failed to provide whether they should be admitted or deported after such fact was ascertained. The section was a curious example of the evil which generally results from passing a general statute to cover a particular case. The principle, however, was good, and the law now recognizes that a family may consist of either more or less, as well as two children, and strikes out the provision that the disease was contracted on shipboard, which is, of course, immaterial, and provides what the kindly Senator from Massachusetts evidently intended to provide—that is, that if the disease is found to be easily curable the persons can be landed.

Section 39 provides for the appointment of a commission of nine persons, three to be appointed by the President, three Senators to be appointed by the President of the Senate, and three Representatives to be appointed by the Speaker of the House. The Members of Congress are to serve without compensation and the members appointed by the President are to receive a compensation to be fixed by him. The commission has very wide powers, is not limited in its expenditures, and is required to report to Congress. The intention is to have this commission report authoritatively on existing facts bearing on immigration. Until now legislation on this subject has been embarrassed by the absence of the information which such a commission can obtain. The concluding portion of the section also empowers the President to call an international conference or to send special commissioners to any foreign country for the purpose of regulating by international agreement the immigration problems.

Section 40 provides for the creation of a division of information in the Bureau of Immigration and Naturalization. One of the evils of the present system is that there is not a proper distribution of immigration, and it is hoped that this division will assist in an equitable distribution.

Section 41 exempts accredited officials of foreign governments and their suites, families, and guests from the provisions of the act.

Section 42 is the air-space provision, which increases the amount of air space on each vessel by about 20 per cent. After this section takes effect on January 1, 1909, the requirements of the United States laws as to a proper air space for immigrants will be more liberal than those of any other country. Practically this is also a restrictive measure, as of course fewer can be brought on each ship, and, the number of ships being somewhat limited, fewer immigrants will come. The changes in this section are as follows:

*Minimum cubic feet, 7 feet between decks.*

| | Cubic feet. |
|---|---|
| Present law: | |
| Main deck, or first deck below | 100 |
| Second deck below | 120 |
| Proposed amendment: | |
| Main deck, or first deck below | 126 |
| Second deck below | 140 |

*Less than 7 feet between decks.*

| | |
|---|---|
| Second deck below | 120 |
| Proposed amendment, second deck below (about) | 180 |

Sections 43 and 44 are purely formal sections repealing all other immigration laws and laws conflicting with this new law and providing when the various parts of the law shall take effect.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. GREGG, a motion to reconsider the last vote was laid on the table.

PUBLIC BUILDING, ATHENS, OHIO.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent to discharge the Committee on Public Buildings and Grounds from the further consideration of the bill H. R. 23221, and to pass the same.

The SPEAKER. The gentleman from Ohio asks unanimous

consent to discharge the Committee on Public Buildings and Grounds from the further consideration of the bill mentioned, and to consider the same at this time. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 23221) for the erection of a public building at the city of Athens, in the State of Ohio.

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire for the United States, in the city of Athens, in the State of Ohio, in such manner as to him shall seem best, a suitable site, and cause to be erected thereon, according to plans and specifications to be approved by him, a substantial building, with good modern improvements and conveniences, for the post-office and other Government uses, at a total cost of not more than $100,000, said building to be distant at least 40 feet in every direction from any other structure.

The SPEAKER. Is there objection?

Mr. HEFLIN. I object.

Mr. PAYNE. I trust the gentleman will not object after three recognitions have been given on that side.

Mr. HEFLIN. I withdraw my objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. The following is a statement which I will print as a part of my remarks:

CERTIFICATE.

This is to certify that at a meeting of the Athens Commercial Club held on the 28th day of November, 1906, a committee consisting of Frank S. Roach, L. H. Clark, and C. L. Jones was appointed to secure a census of the city of Athens, Ohio; that said committee appointed J. A. Palmer and L. H. Clark as enumerators, and that the report of said enumerators in the taking of said census, showing the name and street of each person living in the territory canvassed, are on file with the Athens Commercial Club and open to public inspection.

ATHENS COMMERCIAL CLUB,
By H. G. STALDU, *President*.
M. B. LAWRENCE, *Secretary*.

MAYOR'S CERTIFICATE.

I, Gilbert E. Day, mayor of the city of Athens, Ohio, hereby certify that I am well acquainted with the inhabitants of the city; that the canvass taken under the direction of the Athens Commercial Club was made by J. A. Palmer, a retired merchant, and L. H. Clark, an attorney, and that, in my opinion, the number of inhabitants shown by said census is correct.

GILBERT E. DAY, *Mayor*.
ATHENS, OHIO, *December 26, 1906*.

Report of committee on taking the census of Athens and contiguous territory:

| | | |
|---|---|---|
| Precinct No. 1 | | 1,325 |
| Precinct No. 2 | | 1,225 |
| Precinct No. 3 | | 1,176 |
| Precinct No. 4 | | 966 |
| Precinct No. 5 | | 1,110 |
| Total in corporation | | 5,802 |
| Contiguous territory: | | |
| Richland | 214 | |
| Mechanicsburg | 138 | |
| Stringtown | 21 | |
| Asylum employees | 152 | |
| Barths Mill | 30 | |
| Children's Home | 62 | |
| Herrolds Mill | 60 | |
| Patients at asylum | 1,294 | |
| | | 1,931 |
| Grand total | | 7,733 |

I hereby certify that the above amounts are a true census of the different places.

FRANK S. ROACH,
*Chairman of Census Committee of Athens Commercial Club.*

ELECTION STATISTICS.

Ohio election statistics for 1905 show the total number of votes cast in the city of Athens to be as follows:

| | |
|---|---|
| Ward 1 | 316 |
| Ward 2 | 326 |
| Ward 3 | 257 |
| Ward 4 | 411 |
| Total | 1,310 |

NOTE.—Ward 4 has since been divided into Wards 4 and 5.

SUMMARY.

| | |
|---|---|
| Official census for corporation, 1900 | 3,066 |
| Special census for corporation, 1905 | 5,151 |
| Special census for corporation, 1906 | 5,802 |
| Special census for corporation (and suburbs), 1906 | 7,733 |

*Post-office statistics.*—Four city carriers, nine rural carriers; receipts for year ending December 31, 1906, $17,801.81.

In addition there is located in the little city of Athens the internal-revenue collector's office, the jurisdiction of which covers a very wide scope of Ohio, including Columbus and much of the contiguous country. So that in estimating the necessity for a public building it is easily seen that the location is a very favorable one; three railroads, running east and west and north and south, come to Athens; ten passenger trains pass Athens a day going east and west and six a day going north and south. Furthermore, Athens is located in the very heart of the great coal development of Ohio, a business which is rapidly growing in that immediate locality.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GROSVENOR, a motion to reconsider the last vote was laid on the table. [Applause.]

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I desire to present a conference report on the bill H. R. 24815, the agricultural appropriation bill.

The SPEAKER. The gentleman from New York calls up the conference report on the agricultural appropriation bill.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that the report be omitted and the statement be read.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

STATEMENT.

The House recedes from amendments Nos. 1, 2, 3, 7, 8, 9, 10, 12, 15, 16, 18, 19, 20, 21 with amendment, 22, 23, 24, 26, 28, 29, 30 with amendment, 31, 32, 33, 34 with an amendment, 36, 38, 39, 40, 41, 43 with an amendment, 46, 47, 48 with an amendment, 49, 51, 53, 54, 55, 58, 59, 60, 61, 65, 66, 70 with an amendment, 73, 81, 82, 83, 84, 85, 86, 87, and 89.

The Senate recedes from amendments Nos. 4, 13, 50, 52, 56, 57, 62, 63, 64, 67, 68, 69, 71, 74, 75, 76, 77, 78, and 79.

Amendment No. 1 appropriates $12,000 for the salary of the Secretary of Agriculture, in accordance with the law recently passed.

Amendment No. 2 increases the salary of the Assistant Secretary from $4,500 to $5,000.

Amendment No. 3 increases the salary of the solicitor to $3,500.

Amendments Nos. 10, 15, 26, and 36 increase the salaries of the Chiefs of the Bureaus of Animal Industry, Plant Industry, Chemistry, and Forestry to $5,000.

Amendment No. 73 restores the salary of the Director of Office of Public Roads to $2,750, the amount originally recommended by the House committee.

Amendment No. 16 increases the salary of the chief clerk of the Bureau of Plant Industry to $2,250.

Amendment No. 53 increases salary of the cashier of the division of disbursements and accounts to $2,000.

Amendment No. 12 increases the amount for experiments in animal feeding and breeding from $25,000 to $50,000. This was the amount originally proposed by the House bill.

Amendment No. 20 increases the appropriation for grain investigations from $15,000 to $40,000. The increase was conceded by your conferees to meet the demands for foreign commerce.

Amendment No. 31, granting an increase of $1,000,000 to the Forest Service, was agreed to by your conferees because of a Senate amendment which requires all receipts from the forest reserves to be turned into the Treasury, and not to be again available by the Forest Service except by direct appropriation.

Amendment No. 34 requires the Secretary of Agriculture to submit detailed reports of receipts and estimates for the Forest Service and estimate of expenditures intended for this service each year, and that all receipts from the Forest Service after July 1, 1907, shall be covered into the Treasury, thus putting an end to the use of those receipts as a "revolving" fund. This amendment further provides that hereafter no forest reserves shall be created nor any additions made within the limits of the States of Oregon, Washington, Idaho, Montana, Colorado, or Wyoming except by act of Congress.

Amendment No. 41 strikes out that provision of the House bill which provides "that no part of this sum shall be used for the payment of compensation or expenses to any officer or other person employed by any State, county, or municipal government," and substitutes the following: "That any sum used for compensation of or payment of expenses to any officer or other person employed by any State, county, or municipal government shall be reported to Congress in detail."

The Senate amendment was agreed to by your conferees in the belief that it would be perhaps wiser to allow the Department to follow its own plan for at least the first year of the enforcement of the pure-food law.

Amendment No. 48 restores to the bill the salaries for the Bureau of Biological Survey exactly as it is carried in the current bill.

Amendment No. 70, as amended by the conferees, instead of restoring the item for nutrition investigations, appropriates $5,000 to bring to Washington the apparatus belonging to the Government which has been used in these investigations.

Amendment No. 89 provides that hereafter on or before the 1st day of January of each year the Secretary of Agriculture

shall submit to Congress, in addition to the estimates now required by law, classified and detailed estimates of every subject of expenditure intended for the Agricultural Department for the next fiscal year and detailed reports of all expenditures under any appropriation for each service during the preceding fiscal year.

All other amendments are for correction of totals, slight changes in verbiage, correction of punctuation, restoration of two or three paragraphs stricken out in the House on points of order, but which in no way change the original intent and purpose of the bill.

On careful examination of the bill by the conferees it was found that no authority was given the Forest Service to employ help in the District of Columbia, the words authorizing such employment having been inadvertently stricken from the House bill under a point of order. The conferees therefore recommend the insertion, after the word "forests," in line 6, page 40 of the bill, of the words "in the District of Columbia or elsewhere."

J. W. WADSWORTH,
CHAS. F. SCOTT,
JOHN LAMB,
*Managers on the part of the House.*

Mr. WADSWORTH. Mr. Speaker, I move the adoption of the conference report.

The question was taken; and the motion was agreed to.

SATISFACTION OF CLAIMS.

Mr. MILLER. Mr. Speaker, I desire to call up conference report on the bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department.

The SPEAKER. The gentleman from Kansas [Mr. MILLER] calls up a conference report, which the Clerk will report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment striking out paragraphs 32, 33, and 34, and also its amendment to the title of the bill.

That the House recede from its disagreement to the following Senate amendments and agree to the same, namely:

To pay John H. Lohman the balance due him on account of bounty accruing by the destruction of the enemy's vessels at the battle of Santiago, July third, eighteen hundred and ninety-eight, he being there and then an acting gunner, whereas he was allowed and paid bounty as chief gunner's mate only, fifty-nine dollars and twenty cents.

To reimburse Capt. E. J. Dorn, United States Navy, retired, in the amount expended by him as disbursing officer at the naval station, Tutuila, in June, nineteen hundred and one, and checked against his account because the vouchers representing such expenditures have been lost, four hundred and eighty-three dollars and nine cents.

J. M. MILLER,
G. E. WALDO,
JACK BEALL,
*Managers on the part of the House.*

C. W. FULTON,
JOHN KEAN,
A. J. MCLAURIN,
*Managers on the part of the Senate.*

Mr. MILLER. Mr. Speaker, I would like to make a statement in reference to this bill. I desire to call attention of the House to the fact that this House has passed 144 bills coming from the Committee on Claims, and notwithstanding it is more than twice the number of bills ever passed by any Congress in the history of the country, the amount of the appropriations necessary to pay these claims is much less than any former appropriation. And at this time I desire to thank the Speaker of the House and the Members of this body for the splendid treatment they have accorded to small and deserving claimants, or creditors, of the country, and especially for the treatment accorded to the Committee on Claims. [Applause.]

Mr. Speaker, I move the adoption of the report.

The question was taken; and the motion was agreed to.

JICARILLA RESERVATION.

Mr. MARSHALL. Mr. Speaker, I desire to call up conference report on the bill H. R. 23650, entitled "An act to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes."

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. I introduced, on the 26th of January, a joint resolution that called for a reprint of the Special Report on the Disease of the Horse, and the Committee on Printing——

The SPEAKER. That is not a parliamentary inquiry.

Mr. HEFLIN. And the Committee on Printing, Mr. Speaker, reported the bill.

The SPEAKER. That is not a parliamentary inquiry.

Mr. HEFLIN. I have not finished, Mr. Speaker, and I desire to finish my inquiry.

The SPEAKER. It is not a parliamentary inquiry.

Mr. HEFLIN. I have not finished yet, Mr. Speaker, and I desire to inquire now, in order that I may serve notice on others, that I may object, whether it may be in order to call up later this resolution, which is No. 229. Three-fourths of the House requested the committee to report it favorably.

The SPEAKER. The Clerk will report the conference report on the bill H. R. 23650, presented by the gentleman from North Dakota [Mr. MARSHALL].

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 23650, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to section three.

That the House recede from its disagreement to the amendments of the Senate to sections one and two and agree to the same.

THOMAS F. MARSHALL,
CHAS. H. BURKE,
WM. T. ZENOR,
*Managers on the part of the House.*

MOSES E. CLAPP,
CHARLES CURTIS,
H. M. TELLER,
*Conferees on the part of the Senate.*

The statement is as follows:

The conferees on the points of difference between the two Houses on H. R. 23650 beg leave to report:

That the Senate recedes from its amendment to section 3, and thus leaves the bill in that particular as it passed the House.

The House recedes from the Senate amendment to section 1, which strikes out a surplusage of language and is fully covered by the proviso inserted by the Senate which previously formed section 2 of the bill as it passed the House, and section 2 is stricken out by the Senate because of the proviso mentioned, leaving the bill in this particular precisely as it passed the House.

THOMAS F. MARSHALL,
CHAS. H. BURKE,
WM. T. ZENOR,
*Managers on the part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

On motion of Mr. MARSHALL, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

BRIDGE ACROSS RED RIVER, AT SHREVEPORT, LA.

Mr. WATKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25885) to extend the time for building a bridge across Red River, at Shreveport, La.

The SPEAKER. The gentleman from Louisiana [Mr. WATKINS] asks unanimous consent for the present consideration of a bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 25885) to extend the time for building a bridge across Red River, at Shreveport, La.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WATKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approvel, the following bill:

H. R. 25483. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes.

DAM ACROSS COOSA RIVER, ALABAMA.

Mr. BURNETT. Mr. Speaker, I desire to call up from the Speaker's table and put upon its passage the bill S. 8526, with the amendment that has been agreed to.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table, with the amendment, a bill which has been heretofore read.

Mr. MANN. I ask that the amendment be read.

The Clerk read as follows:

Page 4, strike out all after line 3, down to and including line 14, page 5, and insert:

"SEC. 3. That this act shall be null and void unless the dams herein authorized be commenced within three years and completed within seven years from the time of the passage of this act."

"SEC. 4. The authority herein conferred, shall, except as herein specifically provided, be subject in all respects to the provisions of the act 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906.

"SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. BURNETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

METLAKAHTLA INDIANS.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 8299.

The bill was read. as follows:

A bill (S. 8299) to confer civic rights on the Metlakahtla Indians of Alaska.

*Be it enacted, etc.*, That all Indians of the Tsimpsean or Haida tribe of the full or mixed blood who emigrated from British Columbia and settled at Metlakahtla on Annette Island, in southeastern Alaska, in the year 1887 and subsequent years, as well as all descendants of such Indians, and all other Indians who have since become and remained bona fide residents of said Metlakahtla, Alaska, shall, if otherwise qualified, be entitled to receive and obtain licenses as masters, pilots, and engineers, as the case may be, of any and all steamboats and other craft, and also licenses as operators of motor boats and other craft, subject to the provisions of the act of Congress approved May 16, 1906, entitled "An act to amend section 4426 of the Revised Statutes of the United States, regulation of motor boats," with the same force and effect as if they had been citizens of the United States; any such Indian may be the owner of any such motor boat or other craft, subject to the provisions of the said act of May 16, 1906, although such Indian be not a citizen of the United States, without depriving said motor boat or other craft of the benefits and privileges of a vessel of the United States.

SEC. 2. That a certificate under the hand of any officer of the customs in Alaska, to the effect that the applicant for one of the different licenses mentioned in the foregoing section comes within one of the provisions of said first section of this act, shall together with the affidavit of the applicant to that effect, be sufficient evidence of the fact that said applicant is entitled to the privileges conferred upon said Indians by the first section of this act.

SEC. 3. That this act shall take effect and be in force from and after its passage.

Mr. SULZER. Reserving the right to object, I would like to ask the introducer of this bill if this is approved by Father Duncan?

Mr. ESCH. It is approved by the Secretary and the Commissioner.

Mr. SHERMAN. It is in the interest of Mr. Duncan's Indians.

Mr. SULZER. That is what I wanted to know.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

ALLOTMENT OF LAND IN SEVERALTY TO INDIANS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill:

The Clerk read as follows:

A bill (H. R. 25741) to amend section 3 of an act entitled "An act to provide for the allotment of land in severalty," etc., approved February 8, 1901.

*Be it enacted, etc.*, That the provisions of the proviso of section 3 of the act of February 28, 1901, being an act to amend and further extend the benefits of the act approved February 8, 1887, entitled "An act to provide for the allotment of land in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States over the Indians, and for other purposes," authorizing the leasing for grazing and mining purposes of Indian reservation lands occupied by Indians who have bought and paid for the same, are hereby made applicable to lands embraced within any Indian reservation established by act of Congress or Executive order.

The amendment recommended by the committee was read, as follows:

In line 4 strike out the words "nineteen hundred and one" and insert "eighteen hundred and ninety-one."

Mr. SULZER. Reserving the right to object, I would like to ask the gentleman from New York if this applies to lands of the Indians in the State of New York?

Mr. SHERMAN. It does not.

Mr. SULZER. Then I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

COMPENSATION OF INSPECTORS OF CUSTOMS.

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill I send to the desk.

The Clerk read as follows:

A bill (H. R. 12222) authorizing the Secretary of the Treasury to fix the compensation of inspectors of customs.

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to limit and fix the compensation of inspectors of customs as he may think advisable, not to exceed in any case the rate of $5 per diem, and in all cases where the maximum compensation is paid no allowance shall be made for meals or other expenses incurred by inspectors when required to work at unusual hours.

Mr. PAYNE. Mr. Speaker, I object to the consideration of that bill.

The SPEAKER. The gentleman from New York objects to the consideration of the bill.

LEONARD MARTIN COX.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 25883.

The Clerk read as follows:

A bill (H. R. 25883) to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy.

*Be it enacted, etc.*, That the President be, and he is hereby, authorized to restore, by and with the advice and consent of the Senate, Leonard Martin Cox, formerly a civil engineer in the United States Navy, to the Corps of Civil Engineers of the Navy, to take rank next after Civil Engineer Fred Thompson: *Provided*, That said Leonard Martin Cox shall establish to the satisfaction of the Secretary of the Navy, by examination pursuant to law, his physical, mental, moral, and professional fitness to perform the duties of that grade: *And provided further*, That the said Leonard Martin Cox shall be carried as an additional to the number of the grade to which he may be appointed under this act, or at any time thereafter: *And provided further*, That the said Leonard Martin Cox shall not by the passage of this act be entitled to back pay of any kind.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. SHERLEY. I hope the gentleman will reserve his objection for just a moment.

Mr. MANN. It is late. I will talk with the gentleman later.

Mr. SHERLEY. I am doing this at the instance of the Secretary of the Navy. It is nothing that I desire.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. Objection is heard.

TRENT RIVER, NORTH CAROLINA.

Mr. BURTON of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 253, relating to securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern.

Mr. SULLIVAN. Mr. Speaker, I object, and I shall continue to object during the rest of the evening.

The SPEAKER. The gentleman from Massachusetts objects.

JOHN ALLEN.

The SPEAKER laid before the House the bill (H. R. 13122) to correct the military record of John Allen, with Senate amendments thereto.

Mr. DEEMER. I move to concur in the Senate amendments.

The motion was agreed to.

PHOENIX, ARIZ.

The SPEAKER also laid before the House the bill (H. R. 25039) to enable the city of Phoenix, in Maricopa County, Arizona Territory, to use the proceeds of certain municipal bonds for the purchase of the plant of the Phoenix Water Company

and to extend and improve said plant, with Senate amendments thereto.

Mr. SMITH of Arizona. I move to concur in the Senate amendments.

The motion was agreed to.

INTOXICATING LIQUORS TO MINORS.

The SPEAKER also laid before the House the bill (H. R. 23556) prohibiting the purchase, procurement, sale, gift, or disposition of intoxicating liquors to minors by unlicensed persons, with a Senate amendment thereto.

Mr. WATSON. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

RETURN OF BILLS TO THE SENATE.

The SPEAKER laid before the House the following:

IN THE SENATE OF THE UNITED STATES.

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return the bill (S. 5623) entitled "An act granting an increase of pension to Nicholas M. Hawkins."

The concurrent resolution was agreed to.

Also the following:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return the bill (S. 7822) entitled "An act granting an increase of pension to William N. Brunson."

The concurrent resolution was agreed to.

VALLEY FORGE PARK COMMISSION.

Mr. WANGER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25812) to authorize the Secretary of War to deliver certain brass fieldpieces, with their carriages and equipments, to the Valley Forge Park Commission.

The SPEAKER. The gentleman from Massachusetts [Mr. SULLIVAN] has given notice of his intention to object.

Mr. NEEDHAM. The gentleman from Massachusetts is considering the question of withdrawing his objection.

Mr. SULLIVAN. I am not going to object, Mr. Speaker. A parliamentary inquiry, however, if the Chair will indulge me. Will it be in order to call up, under suspension of the rules, the bill which has been objected to? If so, I should like to draw conclusions with the gentleman from New York on the merits of the proposition.

The SPEAKER. Well, the Chair does not, to-night at least, think it is feasible to recognize the gentleman.

Mr. WALLACE rose.

The SPEAKER. For what purpose does the gentleman from Arkansas rise?

Mr. WALLACE. To ask unanimous consent for the present consideration of the bill H. R. 25557, which has been reported by the committee.

The SPEAKER. The Chair will first recognize the gentleman from Pennsylvania [Mr. WANGER], who first addressed the Chair. The Clerk will report the bill which the gentleman from Pennsylvania asks unanimous consent to consider.

The Clerk read as follows:

A bill (H. R. 25812) to authorize the Secretary of War to deliver certain brass fieldpieces, with their carriages and equipments, to the Valley Forge Park Commission.

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized to deliver to the Valley Forge Park Commission, for the ornamentation of the grounds of Valley Forge Park, of the Commonwealth of Pennsylvania, twenty-five brass fieldpieces, with their carriages and equipments, now in the possession of the United States, the same to become the property of the Commonwealth of Pennsylvania for the purpose aforesaid: *Provided*, That no expense shall be incurred by the United States for the delivery of said articles.

With the following amendments:

Line 4, after the words "authorized to," insert "loan and."
Line 6, after "Pennsylvania," strike out "25" and insert "10."
Line 7, strike out "with their carriages and equipments."
Lines 8 and 9, strike out "become the property of the Commonwealth of Pennsylvania for the purpose aforesaid" and insert "be subject at all times to the order of the Secretary of War."

The SPEAKER. Is there objection?

There was no objection.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

By unanimous consent, the title was amended to read: "A bill to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission of the State of Pennsylvania."

RELINQUISHMENT OF CERTAIN LAND IN PENSACOLA, FLA., TO THE CATHOLIC CHURCH.

Mr. LAMAR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 360) to relinquish the interest of the United States in and to certain land in the city of Pensacola, Fla., to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., and his successors, in trust for the Catholic congregation of Pensacola, Fla.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That all the interest of the United States in and to the land in the city of Pensacola, in the State of Florida, known and described on the plat of said city of Pensacola as lots 1 and 2, between the squares and the lot on the east side of the Square of Ferdinand the Seventh, known as the Catholic Church lot, is hereby relinquished and released to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., trustee for the Catholic congregation of Pensacola, Fla., and his successors.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time; was read the third time, and passed.

On motion of Mr. LAMAR, a motion to reconsider the last vote was laid on the table.

ANDREW B. BAIRD AND JAMES S. BAIRD.

By unanimous consent reference of the bill (H. R. 25487) for the relief of Andrew B. Baird and James S. Baird and to confirm all sales and dispositions heretofore made by the United States out of the confiscated land of the late Spruce M. Baird, their father, known as "Baird's Ranch," in the Territory of New Mexico, was changed from the Committee on War Claims to the Committee on Public Lands.

COPYRIGHT BILL.

Mr. BARCHFELD, by unanimous consent, was given leave to file the views of the minority of the Committee on Patents on the bill H. R. 25133—the copyright bill.

LEAVE OF ABSENCE.

Mr. LIVINGSTON, by unanimous consent, was given leave of absence for the evening, on account of sickness.

IMPROVEMENT OF RIVERS AND HARBORS.

Mr. BURTON of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of H. R. 25872, creating a commission to consider and recommend legislation for the improvement of rivers and harbors of the United States, and for other purposes.

Mr. DALZELL and Mr. RAINEY both objected.

WILLIAM N. BRUNSON.

Mr. DAWSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 8622, which is a corollary of the resolution recently passed to correct a mistake in a bill which had already passed both Houses.

Mr. CLAYTON. What is it?

Mr. DAWSON. It is a bill granting an increase of pension to William N. Brunson.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William N. Brunson, late of Company G, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time; was read the third time, and passed.

On motion of Mr. DAWSON, a motion to reconsider the last vote was laid on the table.

PRESIDENTIAL APPROVALS.

A message from the President of the United States was communicated to the House by Mr. LATTA, one of his secretaries, who also announced that the President did, on the following dates, approve and sign bills of the House of the following titles:

On March 2, 1907:

H. R. 8984. An act to amend the laws governing labor or improvements upon mining claims in Alaska;

H. R. 9326. An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;

H. R. 10305. An act to provide for the repayment of certain customs dues;

H. R. 11040. An act to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys;

H. R. 11044. An act authorizing and directing the Secretary of the Treasury, in certain contingencies, to refund to receivers of public moneys acting as special disbursing agents amounts paid by them out of their private funds;

H. R. 15320. An act to remove the charge of desertion standing against Peter Parsch;

H. R. 19524. An act to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906;

H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;

H. R. 21857. An act to correct the military record of Jacob Rockwell;

H. R. 22210. An act to correct the military record of Homer Quick;

H. R. 24390. An act to correct the military record of Charles H. Kellen;

H. R. 24605. An act granting the Norfolk and Portsmouth Traction Company the right to operate trains through the military reservation on Willoughby Spit, Norfolk County, Va.;

H. R. 24816. An act to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906;

H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company;

H. R. 25630. An act to amend an act entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," approved June 8, 1906;

H. R. 25738. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River;

H. J. Res. 236. A joint resolution authorizing the Secretary of the Navy to furnish metal for a bell;

H. R. 3268. An act for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased;

H. R. 8699. An act for the relief of James A. Carroll;

H. R. 10095. An act making certain changes in the postal laws;

H. R. 11401. An act granting an increase of pension to William Kling;

H. R. 13418. An act for the relief of W. S. Hammaker;

H. R. 15859. An act ceding certain lands to Colorado State Agricultural College;

H. R. 16659. An act to correct the military record of Tobe Holt;

H. R. 19751. An act to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.;

H. R. 22588. An act for the relief of homestead entrymen who have paid more than the lawful purchase money;

H. R. 23556. An act prohibiting the purchase or procurement, sale, gift, or disposition of intoxicating liquors to or for the use of minors by unlicensed persons;

H. R. 25437. An act to grant American registry to the German bark *Mariechen;*

H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same;"

H. R. 25692. An act to provide for an additional district judge for the northern district of California;

H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River;

H. R. 25801. An act granting an honorable discharge to Seth Davis;

H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee shoals;

H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana;

H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.; and

H. R. 25885. An act to extend the time for building a bridge across Red River at Shreveport, La.

On March 4, 1907:

H. R. 24815. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908;

H. R. 13605. An act to satisfy certain claims against the Government arising under the Navy Department;

H. R. 25889. An act to provide for sittings of the United States circuit and district courts of the southern district of Ohio, at the city of Dayton in said district;

H. R. 13566. An act to amend the national-banking act, and for other purposes;

H. R. 16235. An act authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.;

H. R. 19275. An act for the relief of T. E. Boyt;

H. R. 23221. An act for the erection of a public building at the city of Athens, in the State of Ohio;

H. J. Res. 253. A joint resolution relating to securing a channel of 6 feet depth over Foys flats in the Trent River, North Carolina, about 4 miles above Newbern;

H. R. 24640. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 25745. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 25851. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes;

H. J. Res. 211. A joint resolution authorizing the transfer of the files, books, and pamphlets of the Industrial Commission;

H. J. Res. 219. A joint resolution providing for an increase in the number of copies to be printed of the annual report of the Comptroller of the Currency;

H. J. Res. 229. A joint resolution to provide for the printing of 250,000 copies of the special report on the diseases of horses;

H. J. Res. 255. A joint resolution providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session;

H. J. Res. 256. A joint resolution authorizing the Attorney-General to print 850 copies of the session laws;

H. J. Res. 257. A joint resolution authorizing the Secretary of the Treasury to print 1,000 additional copies of the annual report of the Director of the Mint;

H. R. 3208. An act granting a pension to Isabel T. Borthwick;

H. R. 8727. An act for the relief of James W. Kenney and the Union Brewing Company;

H. R. 12623. An act granting a pension to Minnie C. O'Connor;

H. R. 13304. An act to provide a suitable memorial to the memory of Christopher Columbus;

H. R. 20490. An act for the relief of Frank J. Ladner;

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs;

H. R. 23650. An act to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes;

H. R. 23988. An act to authorize a patent to be issued to Martin Sanders, widow of Levi B. Sanders, for certain lands therein described;

H. R. 24655. An act to authorize the legislature of Oklahoma to dispose of a certain section of school land;

H. R. 25039. An act to enable the city of Phoenix, in Maricopa County, Ariz., to use the proceeds of certain municipal bonds for the purchase of the plant of the Phoenix Water Company and to extend and improve said plant;

H. R. 25672. An act to amend an act entitled "An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River;"

H. R. 25719. An act to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building;

H. R. 25812. An act to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission of the State of Pennsylvania; and

H. R. 25883. An act to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy.

## RETIREMENT OF ARMY OFFICERS.

Mr. HULL. Mr. Speaker, I ask unanimous consent to discharge the Committee on Military Affairs from further consideration of Senate joint resolution 91, adjusting the status of certain officers of the Army as to their period of service required by the act of Congress aproved June 30, 1882, to entitle an Army officer to retirement on his own application, and that the bill may be now considered.

The Clerk read the bill, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the period of service entitling an Army officer to retirement on his own application, as required by act of Congress approved June 30, 1882, shall include all

service rendered by such officers as cadets at the United States Naval Academy, Annapolis, Md., or subsequent to graduation therefrom, or to service as commissioned officers of the Navy, or to both.

Mr. MANN. I object.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 11 o'clock a. m.

The motion was agreed to; and accordingly (at 1 o'clock and 25 minutes a. m.) the House was in recess until 11 o'clock a. m.

## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the cases of Martin H. Johns and sundry others against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the action filed by the court in the cases of John A. Beaver, administrator, and others against The United States, dismissed for want of prosecution—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the action filed by the court in the cases of heirs of Isaac Burnett and others against The United States, dismissed for want of jurisdiction—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Benjamin F. Fox against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the cases of William J. Pointevent and sundry other cases against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Charles H. Adams against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of Commerce and Labor, transmitting a report in relation to the inquiry of the House as to the investigation of the *Larchmont* disaster—to the Committee on the Merchant Marine and Fisheries.

A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a report of the operations of the excise board for the license year ended October 31, 1906—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Acting Secretary of the Navy, transmitting, in response to the inquiry of the House, a statement relative to the work on the battle ship *Louisiana*—to the Committee on Naval Affairs, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. McCLEARY of Minnesota, from the Committee on the Library, to which was referred the bill of the House (H. R. 25853) authorizing the purchase of the historical art window, by Maria Herndl, of George Washington, and so forth, reported the same without amendment, accompanied by a report (No. 8158); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURTON of Ohio, from the Committee on Rivers and Harbors, to which was referred the bill of the House (H. R. 25872) creating a commission to consider and recommend legislation for the improvement of rivers and harbors of the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 8159); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 25812) to authorize the Secretary of War to deliver certain brass field pieces, with their carriages and equipments, to the Valley Forge Park Commission, reported the same with amendment, accompanied by a report (No. 8160); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 8328) to permit the laying of two water pipes from Bayonne, N. J., to Staten Island, New York, reported the same with amendment, accompanied by a report (No. 8163); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 21401) authorizing the Secretary of the Interior to purchase the McIntosh Reservation, in Carroll County, Ga., and erect a monument thereon, reported the same with amendment, accompanied by a report (No. 8164); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVEY of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25885) to extend the time for building a bridge across Red River at Shreveport, La., reported the same with amendment, accompanied by a report (No. 8161); which said bill and report were referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GREGG, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 6447) to authorize the appointment of Acting Asst. Surg. George R. Plummer, United States Navy, as an assistant surgeon in the United States Navy, reported the same without amendment, accompanied by a report (No. 8156); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8568) granting an increase of pension to Rosanna A. May, reported the same without amendment, accompanied by a report (No. 8157); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 8585) for the relief of Charles W. Spalding, reported the same without amendment, accompanied by a report (No. 8162); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 25883) to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy, reported the same without amendment, accompanied by a report (No. 8165); which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BURLESON and Mr. LOVERING: A bill (H. R. 25884) directing the fixing of a standard of cotton classification—to the Committee on Agriculture.

By Mr. WATKINS: A bill (H. R. 25885) to extend the time for building a bridge across Red River at Shreveport, La.—to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNE: A joint resolution (H. J. Res. 254) granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany—to the Committee on Foreign Affairs.

By Mr. CHARLES B. LANDIS: A joint resolution (H. J. Res. 255) providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session—to the Committee on Printing.

Also, a joint resolution (H. J. Res. 256) authorizing the Attorney-General to print 850 copies of the Session Laws—to the Committee on Printing.

Also, a joint resolution (H. J. Res. 257) authorizing the Secretary of the Treasury to print 1,000 additional copies of the Annual Report of the Director of the Mint—to the Committee on Printing.

By the SPEAKER: Memorial from the legislature of Washington, praying for legislative encouragement for the Alaska-Yukon-Pacific Exposition—to the Select Committee on Industrial Arts and Expositions.

By Mr. ESCH: Memorial of the legislature of Wisconsin, relating to revision of the tariff—to the Committee on Ways and Means.

By Mr. JENKINS: Memorial of the legislature of Wisconsin,

relating to the revision of the tariff—to the Committee on Ways and Means.

By Mr. BURKE of South Dakota: Memorial of the legislature of North Dakota, relating to the proposed survey and drainage of the valley of the Red River of the North—to the Committee on Agriculture.

By Mr. DAVIDSON: Memorial of the legislature of Wisconsin in favor of early revision of certain schedules of the existing tariff—to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 25883) to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy—to the Committee on Naval Affairs.

By Mr. BIRDSALL: A bill (H. R. 25886) granting extension of letters patent—to the Committee on Patents.

By Mr. FULKERSON: A bill (H. R. 25887) granting an increase of pension to Edwin Painter—to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of various organizations in the States and the District of Columbia, against the Littlefield bill—to the Committee on the Judiciary.

By Mr. BATES: Petition of citizens and organizations of Pennsylvania, for the Murphy eight-hour law—to the Committee on Labor.

Also, petitions of Lew Wallace Court, No. 63, Tribe of Ben Hur, of Meadville, Pa.; Legion No. 482, Order of the National Protective Legion, of Union City, Pa., and Springs Legion No. 854, Order of the National Protective Legion, of Cambridge Springs, Pa., against amendments Nos. 12, 17, and 18 to the bill H. R. 608, relative to classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. BURTON of Ohio: Petition of the Cleveland Association of Credit Men, for 1-cent letter postage and reclassification of second-class postal rates—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDER: Petition of the Peace Association of Friends, of Philadelphia, for an international peace congress to supplement the permanent court of arbitration—to the Committee on Foreign Affairs.

By Mr. CAPRON: Petition of Providence (R. I.) Legion, No. 1704, Order of the National Protective Legion, against the passage of the bill to amend and codify the statutes relating to the classification of second-class matter and the rates of postage thereon—to the Committee on the Post-Office and Post-Roads.

Also, petition of the International Mule Spinners' Association, of Lonsdale, R. I., in favor of the passage of the convict-labor bill—to the Committee on Labor.

By Mr. DAVIDSON: Petition of Typographical Union No. 211, of Oshkosh, Wis., for bill H. R. 9853 (the copyright bill)—to the Committee on Patents.

Also, petition of Manitowoc (Wis.) Lodge, No. 194, Independent Order of Odd Fellows, against bill H. R. 13655 (the Littlefield bill)—to the Committee on the Judiciary.

Also, petition of the Castle-Pierce Printing Company, Oshkosh, Wis., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. DAWSON: Petition of the Iowa Pharmaceutical Association, favoring the Mann patent bill—to the Committee on Patents.

By Mr. DUNWELL: Petition of the Peace Association of Friends, of Philadelphia, for an international congress supplemental to the peace arbitration court at The Hague—to the Committee on Foreign Affairs.

By Mr. FOSTER of Indiana: Petitions of Paradise Court, No. 220, and Eureka Court, No. 159, Tribe of Ben Hur, of Eureka, Ind., against amendment of the classification of second-class mail matter and postage thereon—to the Committee on the Post-Office and Post-Roads.

By Mr. GOLDFOGLE: Petition of the International Association of the Master House Painters and Decorators of the United States and Canada, for enforcement of the Sherman antitrust law relative to organized labor—to the Committee on the Judiciary.

Also, petition of the Peace Association of Friends, of Philadelphia, for an international congress supplemental to the court of arbitration—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Petition of the Moyer, Haywood, and Pettibone Protest Conference, of Germantown, Pa., against the injustice of the legal procedure against Moyer, Haywood, and Pettibone—to the Committee on the Judiciary.

By Mr. GRONNA: Petition of the International Association of Master House Painters and Decorators of the United States and Canada, for district attorneys of the United States to investigate irregularities of organizations of labor as well as of capital—to the Committee on Labor.

By Mr. HAYES: Petition of the United States grand jury of San Francisco, Cal., for a change of law so as to require shipping articles to be signed in the presence of a shipping commissioner—to the Committee on Interstate and Foreign Commerce.

By Mr. HEFLIN: Paper to accompany bill for relief of Mrs. Benjamin Findley—to the Committee on Pensions.

By Mr. HEPBURN: Petition of Rev. R. M. Kierman and Mrs. M. M. Kennedy, against sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Friendship Court, Tribe of Ben Hur, of Clarinda, Iowa, against House Document No. 608, to amend the statutes relating to classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. KNAPP: Petition of Legion No. 1601 and Legion No. 24, against the passage of a bill to amend and codify the statutes relative to classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. LEE: Paper to accompany bill for relief of heirs of Benjamin Heath—to the Committee on War Claims.

By Mr. McNARY: Petition of the Appalachian Mountain Club, for an appropriation to enable the Department of the Interior to protect forests from destruction by fire—to the Committee on Agriculture.

By Mr. MACON: Resolution of the Farmers' Cooperative and Educational Union, for bill H. R. 23208, relative to dealing in futures—to the Committee on Agriculture.

Also, petitions of the Farmers' Educational and Cooperative unions of Poinsett County, Ark.; Wheatley, Ark., and Craighead County, Ark., and Local Union No. 1338, for bill H. R. 20554, relative to speculation in futures in farm products—to the Committee on Agriculture.

By Mr. MARSHALL: Petition of Mr. Stade, for legislation giving to each State the right to ditch into, alter, or destroy part or whole of any meandering lake or navigable river—to the Committee on Rivers and Harbors.

By Mr. OVERSTREET of Indiana: Petition of the International Association of Master House Painters and Decorators of the United States and Canada, for district attorneys to investigate improper activities of labor organizations in restraint of business—to the Committee on Labor.

Also, petition of the German-American Veterans' Association, of Indianapolis, against the deprivation of the old soldiers of the luxury of the army canteen and indorsing the actions of Congressmen OVERSTREET and FREDERICK LANDIS relative to the same—to the Committee on Military Affairs.

By Mr. PEARRE: Petition of the Farmers' Club, of Silver Springs, Md., for extension of Thirteenth, Fourteenth, and Sixteenth streets, Washington City—to the Committee on the District of Columbia.

By Mr. REYBURN: Petition of Max Schermer Lodge, No. 3, I. O. B. Sh., against section 2 of the immigration law and against the proposed addition to section 25—to the Committee on Immigration and Naturalization.

By Mr. RIORDAN: Petition of the International Association of Master House Painters and Decorators of the United States and Canada, for enforcement of the Sherman antitrust law relative to labor organizations—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Peace Association of Friends, of Philadelphia, Pa., for an international peace congress to supplement the permanent court at The Hague—to the Committee on Foreign Affairs.

By Mr. ROBINSON of Arkansas: Petition of the Woman's Christian Temperance Union of Fordyce, Ark., et al., for the Littlefield bill—to the Committee on the Judiciary.

By Mr. SAMUEL: Petition of the Protest Conference of Philadelphia, against the persecution of Moyer, Haywood, and Pettibone—to the Committee on the Judiciary.

Also, petition of the International Association of Master House Builders, Painters, and Decorators, for enforcement of the Sherman antitrust law relative to labor organizations as well as capitalist organizations—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petition of Legion No. 714 and Legion No. 414, against passage of a bill to amend and codify the statutes relating to classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMS: Paper to accompany bill for relief of heirs of Hartwell D. Stovall—to the Committee on War Claims.

By Mr. SMITH of Texas: Petition of citizens of Menard and Kimble counties, Tex., for legislation to prevent speculation in futures in farm products—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: Petition of F. Ex. O. E. U., No. 4084, of Pilot Point, Tex., for a law to prevent gambling in futures—to the Committee on the Judiciary.

By Mr. SULZER: Petition of the Peace Association of Friends, of Philadelphia, for an international congress supplemental to the peace court of arbitration at The Hague—to the Committee on Foreign Affairs.

By Mr. WEISSE: Petition of the Jefferson Club, of Milwaukee, indorsing the substitute bill in form of an amendment, by Senator LA FOLLETTE, relative to the hours of railway employees—to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD: Petition of the German-American Central Verein, of Trenton, N. J., against bill H. R. 13655 (the Littlefield bill)—to the Committee on the Judiciary.

## SENATE.

### SUNDAY, *March 3, 1907.*

[*Continuation of legislative day of Saturday, March 2, 1907.*]

At the expiration of the recess (11 a. m. Sunday, March 3) the Senate reassembled.

Mr. JOSEPH W. BAILEY, a Senator from the State of Texas, appeared in his seat to-day.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 360. An act to relinquish the interest of the United States in and to certain land in the city of Pensacola, Fla., to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., and his successors, in trust for the Catholic congregation of Pensacola, Fla.;

S. 7812. An act to amend section 591 of the Revised Statutes of the United States, relative to the assignment of district judges to perform the duties of a disabled judge;

S. 8299. An act to confer civic rights on the Metlakahtla Indians of Alaska;

S. 8498. An act to amend sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and state government and be admitted into the Union;" and

S. 8622. An act granting an increase of pension to William N. Bronson.

The message also announced that the House had passed the following bills, with amendments in which it requested the concurrence of the Senate:

S. 6147. An act authorizing changes in certain street railway tracks within the District of Columbia, and for other purposes;

S. 7247. An act to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city, on a site to be selected for said station, of a public building;

S. 8327. An act to provide for the establishment of an immigration station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building; and

S. 8526. An act permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river.

The message further announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 13122. An act to correct the military record of John Allen;

H. R. 13566. An act to amend sections 6 and 12 of the currency act approved March 14, 1900;

H. R. 16659. An act to correct the military record of Tobe Holt;

H. R. 23556. An act prohibiting the purchase, procurement, sale, gift, or disposition of intoxicating liquors to minors by unlicensed persons;

H. R. 25039. An act to enable the city of Phoenix, in Maricopa County, Ariz., to use the proceeds of certain municipal bonds for the purchase of the plant of the Phoenix Water Company and to extend and improve said plant; and

H. R. 25692. An act to provide for an additional district judge for the northern and southern districts of California.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LITTAUER, Mr. TAWNEY, and Mr. BRUNDIDGE managers at the conference on the part of the House.

The message also announced that the House insists upon its disagreement to the amendment of the Senate to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23650) to quiet title to lands on the Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes.

The message further announced that the House had agreed to the concurrent resolution of the Senate requesting the President to return the bill (S. 5623) granting an increase of pension to Nicholas M. Hawkins.

The message also announced that the House had agreed to the concurrent resolution of the Senate requesting the President to return the bill (S. 7822) granting an increase of pension to William N. Bronson.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 25719. An act to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building;

H. R. 23221. An act for the erection of a public building at the city of Athens, in the State of Ohio;

H. R. 25741. An act to amend section 3 of an act entitled "An act to provide for the allotment of land in severalty," etc., approved February 8, 1901;

H. R. 25812. An act to authorize the Secretary of War to deliver certain brass fieldpieces, with their carriages and equipments, to the Valley Forge Park Commission;

H. R. 25885. An act to extend the time for building a bridge across Red River at Shreveport, La.; and

H. R. 25889. An act to provide for sittings of the United States circuit and district courts of the southern district of Ohio at the city of Dayton, in said district.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

H. R. 13122. An act to correct the military record of John Allen;

H. R. 23556. An act prohibiting the purchase or procurement, sale, gift, or disposition of intoxicating liquors to or for the use of minors by unlicensed persons;

H. R. 23650. An act to quiet title to lands on Jicarilla Reservation and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes;

H. R. 25039. An act to enable the city of Phoenix, in Maricopa County, Ariz., to use the proceeds of certain municipal bonds for the purchase of the plant of the Phoenix Water Company and to extend and improve said plant; and

H. R. 25692. An act to provide for an additional district judge for the northern district of California.

#### MARTHA SANDERS.

Mr. BERRY. I report back from the Committee on Public Lands without amendment the bill (H. R. 23988) to authorize patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described, and I submit a report thereon. I am on a conference committee and compelled to go back, and I ask that the bill be put upon its passage.

Mr. GALLINGER. I call attention to the fact that 11 o'clock was set for the further consideration of the so-called "shipping bill."

Mr. BERRY. I would not make the request, but I am compelled to go back to a conference.

Mr. GALLINGER. If it is my privilege, I will yield to the Senator.

Mr. BERRY. I thank the Senator very much.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOURS OF LABOR OF RAILROAD EMPLOYEES.

Mr. FLINT. I ask the Senate to proceed to the consideration of the conference report on the disagreeing votes of the two Houses on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

Mr. GALLINGER. I call attention to the fact, Mr. President, that yesterday it was agreed that at 11 o'clock this morning the message from the House relating to the shipping bill would be called up. I, however, will yield for the consideration of the conference report, and shall then ask that the other matter be placed before the Senate.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. NEWLANDS obtained the floor.

COAL-LAND ENTRIES.

Mr. FULTON. The Senator from Nevada kindly agreed to yield to me to call up the Alaska coal bill. It is the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska.

Mr. GALLINGER. Mr. President, I must insist upon the regular order.

Mr. FULTON. If the Senator will allow me to say just a word, this bill is not one that I feel any particular interest in. As I have explained before, it is one that the Senator from Minnesota [Mr. NELSON] prepared and has taken great interest in. He is not able to be here on account of sickness, and I agreed to call it up. I have called it up once or twice before, but there has been objection, but when these Senators inquired into the purpose and understood it they withdrew their objection. It simply provides for taking care of those who have already entered coal lands in Alaska, giving them a right to perfect the entry.

Mr. NEWLANDS. If the Senator from New Hampshire will permit me to say a word on the subject, I will state that I objected to the consideration of this bill the other day until I could examine it. I then found that it had been unanimously reported by the Committee on Public Lands, of which I am a member. I consulted with the Land Office regarding it, and they had no objections to it in its present form and stated that it was needed to protect the rights of people who made entries there. I think there will be no opposition to the bill, because it has been scrutinized over and over again by different members.

Mr. GALLINGER. Upon that statement of fact and with the understanding that it will not lead to prolonged debate, I will yield for that purpose.

Mr. HANSBROUGH. I suggest that the bill has been read.

The VICE-PRESIDENT. The amendment reported as a substitute by the Committee on Public Lands has been read. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend an act approved April 28, 1904, entitled 'An act to amend an act entitled "An act to extend the coal-land laws to the district of Alaska,"' approved June 6, 1906."

CLAIMS ARISING UNDER THE NAVY DEPARTMENT.

Mr. FULTON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13005) to satisfy certain claims against the Government arising under the Navy Department, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment striking out paragraphs 32, 33, and 34, and also its amendment to the title of the bill.

That the House recede from its disagreement to the following Senate amendments and agree to the same, namely:

"To pay John H. Lohman the balance due him on account of bounty accruing by the destruction of the enemy's vessels at the battle of Santiago, July third, eighteen hundred and ninety-eight, he being there and then an acting gunner, whereas he was allowed and paid bounty as chief gunner's mate only, fifty-nine dollars and twenty cents.

"To reimburse Capt. E. J. Dorn, United States Navy, retired, in the amount expended by him as disbursing officer at the naval station, Tutuila, in June, nineteen hundred and one, and checked against his account because the vouchers representing such expenditures have been lost, four hundred and eighty-three dollars and nine cents."

C. W. FULTON,
JOHN KEAN,
A. J. MCLAURIN,
*Managers on the part of the Senate.*

J. M. MILLER,
G. E. WALDO,
JACK BEALL,
*Managers on the part of the House.*

The report was agreed to.

DISTRICT EXCISE BOARD.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, pursuant to law, the report of the operations of the excise board of the District of Columbia for the license year ending October 31, 1906; which was referred to the Committee on the District of Columbia, and ordered to be printed.

INDIAN AND FREEDMEN ENROLLMENT CASES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 28th ultimo, an additional statement relative to the number of Indian and freedmen enrollment cases pending before the Commissioner to the Five Civilized Tribes, etc.; which was referred to the Committee on Indian Affairs, and ordered to be printed.

FINDINGS BY THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Emily E. Bishop *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BURKETT. I present sundry telegrams from telegraph operators in the State of Nebraska, relative to the eight-hour bill, which I ask may lie on the table and be noted in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From E. C. Greene, of Jansen; from agent Rock Island lines, of Murdock; from G. W. Barnes, of Richfield; from E. H. Williams, of Lincoln; from F. Felden, G. Manion, C. Evans, C. Huntington, A. Worth, R. Showers, S. Miller, R. Arneil, and L. Stewart, of Fairbury; from C. B. Askew, of Weeping Water; from E. E. Marr, of Elmwood; from P. W. Thomas, of Wabash; from A. V. Robotham, of Walton; from agent of Rock Island line, of South Bend, and from M. J. Johnson and W. A. Henry, of Ashton, all in the State of Nebraska.

Mr. BURKETT presented petitions of sundry citizens of Monroe and Wilcox, in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Trades League of Philadelphia, Pa., praying for the enactment of legislation providing for a charge of 1 cent per ounce on first-class matter weighing more than 1 ounce, with a minimum charge of 2 cents for the first ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a resolution adopted by the senate of the State of Nebraska, in favor of a fund being provided by Congress to meet the just proportion of the cost of administration of Government over Indian citizens and their lands by paying cost of building roads and bridges over Indian lands held in trust and the cost of criminal prosecution of Indian citizens; which was referred to the Committee on Indian Affairs.

Mr. SCOTT presented the petition of L. B. Bobbitt, of Raleigh, W. Va., and the petition of O. C. Vancamp, G. T. Blandenship, W. H. Speed, H. A. Conner, and A. J. Albert, of Matewan, W. Va., praying for the passage of the so-called "eight-hour bill" relative to railroad employees and telegraph operators; which were ordered to lie on the table.

Mr. CLARK of Montana presented a petition of 17 members of National Park Lodge, No. 123, Boiler Makers and Iron-Ship Builders, of Livingston, Mont., praying for the enactment of legislation to permit the protection of labor and industries from the competition of convict labor and manufactures; which was referred to the Committee on Education and Labor.

He also presented a memorial of Local Council No. 39, Order of Modern National Reserve, of Butte, Mont., remonstrating against the enactment of legislation to amend and codify statutes relating to the classification of second-class mail matter and the rates of postage thereon.

Mr. WARNER presented a petition of sundry citizens of the State of Missouri, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

REPORTS OF A COMMITTEE.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

S. 1796. An act granting an increase of pension to Edith Burt Trout; and

H. R. 3208. An act granting a pension to Isabel T. Borthwick.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 6175) granting an increase of pension to Neoline H. Ash, reported it with an amendment, and submitted a report thereon.

ADELLE V. C. M'DONALD.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate to report a resolution, and I ask unanimous consent for its consideration.

The resolution was read, as follows:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the contingent fund of the Senate to Adelle V. C. McDonald, widow of H. Bowyer McDonald, late Chief Clerk of the Senate of the United States, a sum equal to one year's salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

Mr. KEAN. This is according to the usual custom. In other instances it is one-half year's salary, but when the employee has been here over thirty years we have given to the widow a full year's compensation.

The resolution was considered by unanimous consent, and agreed to.

HOURS OF LABOR OF RAILROAD EMPLOYEES.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

Mr. NEWLANDS. Mr. President, the bill is entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon." The particular provision to which I wish to refer is that contained in the proviso of section 2, which relates to the "operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches reports, transmits, receives, or delivers orders pertaining to or affecting train movements," etc.

I have received telegrams from a large number of telegraph operators employed by the different railroads in the State of Nevada asking me to support the amendment which was offered by Representative MURPHY, of the House of Representatives, and which is contained in this proviso, and which limits the hours of train dispatchers, operators, and other employees who, by the use of the telegraph or telephone, dispatch, transmit, receive, or deliver orders pertaining to or affecting train movements to nine hours a day. The bill went to conference, and the conferees made a change in that proviso. The change is this: They provide that for that class of telegraph operators known as train dispatchers the hours instead of being nine, as in the Murphy amendment, shall be eight.

But then they exclude the great body of telegraph operators from the benefit of the Murphy amendment and provide that their service shall not be longer than twelve hours a day except in case of emergency. I am told by those who represent the telegraph operators and by Representative MURPHY, of the House, who himself is an old telegraph operator and train dispatcher, that under the custom of the railroads as it now exists train dispatchers work only eight hours a day. So the conference report does not change their position at all as to hours of labor.

The difference, as I understand it, between the train dispatcher and the ordinary operator is that the train dispatcher has charge and direction of the orders relating to the movement of trains, and there are in his office other telegraph operators who have not that particular responsibility, but who receive and transmit orders by telegraph. It is also true, I believe, that at some stations there are telegraph operators who necessarily receive and transmit orders relating to the movement of trains who are not regarded as train dispatchers.

Under the provision, then, of the amendment known as the "Murphy amendment," the hours of all operators were restricted to nine hours. Under the conference amendment the hours of a very few of the operators, known as "train dispatchers," are limited to eight hours; but the great body of operators are limited to twelve hours. It is in behalf of this last body that I speak. I think that twelve hours is too long a service for any operator, except in case of an emergency.

Mr. CULLOM. Will the Senator allow me to make an inquiry? What proportion of the telegraph operators are limited to any given hours?

Mr. NEWLANDS. By this report?

Mr. CULLOM. By the conference report.

Mr. FLINT. All telegraph operators.

Mr. NEWLANDS. They are all limited. The train dispatchers are limited to eight hours, but the vast body of operators are limited to twelve hours.

Mr. CULLOM. Then the great body of the telegraph operators are limited to twelve hours?

Mr. NEWLANDS. They are left as they are now.

Mr. CULLOM. That is what I wanted to find out.

Mr. NEWLANDS. There is no change whatever.

Mr. CULLOM. So we are doing them no service at all.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from California?

Mr. NEWLANDS. Certainly.

Mr. FLINT. I wish to state to the Senator from Nevada that there is no limitation now upon telegraph operators.

Mr. NEWLANDS. But I understand the custom now is not to employ them longer than twelve hours. So the law does not operate so as to create any further limitation than that now customarily observed.

Mr. FLINT. I will state to the Senator that there were statements presented to us from railroads showing that there are a number of telegraph operators who work in excess of twelve hours a day.

Mr. NEWLANDS. But I imagine that that is only in cases of emergency.

Mr. FLINT. I think not. I think there are some stations, small country stations, where they work longer than twelve hours. This limits them to twelve hours.

Mr. NEWLANDS. Then I yield, of course, to the correction of the Senator so far as this small number of operators is concerned.

Mr. FLINT. It is very small.

Mr. NEWLANDS. The Senate will observe that practically no change is made regarding the hours of the vast body of telegraph operators. It seems to me that their demand is a reasonable one, that there should be a limitation, and that the limit of nine hours imposed by the Murphy amendment, as it passed the House, is a reasonable one, particularly in view of the fact that the Murphy amendment excepted cases of emergency, when the employees named in the proviso may be permitted to remain on duty for four additional hours in a twenty-four-hour period for not exceeding three consecutive days in any week.

I am told by Mr. MURPHY that if it is contended that it may be necessary to employ men in emergencies more than three consecutive days at the rate of twelve hours a day, the words "not exceeding three consecutive days in any week" may be stricken out, leaving simply a provision that in a case of emergency the hours can be extended from nine hours to twelve hours. An emergency may last over a period of three days if the amendment suggested by Representative MURPHY is accepted.

The objection was made by one of the conferees yesterday that the effect of the Murphy amendment would be to add 10,000 telegraph operators to the force of railroad employees in the country, and that it is doubtful whether that number of operators could be secured. That seemed a strong objection, but upon inquiry I find that the bill is not to go into effect for one year, and certainly during that time these additional employees ought to be secured.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from California?

Mr. NEWLANDS. Certainly.

Mr. FLINT. I desire to state to the Senator from Nevada a fact which was stated to the conference committee, that one of the rules of the union of telegraphers provides that no telegraph operator, a member of the union, can have a student unless he receives permission from the president of the Telegraphers' Union, or from the office of division superintendent, as I understand it, and one of the necessary acts before they can have the necessary number will be an amendment to the rules of the organization of the Telegraphers' Union.

Mr. NEWLANDS. But I imagine, Mr. President, that the Telegraphers' Union would quickly make this change, for they are urging legislation which will necessitate the employment of 10,000 more operatives, and unless the 10,000 more operators are secured, of course the emergency will continue that will enable the railroads to insist upon their serving twelve hours instead of nine. So they themselves will be interested in relaxing the rule which at present apparently restricts the number of operators who can be educated and employed. In addition to this, I am told that not one-half the operators in the country belong to this union.

But is the addition of 10,000 men to the working force of the railroads a very large or unreasonable addition? Obviously not, when we reflect there are 1,000,000 men in the employ of the railroads. Ten thousand men additional is certainly not a very large percentage of 1,000,000.

Then what additional expense will this involve to the railroads? I am told that the average telegraph operator does not receive more than $600 per year. That would mean for 10,000 operators not to exceed $6,000,000 per annum imposed as an expense upon the railroads, whose receipts now aggregate over two billion per annum.

Mr. President, I am aware that just at this time, when the consideration of the railroad question is prominent in the public mind, the railroads are being pushed from all points. Their rates are being attacked through the Interstate Commerce Commission, through the various legislatures of the States, and through the various commissions organized by the States, and unless they make a steady and earnest resistance they doubtless fear that their receipts will be largely diminished.

In addition to this, they are being pressed in the matter of taxes. Almost every State in the Union has under consideration some new tax law that will involve the increase of taxes paid by these corporations, or if legislation is not sought to increase their taxation, such administration of existing law is insisted upon as will increase it.

In addition to all this, their employees are insisting upon a material increase in their compensation, and many of the railroad companies have granted an increase of from 5 to 10 per cent. I can realize, therefore, that with all this pressure the railroads feel compelled to resist all movements tending either to the reduction of income or to an increase of taxation, or to an increase in their expenses caused by an increase in the number or the compensation of their employees.

So far as I am concerned, I wish to see every right of the railroads respected. I wish to see their receipts adequate not only to pay their taxes and operating expenses, but to give them a fair return upon a fair valuation. I have been for a long time urging in this body that the National Government should take hold of this whole question and by a national incorporation act sanction the consolidations which are now so much criticised, under proper control of capitalization and bond and stock issues through the Interstate Commerce Commission, with the expectation that automatically, by the projection of real capitalization, by the protection of a fair return, by the prescription of a fair rule of taxation, which can be done by the National Government with interstate railroads just as we do in the case of national banks, we will have a system which, while it will take care of the operators, restricting them only to reasonable hours, will insure a fair return on the capital invested in these corporations.

But, Mr. President, we are denied the opportunity of comprehensive legislation on this subject and can only take these matters up one at a time, and the question that now presents itself to us is whether a reasonable limitation shall be put upon the hours of this vast body of operators. I think that justice to them demands that it should be, and I think that the safety of the public requires it. I have reason to know that the safety of the public is greatly endangered by the excessive hours of railroad employees. Only recently I rode with the engineer of a freight train in the West, who assured me that he had been kept at work so long upon his train that he found himself one night asleep going along at the rate of 25 miles an hour. These conditions ought to be changed; and it seems to me that the telegraph operators, on whose work the safety of the public so greatly depends, should be protected from unreasonable hours.

While I plead for this legislation in their interest, I wish to say that I am ready to stand for the protection of the railroads in everything that relates to a fair return upon their capital and a fair system of taxation. I shall therefore move that the conferees be instructed to concur in the proviso to section 2 as it came from the House, with the elimination of the following words at the end of the proviso, "namely, not exceeding three consecutive days in any week."

Mr. CARMACK. What is the Senator's amendment? I did not understand the Senator's amendment.

Mr. NEWLANDS. I say I shall move, and I do move, for the acceptance of the House proviso to section 2, with the elimination of the words at the close of that proviso, "namely, not exceeding three consecutive days in any week;" and I move to eliminate those words at the suggestion of the author of the proviso, Representative MURPHY, of the House of Representatives. I will state that Mr. MURPHY was himself a telegraph operator and dispatcher, and that this proviso was drawn by him.

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Tennessee?

Mr. NEWLANDS. I yield the floor.

Mr. CARMACK. I wish to ask the Senator to state the general effect of his amendment in regard to the hours of labor. How does it affect the hours of labor?

Mr. NEWLANDS. The general effect of the amendment will be to limit the hours of all train dispatchers, operators, or other employees who by the use of the telegraph or the telephone dispatch, report, transmit, receive, or deliver orders pertaining to or affecting train movements to a period of not longer than nine hours in every twenty-four-hour period, with the exception of emergencies provided for in this proviso.

Mr. CARMACK. Mr. President, I shall support the amendment proposed by the Senator from Nevada [Mr. NEWLANDS]. I do not intend to enter into any general discussion of the bill except to express my regret that the House provision was not accepted. If I correctly understand the practical effect of the conference report, it means no change whatever, or at least no beneficial change, in existing conditions.

Mr. KEAN. It is impossible to hear the Senator. I am trying to listen.

Mr. CARMACK. I was saying that if I understand the measure in its present shape it accomplishes no change, or at least no beneficial change, in the condition of the telegraph operators of the country. It simply in effect legalizes existing conditions, the very conditions against which they are making complaint. It fixes upon them by law the very thing which they are seeking to remedy by law, and it is simply a mockery of their complaint, of their appeal to Congress to give them a measure of relief.

I think it would be better to have no legislation at all, to attempt nothing whatever in the name and under the guise of remedial legislation for a class of men who have been complaining to us, than to enact this bill; but we should leave it for some future Congress which may be more willing to meet what I concede to be the just and proper complaints and demands of the operators.

Very few of them now work over twelve hours, as the Senator from California [Mr. FLINT] says, and the only effect of the bill is to give relief to a very small number of telegraph operators and train dispatchers. If we can not do anything better than to give that little measure of relief, I think we had better do nothing at all and leave it to some other Congress to try to give a just and proper measure of relief.

I shall support the amendment of my friend from Nevada.

### PUBLIC BUILDING AT ATHENS, OHIO.

Mr. SCOTT. I ask unanimous consent for the passage of a small bill that will be a slight favor to a gentleman of the other House who is retiring after more than twenty years' service. This will be about the only opportunity that I will have to get the bill before the Senate.

It is the bill which has just come from the House, the bill (H. R. 23221) for the erection of a public building at the city of Athens, in the State of Ohio, and I ask for its present consideration. I hope the Senate will indulge me in this one case and allow the bill to be put on its passage.

The bill was read twice; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its con-

sideration. It directs the Secretary of the Treasury to acquire for the United States, in the city of Athens, in the State of Ohio, in such manner as to him shall seem best, a suitable site, and cause to be erected thereon, according to plans and specifications to be approved by him, a substantial building, with good modern improvements and conveniences, for the post-office and other Government uses, at a total cost of not more than $100,000, the building to be distant at least 40 feet in every direction from any other structure.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IMMIGRATION STATION AT GALVESTON, TEX.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 8327) to provide for the establishment of an immigration station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building, which were, on page 1, line 3, to strike out "Secretary of the Treasury" and insert "Secretary of Commerce and Labor;" and on page 2, line 3, to strike out all after "the" down to and including "immigration," in line 4, and insert "immigrant fund."

Mr. CULBERSON. I move that the Senate concur in the House amendments.

The motion was agreed to.

IMMIGRATION STATION AT NEW ORLEANS, LA.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 7247) to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city, on a site to be selected for said station, of a public building, which were, on page 1, line 3, to strike out "Secretary of the Treasury" and insert "Secretary of Commerce and Labor;" and on page 2, line 2, to strike out all after "the" down to and including "immigration," line 3, and to insert "immigrant fund."

Mr. DILLINGHAM. I move that the House amendments be concurred in.

The motion was agreed to.

FIELDPIECES FOR VALLEY FORGE PARK COMMISSION.

Mr. KNOX. I ask unanimous consent for the present consideration of the bill (H. R. 25812) to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission, of the State of Pennsylvania.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. KNOX. I offer the amendments which I send to the desk.

The VICE-PRESIDENT. The amendments proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. In line 6, before the word "brass," it is proposed to strike out "ten" and insert "twenty-five;" and in the same line, after the word "pieces," it is proposed to insert "with their carriages and equipments;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized to loan and deliver to the Valley Forge Park Commission, for the ornamentation of the grounds of Valley Forge Park, of the Commonwealth of Pennsylvania, twenty-five brass fieldpieces, with their carriages and equipments, now in the possession of the United States, the same to be subject at all times to the order of the Secretary of War: *Provided*, That no expense shall be incurred by the United States for the delivery of said articles.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

RED RIVER BRIDGE AT SHREVEPORT, LA.

Mr. MCENERY. I ask unanimous consent for the present consideration of the bill (H. R. 25885) to extend the time for building a bridge across Red River at Shreveport, La.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GALLINGER. Mr. President, I am not going to object to the consideration of this bill, but I do want to put into the RECORD the fact that, in my judgment, the building of ships for the American merchant marine is of more consequence than the building of bridges across any river in the country. I shall not object to this bill, but if every Senator is to undertake to get bills passed by unanimous consent to-day, I shall very soon object.

Mr. FLINT. Mr. President, I simply desire to make the statement, so that it may go into the RECORD, that if the debate continues on this sixteen-hour bill, and if in addition the time of the Senate is to be taken up in passing other bills, in my opinion it will result in the defeat of the bill. We had great difficulty in coming to an agreement on this bill in conference, and the members of the conference on this bill are now engaged in other conferences, so that it would be very difficult to get the conferees together again on the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COOSA RIVER DAM, ALABAMA.

Mr. PETTUS. I ask that the message from the House in regard to Senate bill 8526 be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 8526) permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river, which was on page 4, to strike out all after line 3, down to and including line 14, page 5, and insert:

SEC. 3. That this act shall be null and void unless the dam herein authorized be commenced within three years and completed within seven years from the time of the passage of this act.

SEC. 4. The authority herein conferred shall, except as herein specifically provided, be subject in all respects to the provisions of the act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. PETTUS. I move that the Senate concur in the House amendment.

The motion was agreed to.

GENERAL DEFICIENCY APPROPRIATION BILL.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist upon its amendments and agree to the conference asked by the House, the conferees to be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. HALE, Mr. ALLISON, and Mr. TELLER as the conferees on the part of the Senate.

JOINT POSTAL COMMISSION.

The VICE-PRESIDENT. The Chair appoints as members of the Joint Postal Commission of Congress on the part of the Senate, created by the post-office appropriation act to make an examination into the business system of the Post-Office Department and the postal service, the Senator from Pennsylvania [Mr. PENROSE], the Senator from Montana [Mr. CARTER], and the Senator from Georgia [Mr. CLAY].

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following acts:

On March 2:

S. 2787. An act to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe, or Bad River, Reservation, in the State of Wisconsin;"

S. 3638. An act providing for the retirement of noncommissioned officers, petty officers, and enlisted men of the Army, Navy, and Marine Corps of the United States;

S. 5365. An act to appoint Joseph Y. Porter a lieutenant-colonel and deputy surgeon-general and to place him on the retired list of the Army;

S. 6498. An act to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.," approved April 20, 1904;

S. 7994. An act authorizing the State of North Dakota to select other lands in lieu of lands erroneously entered in sections 16 and 36 within the limits of the abandoned Fort Rice and Fort Abraham Lincoln military reservations, in said State;

S. 8063. An act to amend an act entitled "An act to amend an act approved August 3, 1894, entitled 'An act concerning leases in the Yellowstone National Park,'" approved June 4, 1906;

S. 8128. An act granting to the St. Johns Light and Power Company a right of way for street railroad purposes through the United States Military Reservation of Fort Marion, in St. Augustine, Fla., and through other Government property in said city;

S. 8377. An act to amend an act entitled "An act permitting

the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906; and

S. 8535. An act for the relief of certain white persons who intermarried with Cherokee citizens.

PENSION APPROPRIATION BILL.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate with a further amendment as follows: After the word "dollars," on page 4, line 6 of the bill, insert the following:

"*Provided*, That the Secretary of the Interior shall make inquiry and report to Congress at the beginning of its next regular session the effect of a reduction of the present pension agencies to one such agency upon the economic execution of the pension laws, the prompt, efficient payment to pensioners, and the inconvenience to pensioners, if any, which would result from such reduction. This provision shall not be construed as interfering with or limiting the right or power of the President in existing law in respect to reduction or consolidation of existing pension agencies."

And the Senate agree to the same.

P. J. McCUMBER,
N. B. SCOTT,
JAS. P. TALIAFERRO,
*Managers on the part of the Senate.*

WASHINGTON GARDNER,
W. P. BROWNLOW,
JOHN A. SULLIVAN (dissenting),
*Managers on the part of the House.*

The report was agreed to.

HOURS OF LABOR OF RAILROAD EMPLOYEES.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

Mr. PATTERSON. Mr. President, legislative bodies very rarely take the initiative in legislation of this kind. They usually await the action of those who are to be affected by it. Legislative bodies yield to a public sentiment. But it seems to me that when they profess to be yielding to a public sentiment they ought to do something substantial in that way and not make a mockery of it.

I think it is very much to be regretted that the bill as it passed the Senate, which related solely to railroad employees and did not include telegraph operators, should not have been presented to both bodies upon its merits without coupling with it the provisions now found in the report of the conference committee pertaining to telegraph operators.

I am inclined to think, Mr. President, that the provisions pertaining to the operators will prove very obnoxious to those who sought the interposition of Congress to grant them some relief. It legalizes a twelve-hour day, and surely neither telegraph operators nor any other class of workmen would be likely to favor a law that practically fixes their working day to be twelve hours.

At the present time, Mr. President, the telegraph operators have it in their power to fight as other organized corps of employees fight for the betterment of their condition. As a rule they have no legislative handicap to prevent them, as the result of a contest, from winning if they can convince their employers or the great public at large that their cause is just. But when you place upon the national statute books a law that permits employers to exact from them a certain number of hours of labor each day, it is as though Congress declares that that is a fair day's labor, and if the men affected shall seek to lessen the hours they find themselves confronted with a law that interferes very materially with any struggle they may enter upon to lessen their hours of labor.

Mr. President, the effect of this bill in dealing with telegraph operators is to give an eight-hour day, perhaps, to 1 in 500 telegraph operators and to legalize a twelve-hour day for all the rest of the telegraph operators. When I read the bill I labored under the impression that the committee which reported it had been deceived by railroad men, that they had been led to believe that the designation "train dispatcher" included a great many more members of the telegraphers' calling than it really did, and that they had confused the term "train dispatchers" with those who receive and transmit dispatches and that, laboring under a false impression, they had concluded to report this amendment as we find it in the conference report.

Mr. President, let me call the attention of this body to the language of this proviso:

*Provided*, That no train dispatcher, or dispatcher's operator in the dispatcher's office, or other employee who by the use of the telegraph or telephone issues orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than eight hours in any twenty-four-hour period.

In other words, this refers to the train dispatcher and to the operator working with the train dispatcher. How many such employees are there on any line of railroad? As I understand it, they usually have a train dispatcher in the train dispatcher's office on each division of the railway, and that is all. At the headquarters of a division you have a train dispatcher who regulates the movement of the trains within his division, which may cover several hundred miles of railway.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. PATTERSON. Certainly.

Mr. HEYBURN. I noticed for the first time the words used in this provision when the Senator from Colorado read it "issues orders," etc. If the word was "transmit," it would, I think, cover the other class of operators the Senator has in mind. It seems to me that the word "issues" should be stricken out and the word "transmits" adopted, because that would then include all men who receive, for the purpose of sending them to the conductor and the engineer, messages governing the handling of trains.

Mr. PATTERSON. Mr. President, the thing which has led to so many railroad accidents of a serious character has not been mistakes committed by the train dispatchers. We have had accidents occurring by reason of erroneous dispatches being sent by dispatchers, but the accidents that usually occur are because of the failure of the operators at the different stations on the line of railway to give the dispatches to the engineers and the conductors of the trains as they pass the different stations on the line. Not one of these telegraph operators is permitted to have, if the railroad shall exact it from them, a shorter day's labor than one of twelve hours. The only persons affected by this eight-hour provision are those who sit at the headquarters office and send out the dispatches to the different parts of the line to control moving trains; but the men who receive dispatches—the men who are to deliver them and see that they are correctly given to the engineers and the conductors—are upon the twelve-hour schedule. No relief whatever is given to them. The Senator from Tennessee [Mr. CARMACK] very well characterized this in the remarks he made.

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. PATTERSON. With pleasure.

Mr. CARMACK. I ask the Senator from Colorado if he does not think that an act of legislation recognizing twelve hours as a proper limitation for these operators would be worse than to leave the matter in its present condition?

Mr. PATTERSON. I certainly do, Mr. President.

There are a great many operators now on different lines who work but eight hours a day. They are not train dispatchers; but the better roads, those that have more regard for the safety of the traveling public, have seen that it was profitable, both in the matter of saving their companies from damages on account of personal injuries and the safety of their rolling stock, to put their telegraphic employees on a shorter day schedule than twelve or thirteen hours, and they have done so. But the provision of this bill is an invitation to all such railways to exact the twelve-hour day or a greater number of hours than their operators are at present required to serve.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from California?

Mr. PATTERSON. With pleasure.

Mr. FLINT. I ask the Senator from Colorado if that same proposition would not apply to a sixteen-hour limitation, so far as railroad employees are concerned?

Mr. PATTERSON. There is a far greater difference between the employee who is stationed permanently at a point on the railroad and the employee who is operating and moving trains.

Mr. FLINT. The Senator did not answer the question I propounded, and that is this: The Senator seems to think that by fixing the hours of labor for telegraph operators at twelve the

corporations will conclude that Congress believes that that is a reasonable number of hours for telegraph operators to work. If that is true with reference to telegraph operators, why would not the passage of a bill by Congress limiting railroad employees to sixteen hours have the same effect upon the railroad officials of giving them the impression that Congress desires the railroad employees to work sixteen hours?

Mr. HANSBROUGH. Mr. President, I desire to state to the Senator from Colorado that I have here the report of the conference committee on the agricultural appropriation bill, which is a very lengthy bill, requiring a great deal of work to complete its enrollment, and I desire to submit the report so that it may go in.

Mr. PATTERSON. Mr. President, I am not going to occupy the floor very long. There are some matters that I want to say in connection with this bill, and I think the conference report had better come up in regular order.

Mr. President, after the many interruptions, attempting to recall the question propounded by the Senator from California, I would say that the difference in the employment or of the duties of telegraph operators and train operators is so marked and so clearly understood by the public that the criticism made with reference to practically legalizing a twelve-hour day for telegraph operators does not logically apply to those engaged in the movement and operation of trains.

The engineer and conductor and the other members of the train crew start out with a train. They may have a two or three or four or five hours' run. They are then practically out of service for a very considerable length of time at some distant point from the point of departure, waiting for the train that they are to take charge of to make the return trip. They are employees, as it were, on the wing, very largely the creatures of circumstance, attempting to live up to schedule time, but, as we all know, it is not a rare occurrence for schedule time to be knocked out and the trains compelled to proceed on their way on such time and under such circumstances as will permit them to get through. The period of daily employment by those operating trains running for twelve and fourteen and sixteen hours, and sometimes for a longer period, has grown out of the uncertain nature as to the length of the time they will be engaged in actively operating trains by reason of the uncertainties of the service. But, Mr. President, the telegraph operator is stationary. He is as stationary in his duties as is the man or the woman who works in a mill, and, therefore, there is no reason above and beyond a reason that would operate upon any other class of employees to keep them at work for a longer period than the community and the service ought to recognize as being wise and just, a period of time during all of which they can give all of their attention and all of their intelligence to the performance of the duties that devolve upon them growing out of their employment.

So I fully agree with the Senator from Tennessee, better no legislation at all with reference to these telegraph operators, than to mock them with legislation of this character. It is worse than a mockery, Mr. President, because, as has been before suggested, it legalizes the twelve-hour day and imposes burdens upon them that they should not be compelled to carry if they should enter upon a struggle with the great railway companies to reduce their hours of employment.

There has been some criticism upon the other part of the bill by those who represent the railroad men proper in connection with this legislation and at whose instigation very largely the legislation was undertaken. I should like to ask the Senator from California, in charge of this report, if he can state to the Senate what is meant in section 2 of this bill by the phrase "any twenty-four-hour period?" I will read the part of the bill in which that phrase occurs:

> And no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty.

Is the twenty-four-hour period to be fixed arbitrarily by the company? Is the twenty-four-hour period a calendar day? Is the twenty-four-hour period to commence with each individual workman as he enters upon the duties of his twenty-four hours' labor?

Mr. FLINT. The last statement of the Senator is the correct statement.

Mr. PATTERSON. I wish the Senator from California would explain a little more in detail what is to be understood by this paragraph of the bill.

Mr. FLINT. Just as the Senator from Colorado stated in his last proposition.

Mr. PATTERSON. That is, that a twenty-four-period is one that applies to each individual and can not be a period that will be applicable at one and the same time to all or any great number of those who are employed in railroad work?

Mr. FLINT. It applies to each man.

Mr. PATTERSON. This criticism, Mr. President, was made upon that part of the bill—and I read it because it was made, though at the same time I am frank to say I can not quite comprehend how the conclusion it mentions has been reached—but it is said:

> The provision relative to aggregate time in section 2 as reported by the conferees arbitrarily requires an employee to take eight consecutive hours off duty immediately after the twenty-four-hour period, notwithstanding the fact that he had already had eight hours off duty within such twenty-four-hour period, and possibly there may have been only one hour's service between the two eight-hour rest periods.

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from California?

Mr. PATTERSON. With pleasure.

Mr. FLINT. In that case, the employee should be required to have a nine hours' rest, instead of an eight hours' rest; so as to make the full twenty-four hour period. And I may say to the Senator from Colorado that, in my opinion, there is not a bill that can be drawn that will not permit of a violation of the law technically under certain conditions that can be stated, so far as the operation of trains is concerned.

I have a number of examples that have been given to me under different provisions that have been drawn covering this particular section. The objection to this section as it came from the House, according to my view and the view of the members of the conference committee, was that it permitted a trainman to have an eight hours' rest during a twenty-four hour period and have not more than two hours' rest at any one time. The conference committee was of the opinion that it should be mandatory that the employee should have at least eight hours consecutive rest, and not eight hours rest divided up into two-hour periods.

Mr. PATTERSON. Mr. President, I am very frank to say that I have not been able to understand the justice of this particular criticism on that phase of the bill, and I said so when I called the attention of the Senator and of the Senate to it, but that the view of one of the men, and perhaps I might say of the representative of the railroad men here, may be put before the Senate, I ask the Secretary to read the communication which I send to the desk, as it refers to the entire bill, and some matters are brought out that the Senate ought to be in possession of.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

> MARCH 2, 1907.
>
> DEAR SIR: I respectfully submit to you the following criticisms of the bill limiting the hours of service of railroad employees (S. 5133), as reported by the conference committee, and on behalf of the railroad employees who are seeking this legislation to express the hope that it will be returned to conference with the view of remedying these defects:
>
> "The provision relative to aggregate time, in section 2, as reported by the conferees, arbitrarily requires an employee to take eight consecutive hours off duty immediately after the twenty-four-hour period, notwithstanding the fact that he had already had eight hours off duty within such twenty-four-hour period, and possibly there may have been only one hour's service between the two eight-hour rest periods. Thus to force an arbitrary eight-hour rest period after only one hour's service would not only cause great inconvenience to the employees and unnecessarily keep them away from their homes, but it would also impede the movement of traffic where the immediate service of these employees was desired.
>
> "The proviso in section 2 which permits a carrier to work a telegraph operator twelve hours would specifically countenance by law the working of twelve hours a class of men a great number of whom are now only working eight hours. We fear that this would encourage carriers to increase rather than decrease the number of hours of telegraphers. Then, too, the fact that Congress had by law specifically recognized a twelve-hour day for this class of men would, we fear, put into the hands of the carriers a weapon, or at least an argument, to combat the present efforts of telegraph operators and other classes of railroad employees to decrease their hours of service by contract.
>
> "The provision in section 3 which reduces to one year the time within which suit can be brought is, in our minds, made without good cause. If individuals can not plead the statute of limitations in less than three years, we do not believe a corporation should be permitted to plead it in one year. The only argument so far advanced for making the period one year is that it is necessary in order to prevent the blackmail of railroad officers by railroad employees. This is a reflection on the railroad employees as a class. Out of nearly 1,000 actions which have been brought against the carriers for violations of the safety-appliance law there has not been one case where a railroad employee has been accused of blackmail. All criminal law can be used as a means of blackmail; therefore there is no good reason why a discrimination should be made in a law of this character.
>
> "The exemption proviso in section 3 applies to rest periods as well as service periods. We feel that this is not right, as an employee who has once been relieved from duty should not be required to again go on duty without the required amount of rest, except on relief and wreck trains.
>
> "The provision in section 3 which exempts the carrier from delays which could not have been foreseen, in our minds will render it impossible to successfully prosecute violations of the law, for the reason that this provision when applied to practical operation can be made

to cover almost any delay upon a railroad, including those which result from bad management."

Respectfully submitted.

——— ———.

Mr. CULLOM. Is that signed by anybody?

Mr. PATTERSON. It is signed by Mr. Fuller.

I think this bill should go back to conference, particularly with reference to the telegraph operators, and if it goes back to conference, then the conferees should take the paper which has just been read and try to meet, as far as possible, the objections that are urged to the bill, consistent with the duty of Congress to this large body of employees, and as a matter of course having in mind the rights of the employing companies.

But the dispatches which Senators have been receiving urging their support of the measure for the relief of the telegraph operators have all been based upon what is known as the "Murphy bill," or the "Murphy amendment." That divides the operators into two classes, and I take it that they are correctly described in this report, omitting amendments, and I will read it as the telegraph operators have urged that it should be adopted. I call the attention of the Senate to the bill as it is indorsed and urged by the telegraph operators:

That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime.

The discrimination is drawn between operators who work night and day and operators who work only in the daytime. As to those working night and day, they want the nine-hour day, and as to those who work only in the daytime, they are required to allow the period of work to be thirteen hours, while the bill as reported gives the eight-hour day only to the train dispatcher and the operator or operators in the train dispatcher's office—very few, perhaps, in each division, not to exceed three or four—while all the rest shall work twelve hours if the railroad companies shall require it and if the operators can receive employment upon no other terms.

Mr. President, the reason given by the Senator from California for this legislation it seems to me is not a good one. It is true that the telegraph operators' organization limits the number of apprentices, if I may use that term, but we know that there are telegraph-operator schools all over the country. In every city and town of any importance there are commercial colleges with departments that teach, among other things, telegraphy.

I take it, Mr. President, that the telegraph operators are about as poorly paid lot of skilled workingmen and working women as are found in the country. I think it was the Senator from Tennessee who suggested that fifty or fifty-five dollars a month is all that is usually paid to telegraph operators. I know of operators who receive but $35 per month. I suppose, as a matter of course, there are those who receive a greater wage than fifty-five or sixty dollars, but I think that $75 a month is a high wage anywhere paid to the average telegraph operator.

There is too great a disposition, Mr. President, to consult the wishes of the railway companies in matters of this kind. These companies are performing the functions of government. We delegate to the railway companies duties that should be performed by the Government for the people, and that is the reason why we are legislating in Congress from session to session and putting laws upon the statute books to regulate hours of employment and the character of the service and the rates to be charged and the character of the rolling stock, because these companies are performing duties that should be performed by the Government itself, but the Government has seen fit to delegate to the companies the doing of things that the Government ought to do. They are doing them at immense profit to themselves.

Congress, representing the Government, should not hesitate to fix the kind and character of service they must secure and the manner in which they shall use employees. It should not hesitate to fix just such rules and regulations for the benefit of the public and of the employees as the Government would fix were it engaged in performing the functions which, under the Constitution and the decisions of our Supreme Court, are declared to be governmental functions and that the Government has a right to assume and to perform whenever it shall determine so to do.

Railroad management in this country, Mr. President, has been such as to shock conservative business interests everywhere. The developments of but a few days ago before the Interstate Commerce Commission show to what extent and in what way great railroad magnates use the great powers that railroad management and high official connection with railroads confer upon them. Men, by the manipulation of railroad stocks, obtaining control of railway directories, rise suddenly from humble positions in the ranks of railroad men to be railway magnates, and instead of receiving a comparatively small salary, they are able to accumulate fortunes within a few years, until they are ranked with the billionaires of the world, hocus pocusing with stocks and railroad securities, using the funds and assets that belong to the stockholders to get possession of the stocks of other railways, that they may bring a number of railways under one particular management and turn the profits they earn to the benefit of those who, by reason of their position, are able to manipulate the securities of the companies.

If Congress, in the discharge of its duty, would drive the men who are at the head of the great railway corporations out of the stock market and prohibit them from handling the stocks of their companies as the skilled gambler will the marked deck of cards, we would have better legislation by Congress, and we would receive better service from their companies.

As to the manner in which these companies are performing their duties, and about which much tender solicitude is so frequently expressed, I desire to have read a letter that was sent to me from my home but a couple of weeks ago, written by a company every one of whose members is an ardent and radical Republican, but the concluding sentences of the letter show how they commence to view this matter of railway duty in dealing with the commerce of the country. I ask that the letter be read.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE HALLACK LUMBER AND SUPPLY COMPANY,
*Denver, Colo., February 15, 1907.*

Hon. T. M. PATTERSON,
*United States Senator from Colorado, Washington, D. C.*

MY DEAR SENATOR: We desire to call the attention of the proper Department to the fact that our city and State as well as others are suffering for the want of building material from the Northwest. Building operations are being delayed and largely curtailed by the failure of the Northern Pacific Railway and other roads in that territory to move cars now loaded with material, which have been standing on the side tracks from one to three months, and also by refusing to furnish cars to the manufacturers.

Not only is the building business injured, but all lines are suffering from these delays.

We understand the order has been issued by the Northern Pacific Railway to move nothing but perishable freight. Not only is business suffering as above stated, but thousands of laborers will at an early date be forced into idleness, and the looked-for impetus to all business on the advent of spring will be prevented by the delay of shipments.

We state the conditions that prevail throughout the territory represented by your brother Senators and Representatives.

The situation is very serious and must end in relief by Government control, if the railways are not brought to time in some other way—and that very soon.

Trusting you will give this your early attention and that the proper Departments may have their attention called to this complaint, we are,

Yours, truly,

THE HALLACK LUMBER & SUPPLY CO.
C. C. MUNSON, *Assistant to Manager.*

Mr. PATTERSON. Mr. President, I will not refer further to the letter which has just been read, except to say that with one exception, perhaps, it is from the largest lumber and building supplies company between St. Louis and San Francisco, and when they write a letter such as that and suggest that the only relief to the country from the misgovernment of the railroads and the failure of the railway companies to meet their duties and perform them is Government control, it shows how rapidly this sentiment is growing, and it grows very largely because of the failure of Congress to perform its duty in dealing with the railways and on account of the contumacy of the railroads themselves.

Mr. President, Congress ought to bear in mind that by one provision of the amendment to the interstate-commerce act it turned sums of money into the treasuries of the railways which might well be used by them in increasing the number of operators and lessening their hours and enlarging their compensation. It has been estimated that by the provision prohibiting the issuing of free passes not less than $50,000,000 per annum was turned into the coffers of the railway companies, and I can not see as yet that there has been any equivalent given to the public by the companies in the way of the reduction of rates or in the increase of accommodations to the traveling public.

I was very much cheered by a report that I read in this morning's paper of a vote in another body. I will not say whether it was in this building or not, but it was the vote of a body that has the right to speak. It declared by an emphatic vote that the street railway companies of the city of Washington shall charge the traveling public but a 3-cent fare. It is a move in the right direction, a move for the benefit of

the people whose trustee Congress is and who should guard their interests in dealing not only with the great railways of the country, but with the public-utility corporations of the capital. I do hope that when the bill to which I have reference shall go to conference the Senate conferees will see the wisdom and the justice of the 3-cent-fare provision, for I am convinced that this is a great struggle in which the people must win, if not in this Congress in the one that will immediately follow this.

There is no trouble in this class of legislation with respect to interfering with honest and fair profits for these corporations. It simply takes from them the profits that are unjust and unfair. It takes from them money that should remain in the pockets of the traveling public and that has no business in the coffers of these public-utility corporations, having in mind at the same time that they should receive fair remuneration for the capital they have invested in industries of this character.

Mr. President, so far as this bill is concerned, I hope it will go back to conference, and if the Senate conferees can do no better, that they will take out of the bill which they will return to this body all reference to telegraph operators, so that the operators may commence the struggle again in a body that will be more favorable to their cause, so just to the employees, but also to the traveling public. The telegraph sections ought never to have been incorporated upon the Senate bill, and it looks to me as though somebody might have had in mind the possibility of so loading down the bill as to defeat it; or else, as an equivalent for the Senate bill, to acquire for the railway companies advantages in dealing with their telegraph operators that they lost under the bill as it dealt with the other employees of the companies.

### AGRICULTURAL APPROPRIATION BILL.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 13, 44, 45, 50, 56, 57, 62, 63, 64, 67, 68, 69, 71, 74, 75, 76, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 28, 29, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 46, 47, 49, 51, 53, 54, 55, 58, 59, 60, 61, 65, 66, 73, 81, 82, 83, 84, 85, 87, and 89, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "ninety-five thousand seven hundred and sixty dollars;" and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and nineteen thousand two hundred dollars;" and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with amendments as follows: In line 1 of said amendment, after the word "and," insert "also;" and on page 34, in line 6, after the word "into," strike out the words "interstate or;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: On page 40 of the bill, in line 6, after the word "forests," insert the words "in the District of Columbia or elsewhere;" and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "officers," strike out the word "for" and insert in lieu thereof the word "of;" and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "Congress," insert the words "classified and;" and in the same line, after the word "detailed," insert the words "reports of all receipts by the Forest Service and classified and detailed;" and in line 11 of said amendment, after the word "receipt," insert "and there is hereby appropriated and made available as the Secretary of Agriculture may direct, out of any funds in the Treasury not otherwise appropriated, so much as may be necessary to make refunds to depositors of money heretofore or hereafter deposited by them to secure the purchase price on the sale of any products or for the use of any land or resources of the national forests in excess of amounts found actually due from them to the United States;" and in line 26 of said amendment, after the word "sources," strike out the colon and the matter following down to and including the word "reserve," in line 30; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Restore the matter stricken out, in addition to the matter inserted by the Senate; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF BIOLOGICAL SURVEY.

"Salaries, Bureau of Biological Survey: One biologist, who shall be Chief of Bureau, three thousand dollars; one clerk, class 1, $1,200; two clerks, at $1,000 each, $2,000; one clerk, $900; one messenger or laborer, $480; in all, $7,580."

And the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$52,000;" and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following:

"Nutrition investigations: To enable the Secretary of Agriculture to incur such expenses as may be necessary for the packing, transporting to, and storing in Washington, D. C., of all apparatus now the property of the Government and used in the nutrition investigations, $5,000, or so much thereof as may be necessary."

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one million and thirteen thousand two hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twelve thousand three hundred and ninety dollars;" and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seventy thousand and fifty dollars;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "eight million six hundred and ninety-two thousand two hundred and ninety dollars;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "nine million four hundred and forty-seven thousand two hundred and ninety dollars;" and the Senate agree to the same.

REDFIELD PROCTOR,
H. C. HANSBROUGH,
F. M. SIMMONS,
*Managers on the part of the Senate.*
J. W. WADSWORTH,
CHAS. F. SCOTT,
JOHN LAMB,
*Managers on the part of the House.*

The report was agreed to.

### HOURS OF LABOR OF RAILROAD EMPLOYEES.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two

Houses on the amendments of the House to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

Mr. FLINT. Mr. President, I am in entire accord with the views expressed by the Senator from Colorado and the Senator from Tennessee, that the provisions in reference to telegraph operators should not have been considered in this bill. The conferees from the Senate found themselves in the position of having to consider a new subject which had not been deliberated on in the Senate, and which affects between fifty and sixty thousand telegraph operators of this country connected with railroad operations. There was a request made to the conference committee that we should give a hearing in reference to the effect of this provision. We had a hearing, and we reached the conclusion that there were grave doubts whether employees capable of operating an instrument could be secured before the bill went into effect, and, second, whether it would not result in closing many offices where the business transacted would not justify the employment of two operators, and result in great inconvenience to the public.

Having this in mind, we submitted this matter to Mr. Clark, a member of the Interstate Commerce Commission, a man who has had great experience in railroad matters, a man who for many years was at the head of one of the labor organizations, and he drew the amendment in reference to telegraph operators which is in this bill. I have not been able to draw an amendment satisfactory to myself; that is, one which will include all those whom I desire included within the provisions of the bill and at the same time not close many small offices or jeopardize the lives of the people of this country by forcing the railroads to put incompetent men in charge of the telegraph key.

I believe that this question should have been left until the next session, when the matter could be fully considered. I myself am strongly in favor of an eight-hour day for the telegraph operators. I want to include in the provisions of this bill just as many operators as possible and not cripple the service or jeopardize the lives of the people.

The other provisions in this bill have been carefully considered, and the letter that the Senator from Colorado had read from Mr. Fuller has been carefully considered by the conference committee. We have had numerous conferences with Mr. Fuller and have endeavored, as far as it was possible, to adopt his views in reference to the provisions of this bill, and in my opinion we have materially strengthened the bill as it passed the House of Representatives.

Mr. CLAY. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. FLINT. Certainly.

Mr. CLAY. I desire to ask the Senator a question. On page 2, lines 23 and 24, it is provided—

> That no train dispatcher, or dispatcher's operator in the dispatcher's office, or other employee who by the use of the telegraph or telephone issues orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than eight hours in any twenty-four-hour period.

I wish to ask the Senator whether the eight-hour provisions of this bill apply really to anyone except the train dispatcher, because if you turn to line 2 on page 3, it especially says "who * * * issues orders."

Now, an operator in a dispatcher's office, I understand, does not issue orders. I understand that a train dispatcher has an operator who simply carries out the orders of the dispatcher. Consequently, the eight-hour provision of the bill does not apply to any class except the dispatchers. There is about one dispatcher to every 200 miles of railway and probably fifty or sixty operators who receive and transmit dispatches. In other words, if the conference report is accepted, it will be, in effect, simply legalizing conditions that are carried out at the present time. I understand the dispatchers now, by custom, work only eight hours. If the conference report is accepted, it will simply be carrying out conditions that are accepted at this time. Does not the Senator think that the House provision is rather preferable to the report of the conferees?

Mr. FLINT. Mr. President, the great trouble is that there is not a man I have talked with, either representing the organization or one who has had practical experience in the operation of railroads, or the members of the Interstate Commerce Commission, who can state the number of those who will be affected by the provisions of this bill. The question the conference committee was compelled to determine was whether or not we were willing to adopt this provision when we did not know whether it would affect the railroads or the public.

Mr. CLAY. The Senator does not claim that the conference report will apply to any class except the train dispatcher himself, I understand.

Mr. FLINT. And the train dispatcher's operator.

Mr. CLAY. The operator does not give orders.

Mr. FLINT. I am inclined to think he does give orders.

Mr. CLAY. Oh, no; the operator of the dispatcher does not give orders. He simply receives and transmits orders. The Senator will find, taking the whole bill together, that it applies simply to the dispatcher or his operator who gives orders, and I have never understood that the operator of a dispatcher gives orders. I think the Senator will find that only a small class will be affected by this conference report. I understand that at this time the eight-hour provision is carried out in regard to these dispatchers.

The Senator, I do not doubt, has examined the report of the Interstate Commerce Commission, and there he will find that a large per cent of the recent accidents which have happened—and the accidents that have occurred on railroads have increased largely during the last few years—have been on account of mistakes not made by dispatchers, but by operators. That will be found in the report of the Interstate Commerce Commission.

Mr. FLINT. Would the Senator be willing to have the lives of the people of this country placed in jeopardy by placing 15,000 men in charge of the keys who must learn the business between now and one year from to-day?

Is there a Senator who is prepared to state the number of men it will take to fill these offices made necessary by the increase under the House provision? Is there a Senator who is able to state the number of offices that will be affected in this country? There is not a single person I have talked with who is able to give an intelligent answer as to the effect of the House provision on the railroad operations of the country. If anyone could tell me just what the effect of that provision would be, the number of men that could be obtained, the number of men who would be required under the bill and that they could be obtained, I would vote for the eight-hour provision. But I am not able to answer the question of the Senator, and I am not able to get anyone else to answer it for me, as to how many men may be had or how many men will be required under the bill.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Nevada?

Mr. FLINT. I do.

Mr. NEWLANDS. Do I understand the Senator to say that the bill requires 15,000 employees? I thought the statement was made yesterday that it would require 10,000.

Mr. FLINT. I stated from ten to fifteen thousand yesterday, and that is a mere guess; nobody knows. Mr. Clark, the man who has had probably more experience as a member of a railroad organization, and now a member of the Interstate Commerce Commission, told me that he is unable to state the number of men that would be required under the House provision.

Mr. CLAY. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. FLINT. Certainly.

Mr. CLAY. Does the Senator mean to say that it will require ten or fifteen thousand additional men by reason of limiting the hours of work?

Mr. FLINT. Yes, sir; that is what I said.

Mr. NEWLANDS. Let me call the Senator's attention to the fact that, assuming this guess to be true, it means an addition of only 10,000 men to a general force employed by the railroads at present of 1,000,000 men, which is not a large percentage. In addition to that, the bill does not go into effect for one year, and I am told by Representative MURPHY, who was himself a telegraph operator, a train dispatcher, etc., and is now a Member of Congress, that it takes only six months to train a man in telegraphy. So it seems there is ample time for the training of this body of men.

It would seem to me that if this amendment would require the employment of 10,000 extra men, we would have had by this time some statement from the railroad organizations regarding it. They certainly ought to know; and if we have no statement to that effect from the railroads, it seems to me fair to presume that the increase will not be so large as the Senator apprehends.

Mr. FLINT. It was stated by those who testified before the conference committee that it would be impossible to obtain the number of employees that would be required under this bill. And I want to say that I am not stating my views, but what has been stated to me.

Mr. PATTERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield further to the Senator from Colorado?

Mr. FLINT. I do.

Mr. PATTERSON. Mr. President, the House provision is very plain and simple in its terms. As I understand it, it divides the telegraph operators into two classes—those who are in offices, towers, and other places that are operated every hour of the twenty-four hours, and those who are in such places as are only operated during the daytime.

Now, what does that mean? The offices that are operated during the daytime are small, insignificant, unimportant offices, offices that are not open during the night, offices in which no business is done——

Mr. FLINT. If the Senator will allow me, I will ask him whether, in his opinion, an office would be a night office or a day and night office under the provision of the House bill where the station was on a branch line and the train started from the end of the line at 6 o'clock in the morning and did not return until 9 o'clock at night? Would this be a day and night office?

Mr. PATTERSON. I do not know. That would be a matter of construction after the law was enacted.

Mr. FLINT. Mr. President, that is just simply one of a hundred questions that could be asked as to this bill that no one can answer.

Mr. PATTERSON. There never was a change of any importance sought by anybody in which in opposition to it an ingenious person could not ask a hundred questions—and that is the number fixed by the Senator from California—that it might not be easy to answer.

But, Mr. President, as I said, the House provision divides them into two classes, and the last class are those who are operating in towers, offices, places, and stations that are only operated during the daytime.

Mr. FLINT. Has the Senator any idea how many there are of such offices?

Mr. PATTERSON. I have not the slightest idea.

Mr. FLINT. No one else has been able to state.

Mr. PATTERSON. What difference does it make as to the number of offices of that character? I think the number must be relatively small.

Mr. FLINT. It makes a difference in this, that we can not tell the number of men that will be required.

Mr. PATTERSON. I was going to suggest, Mr. President, that there must be a very considerable number of those offices, but what the relative number may be I do not know. But those day offices are usually small and unimportant offices. They are offices in which the telegraph operator may perform the duty of station agent and, as was remarked by some one yesterday, sweep out the office and do a dozen different chores around the station. Those men may be had by the railway companies to put in the offices that are run night and day, and there ought to be little or no difficulty in securing operators to fill the places that should thus be vacated.

Mr. President, obstacles that are raised to a measure of this kind are very often simply imaginary. There may be something in them, but they are obstacles that can be overcome. If this can be readily overcome, Congress ought not to hesitate a moment at legislation that has in view the welfare of the men and the safety of the traveling public. If these railway companies are required to live up to this law, I want to say to the Senator from California, we will know that they will live up to it, for these companies are powerful. They can create almost where the ordinary individual would hardly dare to exist. Impose the obligation upon them. That is what is to be done.

If it is necessary, Mr. President, let the conference committee put a provision in the measure such as is in the measure imposing the use of safety appliances upon railroads. Give a discretionary power to the Interstate Commerce Commission to relieve the railway companies for a reasonable length of time until the requisite number of skilled telegraph operators can be secured. If it is the will of Congress to have this reform, there is no substantial obstacle in the way. All that is necessary is for Congress to make proper provision and deal justly and wisely with the question. If discretionary power is necessary, put it in the hands of the Interstate Commerce Commission, and between the law and the Commission the reform will be put into effect and there will be little or no trouble experienced.

Mr. FLINT. Mr. President, I desire to have the Senate informed as to the conditions that confronted the conference committee and the objections that we saw in adopting the House provision.

I agree with the Senator from Colorado in another matter, that we should not place in the bill a provision for twelve hours for telegraph operators. We are legislating, in my opinion, in the bill for not more than 10 per cent of the railroad employees and not more than 10 per cent of the telegraph operators of the country; but after considering this matter in committee I favored the reporting of a bill limiting the hours to sixteen, for the reason that the railroad employees in the country desired it, and for the further reason that there were men being employed for a longer period and many accidents resulting therefrom; but it seems to me to be a wrong position for the Congress of the United States to go to the country with a statement that they believe that any railroad man should work sixteen hours in the operation of a train or that a telegraph operator should work twelve hours where he is charged with the movement of trains. I would favor a provision, if the labor could be had and conditions would warrant it, of fixing an eight-hour law instead of a twelve-hour law, as is provided in this bill; but I have reached the conclusion, after the hearing and after talking with the members of the Interstate Commerce Commission, that if we passed such a law it could not be complied with by railroad companies; and it would therefore be an idle thing and, in my opinion, result in more harm to those who favor an eight-hour law than any other act we could do, for if we passed an act requiring railroads not to permit operators to work for more than eight hours a day and the men could not be obtained, it would result in bringing upon the eight-hour advocates criticism that would result in injury.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Oregon?

Mr. FLINT. Certainly.

Mr. PATTERSON. I wish to ask the Senator from California a question.

Mr. FULTON. The Senator yielded to me.

Mr. PATTERSON. Oh, I beg pardon.

Mr. FULTON. I understand from the Senator's remark that if the labor could be secured he would favor a prohibition against eighteen hours continuous employment.

Mr. FLINT. I state further that, if conditions would warrant it, I think there are some stations where the operators themselves would not want an eight-hour day. In some of the small country towns, where the train leaves early in the morning and there are no trains during the day until, say, 8 or 9 o'clock at night, where the operator acts as baggageman, as express messenger, as Western Union or Postal operator, and ticket agent, and attends to these matters and also acts as telegraph operator, he, the operator himself, would not want the work to be limited to eight hours, for the reason that during a large part of the day he would not be required to perform any duties—that is, between the time that the train left in the morning and returned at night—and yet would be on duty more than eight hours.

Mr. PATTERSON. May I ask the Senator from California a question?

Mr. FULTON. I have not yet asked my question. I only started to ask it and the Senator from California entered upon a further explanation.

The question I am intending to ask is simply in reference to that portion of the Senator's suggestion to the effect that sufficient labor can not be had. Is that due, in the Senator's judgment, to the fact that there are not enough skilled employees at the present time to be had, and that it would take more than one year to educate a sufficient number to supply the additions which would be required by this law?

If that be true, I ask the Senator if the objection would not be overcome by extending the time within which the law shall take effect? It is not perhaps important, I suggest, that the law shall take effect in a year or a year and a half from now. It is very important, however, that the principle shall be established that the men who are in charge of the operation of trains carrying passengers throughout the country shall be limited to reasonable hours. In the interest of the traveling public surely it is too long a time to require or to permit men who are sending dispatches in connection with the operation of the trains to be employed twelve hours. It endangers the lives of the people who are traveling every day that that is permitted.

Now, could not the provision be changed that requires this law to go into effect within one year so as to extend it to such time as the Senator thinks is necessary to educate a sufficient number of employees to fill these positions? We will then have the principle established and no doubt the men will be forthcoming to fill the places.

I wish to say that as to some of the amendments the conference committee have reported I think they are improvements. But here is the difficulty that I find myself placed in. I understand we can not amend the report. We must either accept the conference report or reject it. We can not, as I understand,

even instruct the conferees. If the report comes up as a whole, I shall have to vote against the adoption of it, because I believe that we should establish the principle here and now of prohibiting, as soon as the business of the country will not prevent such law taking effect, the employment of the people who are in these responsible positions for a longer period than, say, nine hours anyway. I think that is sufficient time.

Mr. PATTERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Colorado?

Mr. PATTERSON. I wish to ask the Senator from Oregon as well as the Senator from California a question.

Mr. FLINT. I want to answer the inquiry of the Senator from Oregon, and then I will be through, if the Senator will permit me.

Mr. PATTERSON. Certainly.

Mr. FLINT. In my opinion there should not only be sufficient time to obtain the operators that will be found necessary under the increased number required by the bill, but there are certain instances where there should be exceptions made, as I have stated, in the small offices. I believe that it would be better not to pass at this session any bill in relation to the telegraph operators rather than to postpone it for a longer period, for the reason that if we do not pass any legislation on this subject at this session I would be in favor of the adoption of a resolution instructing the Interstate Commerce Commission to investigate the matter and make a full and complete report to the Congress of the United States as to whether a bill should be passed that contained the provisions of the House bill and what effect it would have on the railroad companies and the traveling public.

Mr. PATTERSON. Mr. President, speaking of the small offices, under the House provision the operators of the small offices are allowed to work for thirteen hours. So there is no trouble upon the score of the small and the unimportant offices.

Now, I want to ask the Senator from California whether, if the House amendment should be adopted and we add to that a proviso allowing the Interstate Commerce Commission to extend the operation of the act to certain railroads as application might be made by them for a reasonable time to enable them to secure the necessary operators, would not that immediately obviate all the difficulty which the Senator from California sees?

Mr. FLINT. Mr. Clark, of the Interstate Commerce Commission, stated that in his opinion a sufficient number of men could not be obtained.

Mr. PATTERSON. I suppose if Mr. Clark were asked to state how many would be necessary, of course he would say, "I can not tell," but if the law goes into effect and the different railway companies are given authority to apply to the Interstate Commerce Commission for relief from its immediate operation, then an investigation would be made and the Interstate Commerce Commission would readily determine for what length of time the law should be extended.

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. PATTERSON. Will the Senator from Tennessee permit me just a moment, and then I will yield.

Mr. CARMACK. Certainly.

Mr. PATTERSON. I want the Senate to understand the situation. The bill with the amendment that was put on the bill by the House is a bill that is entirely satisfactory to the railway employees of the country. Those are the provisions that they have urged the Senate to adopt. The House adopted those provisions by a very considerable majority. Those who changed those provisions must necessarily be the Senate conferees, and it is certainly in the power of this body to instruct the Senate conferees to adopt the House amendment and then allow the conferees of both Houses to make some such careful provision as I have suggested with reference to securing the requisite number of men.

Mr. FULTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. PATTERSON. With pleasure.

Mr. FULTON. Does the Senator from Colorado understand that it was held here a few days ago that a conference report can not be amended, nor can the conferees be instructed as to the character of the report they shall make? I may be mistaken, but that is as I recall it. I think the Senator from South Carolina [Mr. TILLMAN] recalls it.

Mr. TILLMAN. I think the rules themselves either specify or indicate that the instruction of conferees is not permissive except in the way that it has been done here by debate. The Senator will recall that on the rate bill, when we brought in the provision about free passes, while we were never instructed in express terms, we were lectured unmercifully here by everybody ad nauseam.

Mr. FULTON. I remember the occasion, and the Senator expresses exactly my understanding, that Senators may suggest on the floor what their ideas are and what they think should be done.

Mr. TILLMAN. And the Senate itself may make a suggestion, as they did on the vote on the pension agencies yesterday, by further insisting.

Mr. FULTON. Certainly.

Mr. TILLMAN. There are no definite instructions permissible, as I understand it.

Mr. FULTON. Further than that, I think no instruction can be given.

Mr. PATTERSON. The matter can be readily reached if the Senate thinks it should be reached. There is no trouble about that.

Mr. TILLMAN. No; by a vote.

Mr. PATTERSON. It seems to me there is no trouble in the way of putting this law into just and proper form and embracing in it such recent provisions as by common consent the law should contain.

### IMMIGRATION STATION AT CHARLESTON, S. C.

Mr. TILLMAN. I ask the Chair to lay before the Senate the bill which has come from the House providing for the establishment of an immigration station at Charleston.

The bill (H. R. 25719) to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building, was read the first time by its title and the second time at length, as follows:

*Be it enacted, etc.*, That the Secretary of the Department of Commerce and Labor be, and he is hereby, authorized and directed to establish an immigration station at the city of Charleston, in the State of South Carolina, and to cause to be erected, on a site to be selected, a public building to temporarily accommodate and care for immigrants arriving at said city: *Provided*, That the land and dock room necessary for said station and building be transferred to the Government of the United States free of any cost to the United States.

SEC. 2. That the sum of $70,000 is hereby appropriated for the erection of said building, which sum shall be paid from the immigrant fund, said sum to include heating and ventilating apparatus, elevators, and approaches.

Mr. TILLMAN. I ask that the bill be put on its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. TILLMAN. I move that the bill (S. 8565) to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection of a public building in said city, on a site to be selected for said station, be indefinitely postponed.

The motion was agreed to.

### TERMS OF COURT AT DAYTON, OHIO.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 25889) to provide for sittings of the United States circuit and district courts of the southern district of Ohio at the city of Dayton, in said district; which was read the first time by its title and the second time at length, as follows:

*Be it enacted, etc.*, That from and after the passage of this act there shall be held at the city of Dayton, in the southern district of Ohio, a term of both the circuit and district courts of said district on the first Monday in May and November of each year.

SEC. 2. Grand and petit jurors summoned for service at such terms of either of the courts aforesaid may be residents of any part of the said southern district of Ohio.

SEC. 3. Prosecutions for crimes or offenses hereafter committed in any part of the said district shall be cognizable at the terms aforesaid of either of the said courts having jurisdiction thereof.

SEC. 4. All suits which, under existing law, may be brought within the said southern district, or any division thereof, may be instituted, prosecuted, tried, and determined at the said terms of court so to be held in the said city of Dayton.

SEC. 5. Any judge of the United States holding court in the southern district of Ohio in pursuance of existing laws may transfer any suit now pending in the court wherein he shall be so, as aforesaid, sitting to the next term of the circuit or district court, as the case may be, whichever shall have jurisdiction of the same next to be held at the said city of Dayton in accordance with the terms of this act.

SEC. 6. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency, but not otherwise.

Mr. FORAKER. I ask unanimous consent for the present consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### OX BOW POWER COMPANY OF SOUTH DAKOTA.

Mr. CARTER. I ask unanimous consent for the present consideration of the bill (H. R. 25672) to amend an act entitled

"An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River."

Mr. FLINT. I wish to give notice that I shall not give consent for the consideration of any bill after this one has been acted upon. I am quite anxious that the pending conference report should be disposed of.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. McCREARY. I offer an amendment to the bill, which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kentucky will be stated.

The SECRETARY. In line 9, before the word "years," it is proposed to strike out "six" and insert "three;" so as to make the bill read:

*Be it enacted, etc.*, That section 2 of chapter 1821 of the laws of 1894, approved April 28, 1904, is hereby amended to read as follows:

"SEC. 2. That this act shall be null and void unless the structures herein authorized shall be commenced within one year and completed within three years from the date of approval thereof."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

### HOURS OF LABOR OF RAILROAD EMPLOYEES.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

Mr. NEWLANDS. Mr. President, I have put in form the motion which I have prepared regarding the telegraph operators, to which I have previously referred in my remarks.

The VICE-PRESIDENT. The motion submitted by the Senator will be read.

The Secretary read as follows:

Mr. NEWLANDS moves to instruct the Senate conferees to accept the House proviso to section 2, striking out the following words at the end of such proviso: "On not exceeding three consecutive days in any week;" so that it will read as follows:

"*Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period.

Mr. NEWLANDS. I ask action on that motion if the discussion is ended.

The VICE-PRESIDENT. In the opinion of the Chair, the motion is not in order under the rules of the Senate.

Mr. NEWLANDS. Will the president of the Senate listen to a suggestion regarding that?

The VICE-PRESIDENT. The Chair will hear the Senator from Nevada.

Mr. NEWLANDS. Mr. President, this is a disagreement between the Senate and the House of Representatives. It is regarding the House bill which was presented as an amendment in the nature of a substitute for the Senate bill. The House of Representatives, as I understand, adheres to its amendment, and this is simply an instruction to the conferees on the part of the Senate to withdraw their disagreement as to that particular proviso.

The VICE-PRESIDENT. The only question before the Senate is on agreeing to the conference report.

Mr. TILLMAN. Or disagreeing to it, Mr. President.

Mr. NEWLANDS. Or disagreeing to it.

The VICE-PRESIDENT. The motion of the Senator from Nevada is not in order. It is in contravention of the uniform practice of the Senate. The question is on agreeing to the report of the conference committee. [Putting the question.] By the sound the "noes" appear to have it.

Mr. FLINT. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). On this question I am paired with the Senator from Maine [Mr. FRYE]. If he were present, he would vote "yea," and I should vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN], but I transfer that pair to the junior Senator from Iowa [Mr. DOLLIVER] and vote. I vote "nay."

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. FOSTER]. That Senator being absent, and not knowing what his vote would be upon this question if he were present, I withhold my vote.

The roll call was concluded.

Mr. DUBOIS. I am requested by the junior Senator from Wisconsin [Mr. LA FOLLETTE] to announce that if he were present he would vote "nay." He is absent on account of illness.

Mr. BRANDEGEE. I wish to announce that my colleague [Mr. BULKELEY] has been called from the Chamber and that he is paired with the Senator from Mississippi [Mr. MONEY].

Mr. WARREN. I have a general pair with the Senator from Mississippi [Mr. MONEY]; but that pair has been transferred, as I understand, to the Senator from Connecticut [Mr. BULKELEY]. I am therefore at liberty to vote. I vote "nay."

The result was announced—yeas 22, nays 38, as follows:

YEAS—22.

| | | | |
|---|---|---|---|
| Allee | Crane | Gallinger | Long |
| Ankeny | Curtis | Hemenway | Perkins |
| Brandegee | Dick | Heyburn | Proctor |
| Burnham | Dillingham | Kean | Spooner |
| Carter | Flint | Kittredge | |
| Clark, Mont. | Foraker | Knox | |

NAYS—38.

| | | | |
|---|---|---|---|
| Bacon | Fulton | Nixon | Sutherland |
| Blackburn | Gamble | Overman | Taliaferro |
| Burkett | Hansbrough | Patterson | Teller |
| Burrows | Hopkins | Pettus | Tillman |
| Carmack | Latimer | Piles | Warner |
| Clay | Lodge | Rayner | Warren |
| Cullom | McLaurin | Scott | Wetmore |
| Daniel | Mallory | Simmons | Whyte |
| Dubois | Mulkey | Smith | |
| Frazier | Newlands | Smoot | |

NOT VOTING—30.

| | | | |
|---|---|---|---|
| Aldrich | Clarke, Ark. | Frye | Money |
| Allison | Culberson | Hale | Morgan |
| Bailey | Depew | La Follette | Nelson |
| Berry | Dolliver | McCreary | Penrose |
| Beveridge | Dryden | McCumber | Platt |
| Bulkeley | Du Pont | McEnery | Stone |
| Clapp | Elkins | Martin | |
| Clark, Wyo. | Foster | Millard | |

So the conference report was rejected.

Mr. FLINT. Mr. President, I move that the Senate further insist on its disagreement to the amendments of the House of Representatives and ask for a further conference with the House thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed as conferees on the part of the Senate Mr. PENROSE, Mr. FLINT, and Mr. DANIEL.

### THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. GALLINGER. Mr. President, I ask now that my motion shall be put to concur in the amendment of the House of Representatives to the so-called "shipping bill."

The VICE-PRESIDENT. The question is on the motion of the Senator from New Hampshire to concur in the House amendment.

Mr. CARMACK. Mr. President, I regret very much——

Mr. SCOTT. Mr. President, will the Senator from Tennessee, before he begins his remarks, yield to me for a moment?

Mr. CARMACK. Mr. President, as anxious as I am to hasten the consideration of this measure, I will yield to the Senator from West Virginia. [Laughter.]

### ISABEL T. BORTHWICK.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (H. R. 3208) granting a pension to Isabel T. Borthwick.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Isabel Tait Borthwick, widow of John L. D. Borthwick, late chief engineer of the United States Navy, retired, and to pay her a pension of $30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### JICARILLA INDIAN RESERVATION.

Mr. CURTIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23650) to quiet title to lands on the Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to

be made and to dispose of the merchantable timber, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to section three.

That the House recede from its disagreement to the amendments of the Senate to sections one and two, and agree to the same.

MOSES E. CLAPP,
CHARLES CURTIS,
H. M. TELLER,
*Conferees on the part of the Senate.*

THOMAS F. MARSHALL,
CHAS. H. BURKE,
WM. T. ZENOR,
*Managers on the part of the House.*

The report was agreed to.

B. H. M'CALLA.

Mr. CULLOM. I ask the Senator from Tennessee to yield to me to secure the passage of a joint resolution.

Mr. CARMACK. I never could resist the Senator from Illinois, and I will yield to him.

Mr. CULLOM. I am directed by the Committee on Foreign Relations, to whom was referred the joint resolution (S. R. 98) granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany, to report it without amendment. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It grants permission to Rear-Admiral B. H. McCalla, United States Navy, to accept the China war medal, with Pekin clasp, tendered to him by the King of Great Britain, and the Order of the Red Eagle, with swords, tendered to him by the Emperor of Germany.

Mr. CULLOM. I understand that Admiral McCalla is in very poor health and is anxious that this joint resolution shall be passed. I ask that it be acted upon immediately.

Mr. CARMACK. I do not want to delay the matter, but I should like the Senator to explain what is the Order of the Red Eagle? [Laughter.]

Mr. CULLOM. I do not know.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

UNCONSTITUTIONALITY OF LIQUOR LICENSES.

Mr. GALLINGER. I present a decision in full of Judge Samuel R. Artman, of Indiana, concerning the unconstitutionality of liquor licenses. I move that the decision be printed as a document.

The motion was agreed to.

HAROLD D. CHILDS.

Mr. DILLINGHAM. I ask unanimous consent for the present consideration of the bill (S. 8230) for the relief of Harold D. Childs.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint Harold D. Childs, late midshipman, an ensign in the United States Navy, and to place him upon the retired list as such with three-fourths the pay of his grade.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MINNIE C. O'CONNOR.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 12623) granting a pension to Minnie C. O'Connor, to report it without amendment, and I submit a report thereon. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Minnie C. O'Connor, dependent mother of John H. Reagin, late private, Hospital Corps, United States Army, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOLA B. HENDERSHOTT AND LOUISE HENDERSHOTT.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 7845) granting a pension to Lola B. Hendershott and Louise Hendershott, to report it without amendment, and I submit a report thereon. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the names of Lola B. Hendershott and Louise Hendershott, children of the late Maj. Henry B. Hendershott, retired, and to pay each of said children a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SCHOOL LANDS IN OKLAHOMA.

Mr. LONG. I ask unanimous consent for the present consideration of the bill (H. R. 24655) to authorize the legislature of Oklahoma to dispose of a certain section of school land.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the legislature of Oklahoma, when the State of Oklahoma shall have been admitted, to grant section 16 in township 14 north of range 4 east of the Indian meridian, Lincoln County, Okla., to the board of education of the city of Chandler, in that county, for school purposes upon such terms as the legislature may impose.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLIMATIC PROVINCES OF ALASKA.

Mr. PILES. I present certain matter relative to the climatic provinces of Alaska. I ask that it be printed as a document, including the map.

The motion was agreed to.

FRANK J. LADNER.

Mr. McLAURIN. I ask unanimous consent for the present consideration of the bill (H. R. 20490) for the relief of Frank J. Ladner.

Mr. GALLINGER. I desire to say that I will not object to the request of the Senator from Mississippi in reference to this bill, but after it is disposed of I shall insist on the regular order.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes Frank J. Ladner to enter, at the minimum price of $1.25 per acre, in virtue of his and his assignor's long settlement and valuable improvements thereon, the following-described lands, to wit: Section 13, in township 8 south, range 14 west of the St. Stevens meridian, in the State of Mississippi, being the lands shown on the plat of official survey approved December 9, 1829, as the private land claim of John B. Lardner, containing an area of 640 acres, more or less, located in Hancock County, in that State, and upon payment of that sum a patent shall issue in favor of Frank J. Ladner.

Mr. McLAURIN. There is no amendment to the bill. It is to allow Frank J. Ladner to pay a dollar and a quarter an acre for 640 acres of land which he and his ancestors have occupied since 1829. There was some controversy about the title between the Government and the claimant, and he asks to be allowed to pay a dollar and a quarter an acre for this land in Mississippi.

Mr. GALLINGER. I think if the Senator does not debate the bill, it will pass.

Mr. McLAURIN. Very well.

Mr. CARMACK. I was going to ask if this land is on the Tombigbee River? [Laughter.]

Mr. McLAURIN. No, sir; it does lie on the Tombigbee River, but all the land in Mississippi is good.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHANGES IN DISTRICT STREET RAILWAY TRACKS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 6147) authorizing changes in certain street railway tracks within the District of Columbia, and for other purposes.

Mr. GALLINGER. The amendment need not be read. I move that the bill be referred to the Committee on the District of Columbia.

The motion was agreed to.

NEOLINE H. ASH.

Mr. SCOTT. Will the Senator from Tennessee yield that I may call up two very small bills?

Mr. CARMACK. I hope when I retire from this Chamber it will be with the reputation of always having been a courteous and obliging Senator. I yield to the Senator from West Virginia.

Mr. SCOTT. I ask unanimous consent for the present consideration of Senate bill 6175.

Mr. GALLINGER. The Senate is waiting with unusual interest and expectancy to hear a speech from the Senator from Tennessee on the shipping bill. Some of us have been given notice that under no circumstances should we absent ourselves from the Chamber when that speech is delivered. I believe the Senator proposes to call me by name in his speech. I want to be here to listen to it. This matter of unanimous consent can not go on much longer. We have to take up the serious question that is before the Senate. But I will yield to the Senator from West Virginia if these are pension bills.

Mr. SCOTT. They are pension bills.

Mr. GALLINGER. Thereafter we must proceed with the regular business.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (S. 6175) granting an increase of pension to Neoline H. Ash.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 9, before the word "month," to strike out the article "a" and insert "per;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Neoline H. Ash, widow of Howard P. Ash, late paymaster, United States Navy, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said Howard P. Ash until they reach the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDITH BURT TROUT.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (S. 1796) granting an increase of pension to Edith Burt Trout.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Edith Burt Trout, widow of Harry G. Trout, late captain, Second Regiment United States Cavalry, and to pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 6249) to provide for the establishment of an agricultural bank in the Philippine Islands, with amendments; in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 17415) to authorize the assignees of coal-land laws locations to make entry under the coal-land laws applicable to Alaska; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. MONDELL, and Mr. BURNETT managers at the conference on the part of the House.

The message further announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

H. R. 16235. An act authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.; and

H. J. Res. 253. Joint resolution relating to securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 6704) to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905; and it was thereupon signed by the Vice-President.

AGRICULTURAL BANK IN THE PHILIPPINE ISLANDS.

Mr. LODGE. I ask the Chair to lay before the Senate the action of the House of Representatives on the Philippine agricultural bank bill.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 6249) to provide for the establishment of an agricultural bank in the Philippine Islands, which were, on page 2, line 13, before the word "hundred," to strike out "four" and insert "two;" and on page 3, section 2, line 9, after the word "upon," to insert "and be paid out of."

Mr. LODGE. I move that the Senate concur in the amendments of the House of Representatives.

Mr. CULBERSON. I wish to ask the Senator what the amendments relate to?

Mr. LODGE. The first amendment reduces from four hundred to two hundred thousand dollars "the total annual contingent liability under the guaranties authorized by this act at any time." The other amendment simply strengthens the security of the Government investment.

The amendments were concurred in.

THE MERCHANT MARINE.

Mr. GALLINGER. I ask for the regular order, Mr. President.

The VICE-PRESIDENT. The regular order is demanded. The question is on agreeing to the motion of the Senator from New Hampshire that the Senate concur in the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. CARMACK. Mr. President, I regret very much if I seem to belittle the discussion of a question of so much importance by introducing something that savors of a personal issue, if not of a personal quarrel. I had hoped to retire from this Chamber cherishing no unkind feeling of my own toward any Senator and with no Senator on either side of the Chamber having such a feeling toward me. The Senator from New Hampshire [Mr. GALLINGER] indulged in some remarks so personal in their nature that if I had not arrived at that time of life when the heyday in the blood is tamed, I might have forced it to a personal issue. I am glad for the first time in my life that I have arrived at an age when the impulses are restrained by the judgment, and when the hot blood and the ferocious impulses of my youth are under proper control.

The Senator from New Hampshire, whom I would love to call, as I used to do, my good friend from New Hampshire—he probably would not permit me to do that now—saw fit to describe certain parliamentary movements of myself and other Senators upon this floor as filibustering and those of us who engaged in that movement as filibusters. I was so shocked and stunned by the Senator's characterization that I lost, for the time being, my presence of mind, and the debate had proceeded too far before I could call him to order. The uniform courtesy, and, I may say, the punctilious regard for the rules of the Senate and for the general rules of politeness and courtesy and demeanor which have always characterized the Senator from New Hampshire, as well as the pleasant personal relations that have always existed between him and me, added to the shock of my astonishment when I found myself characterized by a term so outrageous and offensive—I will not say insulting, because I believe that would be a violation of the rules perhaps as gross as that committed by the Senator from New Hampshire.

Webster's Dictionary is regarded the world over as a standard authority, at least so far as the definition of words is concerned. Yet I remember that Thomas Carlyle once treated Daniel Webster with great gruffness and afterwards explained his conduct by saying that he mistook him for Noah Webster, the man who had written a dictionary and nearly ruined the English language.

Upon this point, while it is not directly and immediately involved in this debate, I wish to say that a man who labored to make his own style of composition appear like a literal translation from the German is himself no good judge of good English; and besides, Mr. Carlyle probably had reference to matters of orthography and derivation rather than to the definition of words. So far as definition is concerned I boldly maintain that Webster is still a standard authority, though I say this with no disrespect to Worcester, to the compilers of the Century Dictionary, or to any other modern lexicographical work or even to Doctor Johnson himself.

I do not believe that the Senator from New Hampshire, who is an erudite and accomplished scholar as well as a fair-minded Senator, a college graduate—at least he bears all the outward appearances, both in his looks and in his manner and in his conversation, of being a college graduate—will dispute this proposition with me. If he does, I am abundantly supplied with authorities to support my contention. The work to which I refer is available to every Senator, and if its authenticity is disputed I can easily bring it to the Senate and have it read from the desk, so that every Senator may judge for himself whether or not I am supported by competent authority.

Accepting Webster, therefore, as a standard authority, at least so far as definitions are concerned, because matters of orthography and derivation are not important to the phase of the question to which I am now addressing myself, I find that the word "filibuster" is thus defined in that great and monumental work which has maintained its authority against all captious criticism and all the later researches and studies and investigations of the most learned philologists. He does not spell it as I thought it ought to be spelled. [Laughter.] But, as I said in the beginning, I do not insist that Webster is an authority in that matter.

"Filibuster," with one "l;" "a lawless, military adventurer, especially one in quest of plunder; a freebooter."

That is what the advocates of this bill say about the people who oppose it.

"A lawless, military adventurer, especially one in quest of plunder; a freebooter."

This great work also tells us that the word was originally applied to the buccaneers infesting the Spanish main; and while it has had various local and occasional applications to bands of marauders and lawless adventurers, it appears that in each case it retained some of the substantial force of its original meaning.

The Senator from New Hampshire therefore has seen fit to characterize other Senators who have served with him amicably in this body, many of them like myself on terms of personal friendship with that Senator, men who have never been guilty of any act, so far as I know, that could be regarded as personally offensive to the Senator from New Hampshire, who have always demeaned themselves properly and courteously in their conduct toward him and in their relations with him, both as a Senator and in their social relations—he has seen fit to characterize them as plunderers and freebooters.

Mr. President, I think we all know what a freebooter is. It means one who is in quest of free booty. The derivation of the word shows that that is its meaning, and while I have not contended that Webster was an authority upon derivation, I think any other dictionary will bear out what Webster has to say upon that point.

The same authority I have quoted and upon which I shall rely throughout this debate defines it as a "pillager, a buccaneer." Going to the same high authority for the word "buccaneer," we find that it means "a robber upon the sea;" a filibusterer, a robber upon the sea. I could prosecute these definitions further, but I do not wish to take up the time of the Senate. [Laughter.]

I simply wish to call attention to the fact that we who are opposing this measure are charged by the great Senator from New Hampshire with being buccaneers and sea robbers, and in spite of the pleasant relations that have existed between the Senator from New Hampshire and myself, without having ever spoken a word either in debate or in private conversation, in his presence or behind his back, which, if conveyed to him, could have given the Senator from New Hampshire the slightest offense, I must go back home to private life branded by a man whom I have regarded as my friend, a man who has never received anything but kindness at my hands, a man of whom I have never spoken aught except a kindly word, as a plunderer, a marauder, a pillager, a buccaneer, a sea robber, and a pirate. [Laughter.]

Mr. President, in my career in politics I have been accused of almost everything except appendicitis, I believe [laughter], but it remained for the Senator from New Hampshire to take me from my inland home and launch me as a buccaneer and a pirate upon the sea. [Laughter.] That is the accusation which I must bear when I go back among my people.

And, Mr. President, I can not undertake to refute this accusation or to break its force by discrediting the character of the man who has made it. I can not go back to my people and say that this man from New Hampshire is a man of no character, a man of no standing, a fellow of no marked likelihood, a man whose word carries no weight, whose character gives no force to any accusation he may make against the character of another man. I can not say that truthfully, and therefore I can not say it at all. [Laughter.] I am bound to go back to my people and admit that I have suffered these accusations at the hands of a man who stands high in the Senate of the United States, a man of high character, a man of truth, an accomplished gentleman, a man of ability and of standing, and that is what I must bear from the Senator from New Hampshire.

But, Mr. President, however the Senator from New Hampshire may feel toward me and whatever he may say about me, I will not permit it to change the feelings that I have for him. I shall not forget the personal associations of the past. I shall not forget the many kindnesses I received at his hands. I am magnanimous enough to forget these false and outrageous accusations in the memory of the courtesies and kindnesses I have received from the Senator in other days.

Yet, Mr. President, while the tu quoque is not regarded as an argument of the highest value—I will not pause here to translate those words to the Senate; I do not wish to take up the time; the Senator from New Hampshire himself, who is an accomplished Senator, can explain to any of you in private the meaning of the term I have employed—I say while the tu quoque is never regarded as an argument of great force and value, I can not refrain from saying that if filibuster means sea robber, the interests that are behind this bill are the greatest filibusters the country and the Congress have ever seen.

For many years there has been what I think I may truly describe as a conspiracy against the Treasury on the part of a number of bands of shipowning adventurers, and the methods they have employed have caused them to deserve the name of political or legislative freebooters. They have been doing or trying to do their robbery upon the sea, which brings them exactly within the definition of the term filibuster; that is to say, if I have established to the satisfaction of the Senate that Webster's Dictionary is an authority in the matter of the definition of words. I see that I must hurry along. [Laughter.] Time stays for no man.

Way back in 1876 the Judiciary Committee of the House investigated a charge involving the use of enormous sums of money to promote the passage of a ship-subsidy bill. How much earlier than that it had begun I do not know. But the RECORD discloses that at least as far back as 1876 this conspiracy had begun to loot the Treasury of the United States, and they were spending enormous sums of money to accomplish that purpose.

An investigation was had in the House of Representatives. I think it was had by the Judiciary Committee. It may have been, however, by some other committee. The particular committee that conducted the investigation, however, is a matter of no special importance. It was conducted by a committee of the House of Representatives duly authorized and charged by the House of Representatives with the duty of conducting an investigation into the truth or falsity of the charge which had been made that vast sums of money had been expended by certain interested parties, capitalists in New York, New England, and elsewhere, for the purpose of bringing about the passage of a ship-subsidy bill.

Mr. DUBOIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Idaho?

Mr. CARMACK. I yield to my friend from Idaho.

Mr. DUBOIS. In the line of the Senator's argument, if it will not disturb him, as I think it directly in point, I should like to read an extract from a very valuable book which I have here.

Mr. CARMACK. I am glad to yield to the Senator for that purpose.

Mr. SPOONER. In view of the desire of the Senator from Tennessee to finish, I hope the Senator from Idaho will not interrupt him.

Mr. DUBOIS. I will not, unless it is entirely agreeable to the Senator from Tennessee, but it seems to me that what I shall read is very apt at this stage of the Senator's remarks.

Mr. CARMACK. Any interruptions the Senator from Idaho makes are always apt and pertinent, and they serve always to illustrate the subject under discussion and to illuminate it and add to the information of the Senate upon the subject under discussion. I would not yield, fond as I am of the Senator personally, but I know that the interruption that he has in store will add to the value of the argument I am trying to make, and I am very glad to have it incorporated in the body of my remarks. [Laughter.] I believe, Mr. President, that any contribution that I can get from the Senator from Idaho will be a much more valuable part of my speech than any I can make myself. I cheerfully yield to the Senator from Idaho.

Mr. SPOONER. I suppose the Senator has no idea whatever of what the interruption will be.

Mr. CARMACK. None in the world.

Mr. TILLMAN. Except the word of the Senator from Idaho.

Mr. CARMACK. I simply yield to the Senator to make the interruption.

Mr. DUBOIS. I am quite sure after I read this little passage the Senate will insist, if necessary, that I shall read a great many passages from this same work. Here are some of the popular arguments for subsidy just in line with the Senator's statement now:

POPULAR ARGUMENTS FOR SUBSIDY.

*Introductory.*—The practical statesman troubles himself little about pure economic theory. He would scarcely understand Professor Mar-

shall's treatment, purporting to show the possible economic benefit of bounties. From the standpoint of practical politics it is not worth while to discuss a scheme for bounties which is based on mathematics higher than simple arithmetic. The chances that Professor Marshall's graphic representations will ever be made a plank in a political platform declaring for a bounty system are exceedingly slight. It would be difficult to arouse great enthusiasm among the farmers for a scheme proposing to lay upon agriculture the burden of all taxation, including a nice sum to be paid to the manufacturers as a bounty. We may rest assured that the graphic method will never be used to open the pockets of the taxpayers. The mathematics used to demonstrate the necessity for a bounty to shipping is of a much simpler sort. For example, it is said that England gave subsidies, and her commerce and shipping increased. More recently Germany gave subsidies, and since then her commerce and shipping have increased. Ergo, subsidies are beneficial, and if we would not be left behind we must give subsidies. By the same sort of mental process, which is sometimes called reasoning, the simple-minded savage persuades himself that comets and shooting stars exercise a baneful influence over the affairs of men. The statistics of commerce and merchant tonnage, which are used so freely to show the necessity for voting a subsidy, are entirely devoid of significance, and the childish confidence of some of our oldest politicians in these meaningless columns of figures is discouraging.

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Tennessee?

Mr. DUBOIS. Certainly.

Mr. CARMACK. Will the Senator read the last paragraph again? [Laughter.]

Mr. DUBOIS. I will do so. It is very important and answers a great many of the arguments. I will read it again with great pleasure:

The statistics of commerce and merchant tonnage, which are used so freely to show the necessity for voting a subsidy, are entirely devoid of significance, and the childish confidence of some of our oldest politicians in these meaningless columns of figures is discouraging. The statistics of the commerce and shipping of France, Italy, and Austria, quoted by the opposition to show the harmfulness of bounties, are by no means so worthless, for they show that, at least in some cases, bounties do not lead to an expansion in commerce and shipping. But to conclude that a bounty to shipping in the United States would act like a bounty to shipping in France is the reverse of reasonable. It is quite probable that this country would increase its shipping by means of bounties; but, as has been repeatedly pointed out, the enlarging of an industry by government aid does not mean an economic gain, much less an ethical gain.

Although the popular arguments for bounties are based on meaningless statistics, and are rather oratorical than logical, it seems necessary to consider some of the assertions most frequently made and most likely to mislead.

I thank the Senator from Tennessee. I will not interrupt him again unless with some such pertinent quotation as I have read.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from New Hampshire?

Mr. CARMACK. With pleasure.

Mr. GALLINGER. In view of the criticism, unwarranted as I think, that the Senator has made upon me, I desire to ask him at this point if he is familiar with the publication known as the "Century Dictionary," or have his investigations only led him to consult Webster's Dictionary, which is rather an old-fashioned publication along lexicographic lines?

Mr. CARMACK. I know it is the fashion in these frivolous days to sneer at old-fashioned things. I confess that so far as I am concerned I am different from the Senator from New Hampshire. I do not dislike the Constitution because it happens to be something old. I do not dislike the old traditions of the Republic because they have been handed down to us for many years. I do not dislike the Senator from New Hampshire because he is—— [Laughter.]

Mr. GALLINGER. Well, Mr. President——

Mr. CARMACK. I will yield to the Senator from New Hampshire to read any part of the Century Dictionary he chooses to bring before the Senate.

Mr. GALLINGER. I join with every Senator on both sides of the Chamber in the expression of profound regret that the Senator from Tennessee is to leave this body, and I am very anxious that when he leaves it he shall leave it with kind and considerate feelings toward his fellow-members.

Now, Mr. President, the only defense that I shall make is to read a definition from the Century Dictionary, which is a well-established work on this matter of lexicography, and which, I think, will be a sufficient defense of the word "filibuster"—spelled with one "l," which is the proper way, I will say to the Senator from Tennessee.

Mr. CARMACK. That is not the way we spell it in Tennessee.

Mr. GALLINGER. The word has this definition:

To obstruct legislation by undue use of the technicalities of parliamentary law or privileges, as when the minority in a legislative assembly—

Exactly what is going on here—

in order to prevent the passage of some measure obnoxious to them, endeavor to consume time or tire out their opponents by useless motions, speeches, objections, etc.

Then follows a quotation from Merriam:

The Democrats—

Just what is going on here now, you will observe—

The Democrats filibustered and postponed the vote till a day when strength could be fairly measured on it.

Now, Mr. President, I submit to the Senator that had his investigations extended a little further, and had he consulted more recent lexicographers than Webster, he would not have made the attack upon me that he has made; and as a justification for the characterization that I gave the other side of the Chamber yesterday I simply call attention to the Century Dictionary definition and to what is going on this morning.

Mr. TILLMAN. Will the Senator from Tennessee allow me?

Mr. CARMACK. In a moment.

Mr. President, the last quotation the Senator read with reference to Democrats impeaches the authority he brings before the Senate. It shows very plainly that it is a Republican dictionary. [Laughter.] I am surprised at the Senator from New Hampshire obtruding a partisan dictionary in a debate of this character. The dictionary to which I refer was compiled before the Republican party was born. It could not, therefore, have made these definitions with any view to any partisan purpose or to casting any reflection whatever upon the Republican party. That is obviously not true of the dictionary which the Senator from New Hampshire has brought into this body.

It is true, Mr. President, that my favorite dictionary, Webster, does give something like that as a part of this definition, but it says that this usage of the word is vulgar, and I would not for one moment suppose that a classical scholar like the Senator from New Hampshire would have used a word in this Chamber in its vulgar sense. [Laughter.]

The manifest purpose of the Senator from New Hampshire in bringing his Century Dictionary into this Chamber was to distract the attention of the Senate from the very pertinent matter read by the Senator from Idaho. [Laughter.] He was attempting to break the force of it, to divert the minds of the Senate and the minds of the people from an argument which the Senator could not answer.

I bring him back to it now, and I openly challenge him—if that be a proper term to be used here—to answer the argument presented by the Senator from Idaho; and I pause for a reply. [Laughter.] It looks to me, Mr. President, a good deal like the Senator from New Hampshire is trying to consume time with frivolous matters. [Laughter.] That comes within the definition of filibustering, even in its vulgar sense.

Mr. TILLMAN. If the Senator will permit me, while he is looking for something there, I want to take up the cudgels in behalf of Webster, not as a Democrat, but on this ground: The other day I heard a word used in the Senate of which I was in some doubt as to whether it existed or not. I have been rather a promiscuous reader, and I am pretty familiar with ordinary words that we meet in reading and hear in debate. I went to the Century Dictionary and could not find it. I went to the Standard and could not find it. I went to my old friend, Noah Webster—which, by the way, I think is revised and kept up to date by a very able body of scholars—and I found it there. It reminded me of the old blue book days when I used to learn how to spell in Webster.

Mr. CARMACK. It is very plain that the Senator from New Hampshire was trying to get away from the question here by getting up a debate about dictionaries. [Laughter.] I am trying, Mr. President, to express myself with as little feeling as possible in these matters, but I refer to the fact that as long ago as 1876—how many years before that it had begun I do not know—there was in full blast a conspiracy to extort money from the Treasury of the United States in the way of subsidies for steamships, a proposition to revive our merchant marine by taxing the people of the United States to pay the cost of building ships and whatever loss might be incurred in their operation, and that vast sums of money were used to promote the passage of a bill of that character through the Congress of the United States. The matter became flagrant, got into the newspapers, charges floated about from one end of the country to the other, accusations more or less specific were made, until they reached the dignity that required attention on the part of the Congress of the United States and a resolution was introduced in the House. I do not now recall who was the author of the resolution. He was a Member of the House, of course. He introduced a resolution calling for an investigation into the acceptance of this money, trying to find out who spent the money, for what purposes it was spent, and, if possible, the amount of money that had been spent to promote the passage of a bill which was then or had lately been pending, and which proposed to subsidize steamships by payments from the Treasury of the United States out of the taxes of the American people.

I say taxes because I am one of that class who believe that a tariff is a tax as much as any other kind of tax. That committee proceeded with its investigation, and Mr. Lord, from the Committee on Ways and Means, submitted a report in August, 1876.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Mississippi?

Mr. CARMACK. Certainly.

Mr. McLAURIN. From what document is the Senator reading?

Mr. CARMACK. I am reading from the CONGRESSIONAL RECORD.

Mr. McLAURIN. For what year?

Mr. CARMACK. The present year; but this is a quotation, I will say to my friend from Mississippi, which appears in a speech made elsewhere. Perhaps under the rules of the Senate I can not state exactly where that speech was made. I am not very familiar with the rules of the Senate, and I am always in a fear and trembling lest I should trespass upon them; but it is quoted in a speech made elsewhere only a few days ago, setting forth at length this report made by the Ways and Means Committee in 1876. The Senator will find it in the CONGRESSIONAL RECORD of February 26, under the heading "Subsidy bill," near the end of the second column on page 4083 and extending over to about the middle of the first column on page 4084.

This report goes on to say:

That the Committee on Ways and Means of the Forty-third Congress, after a thorough investigation of the charge that a large sum of money was used to secure the passage through Congress of an increased annual appropriation—

They already had some, but it was not enough. It simply whetted their appetites for more. That has been the way with these ship-subsidy grabbers from the beginning. They have been, like Oliver Twist, calling for more, more.

Mr. OVERMAN. May I ask the Senator a question?

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from North Carolina?

Mr. CARMACK. Certainly.

Mr. OVERMAN. I noticed that the bill that passed the Senate introduced by the Senator from New Hampshire called it a subvention. Now you call it a subsidy. What is the difference between a subvention and a subsidy?

Mr. CARMACK. Well, Mr. President, a subsidy by any other name smells just as bad. The word "subsidy" has become so odious to the American people that its advocates have been trying to find a new word that they propose to use until that becomes as odious as the other; and I suppose that is why so many dictionaries are being brought out.

Mr. OVERMAN. Subvention means coming from under. I suppose they want to come from under the subsidy in order to get a new word.

Mr. CARMACK. Yes; the Republican party has to invent so many names for all these different plans of getting the money of the people out of the Treasury that it makes it necessary to have new dictionaries to supplant the old ones. I begin again:

That the Committee on Ways and Means of the Forty-third Congress, after a thorough investigation of the charge that a large sum of money was used to secure the passage through Congress of an increased annual appropriation to the Pacific Mail Steamship Company in the nature of a subsidy, report, among other things—

To show the Senate how unwilling I am to consume the time of the Senate I do not read the whole report.

The results of the evidence are that about $900,000 was disbursed upon the allegation that it was used in aid of the passage of the act now under investigation. That about $565,000 appears to have been paid to the exclusive use of persons having no official connection with such legislation, and that the disposition of the remaining $335,000 remains in doubt upon the evidence presented.

They never could trace where that $335,000 went to; they knew where it went from, and they knew the purpose for which it went; they knew why it was expended; they knew for what purpose it was expended; they knew what they were attempting to accomplish by the expenditure of this money, but they never could exactly locate where it went. [Laughter.]

That about $565,000 appears to have been paid to the exclusive use of persons having no official connection with such legislation, and that the disposition of the remaining $335,000 remains in doubt upon the evidence presented, but without any testimony showing that it was a reward paid to any person at that time a Member of either House of Congress, and that the uncertainty attending the disposition of this latter sum is owing to the refusal of William S. King to testify the truth, and to the failure or refusal of John G. Schumaker to present all the facts which the committee believe it was in his power to give.

TRENT RIVER, NORTH CAROLINA.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. FORAKER in the chair). Does the Senator from Tennessee yield to the Senator from North Carolina?

Mr. CARMACK. I do.

Mr. SIMMONS. Mr. President, I dislike very much to take any part of the valuable time of the Senator from Tennessee or to interrupt his very interesting discussion of the subject before the Senate, but I should like very much to have unanimous consent——

Mr. LODGE. Regular order, Mr. President.

Mr. SIMMONS. I should like very much to have unanimous consent for the immediate consideration of a joint resolution which has just passed the House of Representatives and been sent to the Senate, to correct an error made in the river and harbor bill. I will state that I am authorized by the Committee on Commerce to make a favorable report upon the resolution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 253) relating to securing a channel of 6 feet depth over Foys Flats, in the Trent River, North Carolina, about 4 miles above Newbern. It authorizes the Secretary of War to expend such portion of the appropriation made in the river and harbor act of this session for the Neuse and Trent rivers, North Carolina, as may be necessary for securing a channel of 6 feet depth over Foys Flats, in the Trent River, North Carolina, about 4 miles above Newbern.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. CARMACK. Mr. President, I was saying, when interrupted by the very able and interesting bill of my friend from North Carolina [laughter], that these charges had been made in regard to the expenditure of money to secure the passage of the ship-subsidy bill—a bill in the interest of the Pacific Mail Steamship Company—that this investigation took place by a committee of the other House, and they made a report in 1876, now more than thirty years ago, indicating that at least that far back these subsidy grabbers were at work, and at work in the way with which we have all become familiar. This committee reported:

That the Committee on Ways and Means of the Forty-third Congress, after a thorough investigation of the charge that a large sum of money was used to secure the passage through Congress of an increased annual appropriation to the Pacific Mail Steamship Company in the nature of a subsidy, report, among other things:

"The results of the evidence are that about $900,000 was disbursed upon the allegation that it was used in aid of the passage of the act now under investigation. That about $565,000 appears to have been paid to the exclusive use of persons having no official connection with such legislation, and that the disposition of the remaining $335,000 remains in doubt upon the evidence presented, but without any testimony showing that it was a reward paid to any person at that time a Member of either House of Congress, and that the uncertainty attending the disposition of this latter sum is owing to the refusal of William S. King to testify the truth and to the failure or refusal of John G. Schumaker to present all the facts which the committee believe it was in his power to give."

The committee report the following resolutions:

"*Resolved*, That a copy of the testimony taken before the Committee on Ways and Means upon the question of a corrupt use of money to procure the passage of an act providing for an additional subsidy for the China mail service to be delivered to the Clerk of the House of Representatives, to be by him laid before the House at the first session of the Forty-fourth Congress, to the end that they make further inquiry and take due action upon the questions affecting William S. King and John G. Schumaker, and further proceed therein as they shall deem just.

"*Resolved*, That the Clerk of this House transmit to the United States district attorney a copy of the evidence taken before the Committee on Ways and Means upon the question of a corrupt use of money to procure the passage of an act providing for an additional subsidy for the China mail service, with directions to lay so much of the same as relates to the truth of the testimony given by William S. King and John G. Schumaker before the grand jury of said District for such action as the law seems to require."

The above resolutions were adopted by the House, and a copy of the evidence taken before the Committee on Ways and Means upon the question of a corrupt use of money to procure the passage of an act providing for an additional subsidy for the China mail service has been transmitted to the United States district attorney for the District of Columbia by the Clerk of the House in accordance with said resolution.

The whole subject is properly before the court, the offenses charged are crimes by statute, and the Constitution provides——

Mr. President, the fact was established beyond question, beyond dispute, that nearly a million dollars was expended in some way by this steamship company, which was already enjoying a large and profitable subsidy from the Government, to procure further subsidy; and that will be the case always. You might give them just as much subsidy as they ask for, or twice as much as they ask for, and at the very next session of Congress they would be back clamoring for more.

How this money was expended could not be discovered—that is, all of it. Three hundred and thirty-five thousand dollars of it was spent in a way that not a dollar of it could be traced; but that was because the men who spent the money, and spent it for the purpose of procuring the passage of that act, refused, when they were under oath before the committee, to tell where the money went to or how it was spent. But, Mr. President, we are justified in drawing the conclusion that that money was spent, at least, in an improper way. When men spend money to procure legislation and then, when put under oath, and with all the power of the House of Representatives to compel them to testify, refuse to say how the money was spent, we are justified in the conclusion that it was improperly, not to say wickedly and corruptly, spent.

Mr. President, this attempt to obtain subsidies from the Government in behalf of steamship companies, to make the taxpayers of the United States pay the losses of an unprofitable business, to make one business profitable at the expense of every other industry in the country, is but one phase of the old struggle which began with the beginning and will continue until the end of time, so to frame the laws of the country as to enable one man to eat his bread in the sweat of another man's brow. The temptation and the opportunity to get rich by legislation, instead of by honest work, has done more to prevent a natural and a healthful development of the industries of the United States than all other causes combined.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from North Carolina?

Mr. CARMACK. Certainly.

Mr. OVERMAN. Does the Senator think that if we had a law providing for the importation of free raw material we would accomplish the end which this bill attempts to attain?

Mr. CARMACK. I undoubtedly think so.

Mr. OVERMAN. I should like to read in the Senator's time a bill which has been introduced in the other House, a bill the passage of which, I think, would have done away with the object of the pending bill and have accomplished its ends.

I remember, Mr. President, seeing the statement that in 1860 80 per cent of the shipping of this country was done by American ships, carrying the American flag, and that now 80 per cent of the shipping is done by foreign countries in foreign ships which carry foreign flags. If of our shipping only 25 per cent is now done by this country, and only 20 per cent of such shipping carries the American flag, there must be some reason for it. One reason is because of the high tariff which is almost prohibitory upon materials which enter into the building of ships. So I think if we had adopted some bill like that which was introduced in the House of Representatives by the gentleman from Illinois [Mr. RAINEY] perhaps it might have accomplished the end sought. That bill, which is House bill No. 24127, reads as follows:

That all materials of foreign production which may be necessary for the construction of vessels built in the United States, and all materials necessary for the building of their machinery, and all articles necessary for their outfit and equipment, after the passage of this act, may be imported in bond under such regulations as the Secretary of the Treasury may prescribe, and upon proof that such materials have been used for such purposes no duties shall be paid thereon. Vessels receiving the benefit of this act shall be allowed at all times to engage in the coastwise trade of the United States, including the trade between the Atlantic and Pacific ports of the United States and including the trade on the waters of the northern, northeastern, and northwestern frontiers of the United States otherwise than by sea: *Provided*, That vessels built in the United States for foreign account and ownership shall not be allowed to engage in the coastwise trade of the United States, including the trade between the Atlantic and Pacific ports of the United States and including the trade on the waters of the northern, northeastern, and northwestern frontiers of the United States otherwise than by sea.

SEC. 2. That all articles of foreign production needed for the repair, outfit, or equipment of vessels in the United States, whether said vessels are of American or foreign ownership, may be withdrawn from bonded warehouses free of duty under such regulations as the Secretary of the Treasury may prescribe.

SEC. 3. That in the event that any vessel, recorded, registered, enrolled, or licensed as an American vessel of the United States pursuant to law, shall be repaired or equipped in a foreign port, no duties shall be accounted for or paid to the United States on material used in such repairs or equipment.

SEC. 4. That all laws or parts of laws in conflict with this act are hereby repealed.

My understanding is that the Secretary of State claimed that there was no such law in existence, but I find in the Revised Statutes the following:

SEC. 3114. The equipments, or any part thereof, including boats, purchased for, or the expenses of repair made in a foreign country upon a vessel enrolled and licensed under the laws of the United States to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, or a vessel intended to be employed in such trade, shall, on the first arrival of such vessel in any port of the United States, be liable to entry and the payment of an ad valorem duty of 50 per cent on the cost thereof in such foreign country; and if the owner or master of such vessel shall wilfully and knowingly neglect or fail to report, make entry, and pay duties as herein required, such vessel, with her tackle, apparel, and furniture, shall be seized and forfeited.

SEC. 4330. No license, or enrollment and license, nor renewal of either, shall hereafter be issued to any vessel until the collector to whom application is made for the same is satisfied, from the oath of the owner or master, that all equipments and repairs made in a foreign port within the year immediately preceding such application, have been duly accounted for, and the duties accruing thereon duly paid; and if such owner or master shall refuse to take such oath, or take it falsely, the vessel shall be seized and forfeited. (See secs. 3114, 3115.)

I find also on reading, as the Senator from Tennesseee has done, in the CONGRESSIONAL RECORD, certain letters addressed to the shipowners of this country in which they are asked directly the question whether or not, if this law were repealed and they could get free raw material, it would not enlarge our shipping interests, and so on. I have here, among others, a letter from the Pacific Shipping Company.

I understand that the record shows there are about 1,150 shipbuilding establishments in this country, including other establishments incidental to shipbuilding, and there have been 350 letters written to shipowners. In reply they say that if this law were passed and they had free raw material the end sought would be accomplished. Here is one of the letters:

SAN FRANCISCO, *January 16, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Replying to your letter of the 6th instant, addressed to the Pacific Shipping Company, relative to a bill introduced by you providing for free material for constructing, repairing, and equipping ships, we submit the following opinion in regard to it:

The only material that would be imported in bond for such work would be steel plate, machinery, boilers, etc., and there is a question in my mind if this would be done to any appreciable extent; however, as a general move toward the reduction of the price of steel in this country, we are of the opinion that your bill is a good one, as it would be an entering wedge in forcing the steel trust to lower its price.

A few days ago a shipbuilder in San Francisco informed the writer that he could buy steel plate in China for 1 cent a pound less than what he paid for it in San Francisco. This is due probably to competition from Belgium and other points.

Referring to the bill of 1894 providing for the free entry of material for constructing American vessels to be used only in foreign trade, would say that the writer has had some experience with this bill and at one time was master of an American schooner coppered with metal out of bond. The vessel was allowed sixty days out of the year to coast and the balance of the time was obliged to go foreign. It kept us in hot water continually trying to keep within the sixty-day limit and thereby save the duty on the copper, and we were very glad when the copper was old enough to be condemned. We took off the foreign metal and put on American metal and have never tried the experiment since.

Regarding the cost of material for vessels, it is a fact that on this coast wooden steamers of very small tonnage are built for coasting business, and we think that the price per ton for building is probably higher than at any other place in the world; yet the vessels are able to make good interest on this great cost. The cost of the material in a ship does not matter so much as long as there is a good trade for the ship. There are certain classes of American vessels now that can be bought for a song, because, as there is no business for them, they are of no value. Again, there are American vessels with business that do well, and the price of a vessel depends on the percentage of profit that is to be made.

Private reports from the East state that the merchant-marine bill will probably fail. The opinion on this coast is that after the way it has been remodeled it is not as favorable as first intended.

I will also read another letter, to be found in the RECORD——

Mr. CARTER. Mr. President, if the Senator from Tennessee will give me his attention and it does not inconvenience the Senator from North Carolina——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Montana?

Mr. CARMACK. With pleasure.

Mr. CARTER. The matter to which the Senator from North Carolina [Mr. OVERMAN] is directing attention seems to me of minor importance in the presence of the unanswered question which has arisen in the minds of every Senator on this side, and, perchance, on the other side of the Chamber. That is as to what, if any, dictionary is used in the State of Tennessee, and what, if any, standard of spelling exists in that State, and whether such standard is uniformly recognized throughout all parts of the State? [Laughter.] This matter was suggested by the discussion to which the Senator very seriously addressed himself in the early progress of this debate. Perchance the direct question I now propound or present was not framed so as to elicit a direct answer, but it is a matter of much consequence and will prove a contribution to history as written up in the CONGRESSIONAL RECORD to have the Senator definitely

state whether a dictionary is used in Tennessee, and if so, what dictionary, when it was generally adopted, or whether any standard of spelling is uniformly recognized in that State with reference to the word in question or any other word? [Laughter.]

Mr. CARMACK. Mr. President, I want to say that there is a studied effort on the part of the Senators upon the other side of the Chamber, including the Senator from New Hampshire [Mr. GALLINGER], to consume time with frivolous questions. [Laughter.] The purpose is so plain that it can not be misunderstood, and I observe, too, that the Senator from Montana [Mr. CARTER] adopted the same tactics as did the Senator from New Hampshire. When the Senator from New Hampshire was confronted with the powerful statement made by the Senator from Idaho [Mr. DUBOIS] he promptly tried to divert attention by getting up a debate over a dictionary. [Laughter.]

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield further to the Senator from Montana?

Mr. CARMACK. Certainly.

Mr. CARTER. Observing that my question embarrasses the Senator from Tennessee, and inasmuch as he probably is not willing to admit that the dictionary is unknown in that State, I will withdraw the question.

Mr. CARMACK. No, Mr. President, I am not going to permit the Senator from Montana to withdraw it. The Senator can not intrude a question of that sort into my speech and raise an issue of that sort with me and then escape by withdrawing his question. I want to state, however, first the manifest purpose for which the question was asked. The Senator from North Carolina [Mr. OVERMAN], like the Senator from Idaho, was just in the act of presenting a powerful statement to the Senate which the Senator from Montana knew that he could not answer [laughter] and which he thought was creating a profound impression on the Senate. [Laughter.] So he, like the Senator from New Hampshire, and in furtherance of what I am almost tempted to describe as a conspiracy [laughter] on that side of the Chamber, brought up this question of dictionaries again. But if the Senator wants an answer to his question, "What dictionaries are used in Tennessee?" I will say to him that we stand by the Constitution and Webster's Dictionary. [Laughter.]

Mr. DUBOIS. Mr. President, I thoroughly agree with the Senator from Tennessee, and I am beginning to suspect that Senators on the other side are afraid to listen to the powerful arguments which are being used in this debate. [Laughter.] I am getting suspicious that they absent themselves because they are afraid to listen; and perhaps they have an organized method of trying to weary us out and to come in here by relays. [Laughter.] I do not charge that, but the circumstances are suspicious, and I suggest, Mr. President, the absence of a quorum.

The VICE-PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---|---|---|---|
| Allison | Dick | Kittredge | Perkins |
| Berry | Dillingham | Knox | Pettus |
| Beveridge | Dubois | Latimer | Piles |
| Blackburn | Flint | Lodge | Rayner |
| Brandegee | Frazier | Long | Scott |
| Burkett | Frye | McCreary | Simmons |
| Burnham | Fulton | McCumber | Smith |
| Carmack | Gallinger | McEnery | Stone |
| Carter | Gamble | McLaurin | Sutherland |
| Clapp | Hale | Mallory | Teller |
| Clark, Mont. | Hansbrough | Mulkey | Warner |
| Clay | Hemenway | Newlands | Warren |
| Crane | Heyburn | Overman | Wetmore |
| Cullom | Hopkins | Patterson | Whyte |
| Curtis | Kean | Penrose | |

The VICE-PRESIDENT. Fifty-nine Senators have answered to their names. A quorum is present.

Mr. CLAPP. I wish to announce that my colleague [Mr. NELSON] is detained at his home by illness. I make this announcement to cover all roll calls for the day.

### ST. LOUIS, IRON MOUNTAIN AND SOUTHERN RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 8189) granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single-track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, upper White River, Arkansas; which were, on page 2, line 6, to strike out "who" and insert "and he;" on page 2, line 9, after "occupied," to insert "and compensation for any other injury sustained by the United States;" and on page 3, line 3, after "War," to insert "and in like condition and repair as when taken."

Mr. CURTIS. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

### FIELDPIECES FOR PETOSKEY, MICH.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 16235) authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WARREN subsequently said: I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 16235) authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich., to report it favorably without amendment, and, as it is a short matter, I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, insists upon its disagreement to the amendments numbered 4, 12, 22, 68, 69, 87, 117, and 126 to the bill; agrees to a further conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. TAWNEY, Mr. SMITH of Iowa, and Mr. TAYLOR managers at the conference on the part of the House.

The message also announced that the House had passed a joint resolution (H. J. Res. 211) authorizing the transfer of the files, books, and pamphlets of the Industrial Commission; in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

H. R. 13566. An act to amend the national banking act, and for other purposes;

H. R. 16659. An act to correct the military record of Tobe Holt;

H. R. 23221. An act for the erection of a public building at the city of Athens, in the State of Ohio;

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described; and

H. R. 25885. An act to extend the time for building a bridge across Red River at Shreveport, La.

### DAMS ACROSS THE SAVANNAH RIVER.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives returning to the Senate, in compliance with its request, the bill (S. 8581) permitting the building of a dam across the Savannah River at Trotters shoals, the bill (S. 8583) permitting the building of a dam across the Savannah River at Calhoun Falls, the bill (S. 8572) permitting the building of a dam across the Savannah River at Andersonville shoals, and the bill (S. 8584) permitting the building of a dam across the Savannah River at Hattons Ford.

Mr. FRYE. I move to reconsider the votes by which the bills were ordered to a third reading and passed.

Mr. LATIMER. I understand that the bills recalled from the House are bills that passed the Senate, but House bills similar to them have passed both Houses.

The VICE-PRESIDENT. That is the fact.

The motion to reconsider was agreed to.

Mr. FRYE. I move that the bills be indefinitely postponed.

The motion was agreed to.

### COPIAH COUNTY, MISS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives returning, in compliance with the request of the Senate, the bill (H. R. 3518) for the relief of Copiah County, Miss.

Mr. FULTON. I desire to call up my motion to reconsider the vote whereby the bill was passed.

Mr. MALLORY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from Florida?

Mr. FULTON. Certainly.

Mr. MALLORY. I suggest to the Senator from Oregon that the Senator from Mississippi [Mr. McLAURIN] is deeply interested in the bill, and he is not present.

Mr. FULTON. I did not observe that the Senator was absent from the Chamber.

Mr. MALLORY. Possibly he is in the cloakroom.

Mr. FULTON. I will ask that the bill be laid aside until the Senator from Mississippi returns.

Mr. McLAURIN entered the Chamber.

Mr. MALLORY. He is present now.

Mr. McLAURIN. Mr. President, I started to say that I hoped the vote would not be reconsidered, but I can hardly say that. I very much desire that the vote should not be reconsidered. I do not think it ought to be reconsidered. The costs were incurred by the defendants in the suit of the Government against Copiah County and The Virginia Bridge and Iron Company, to the extent of $164.50. The bill was passed after almost a unanimous report by the Committee on Claims. Of all the members of that committee who are present in the city there has been but one Senator, and that is the Senator from Oregon——

Mr. MALLORY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Mississippi yield to the Senator from Florida?

Mr. McLAURIN. With pleasure.

Mr. MALLORY. I should like to know something about the bill. Is there a printed report accompanying the bill?

Mr. McLAURIN. Yes, sir; there is a report.

Mr. MALLORY. Of the committee?

Mr. McLAURIN. Yes, sir.

Mr. MALLORY. I should like to have the report read.

Mr. GALLINGER. I rise to a parliamentary inquiry. How did this matter get before the Senate?

The VICE-PRESIDENT. The message of the House of Representatives was laid before the Senate.

Mr. GALLINGER. That is privileged so far as presenting it is concerned, but it is not privileged so far as concerns the discussion of it, and I must object.

The VICE-PRESIDENT. Objection is made to the present consideration of the motion to reconsider.

Mr. McLAURIN. I was not in the Chamber when the matter came up. I was notified when I was out of the Chamber that this matter had come up, and I supposed it had come up on the motion of the Senator from Oregon.

The VICE-PRESIDENT. The Chair laid before the Senate the message of the House of Representatives in the usual course, and the Senator from Oregon asked that the motion heretofore made by him to reconsider the vote be now considered. Objection was interposed by the Senator from New Hampshire.

Mr. McLAURIN. That carries it over, I suppose.

### COAL LAND LOCATIONS IN ALASKA.

Mr. HANSBROUGH. I ask that the message from the House in regard to House bill 17415 be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 17415) to authorize the assignees of coal-land laws locations to make entry under the coal-land laws applicable to Alaska, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HANSBROUGH. I move that the Senate insist on its amendments disagreed to by the House of Representatives, and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed as the conferees on the part of the Senate Mr. HANSBROUGH, Mr. CARTER, and Mr. DUBOIS.

### THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. CARMACK. I do not understand that my friend the Senator from North Carolina [Mr. OVERMAN] had completed his statement when he was interrupted.

Mr. OVERMAN. I was not quite through.

Mr. CARMACK. I yield to the Senator that he may complete the statement he was making.

Mr. OVERMAN. I desire also to read a letter from the Thousand Island and St. Lawrence River Steamboat Companies, Kingston, Ontario.

THOUSAND ISLAND AND ST. LAWRENCE
RIVER STEAMBOAT COMPANIES,
*Kingston, Ontario, January 25, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Absence from home explains delayed acknowledgment of your communication of the 6th instant in connection with the bill which you have introduced in Congress providing for the importation in bond of materials for constructing, repairing, and equipping ships, and for other purposes.

I can assure you that we are heartily in accord with this bill. The Thousand Island Steamboat Company, which is an American corporation organized under the laws of the State of New York, has been in operation on the river St. Lawrence, in the Thousand Island region, between Cape Vincent, Clayton, and Ogdensburg, for a quarter of a century, and I can assure you that American shipping in this district has been greatly discriminated against in favor of Canadian tonnage by the existing laws of the United States Government in connection with repairing, supplies, equipment, etc., of such steamers when they happen to be in Canadian ports.

When I tell you that there is not an accessible port on the American side, from Cape Vincent to Ogdensburg, where steamers of any size can be docked and repaired, and that our American boats are practically forced to come to Kingston every winter to lay up and have their outfitting and repairing done on the Canadian side before being placed in commission in the spring, and obliged to pay 50 per cent duty on labor, material, and equipment furnished on this side, you will realize the disadvantages against which we have been working in endeavoring to compete in the excursion business on the river St. Lawrence with Canadian steamers, which are saved the expenses we are forced into.

I have taken up this matter individually several times at Washington in an endeavor to secure relief, but to no avail. We have been struggling along, nevertheless, doing our best with this burden upon us, and your bill seems like a ray of sunshine from the clouds, and I can assure you it has our strongest indorsement.

The summer traffic on the St. Lawrence River is increasing every year, and we are endeavoring to compete with the Canadian steamers for the business, but we are having a trying time on account of the heavy restrictions imposed by the United States Government on all work done and materials furnished in foreign ports.

When I tell you, as you are undoubtedly aware, that all the summer tourist trade to Montreal, down the grand rapids of the St. Lawrence River from the American side, is performed by Canadian steamers, when it is only just and natural that American boats should be competing for this service, you will realize that Canadian tonnage has been having the advantage and that the stringent regulations of the United States Government have been a great handicap and have had a dampening effect upon the efforts to compete for this service. In fact, we are charged duty upon the docking of American steamers in Canadian ports even when no material repairs are effected. We are refused the privilege of importing American paints and painting our steamers on this side without the payment of duty, both on the material and labor. We are forced to pay duty on all the provisions and supplies for passengers and crews, if taken on an American boat in a Canadian port, as soon as she touches the first American port. We would be very grateful for relief, I can assure you, and it would be a strong incentive to increasing the tonnage of American ships in these waters if such relief could be effected.

I would be glad, if it is possible at this late hour, to have included in the bill freedom from duty on labor, as well as on materials, when work is done on an American bottom in a foreign port, and also that no duty should be exacted on provisions and supplies furnished for the crew and passengers when taken in Canadian waters. I simply offer this as a suggestion, as we are now charged 50 per cent on all labor and a high rate of duty on supplies.

If I can be of any service in any way or can give you any further information that will be effective, I will consider it a favor if you will call upon me.

Yours, truly,
HOWARD S. FOLGER,
*General Manager.*

I next read a letter from Mr. Lunt:

JANUARY 20, 1906.

Hon. H. T. RAINEY, *Washington, D. C.*

DEAR SIR: I am particularly pleased by reading the bill you have introduced for free importation for goods to be used in construction and repairs for American shipping, and I trust very much that this bill will become a law.

Here are some of the principle materials used in the construction of a sailing ship or steamship: Steel plates, angles, and beams; galvanized-wire rigging; cotton duck; manila rope; bar iron, steel rivets.

The above will certainly cover 75 per cent of the material to be used in the construction of a steel vessel; and I would ask if all of the above are not controlled by trusts?

I was—in fact, am to-day—interested with some other parties to build a 3,000-ton American sailing ship, but the present prices of material have deterred us from going ahead, as, with the present existing conditions, we could not expect to build this vessel within 30 to 35 per cent of what they could build the same vessel in England for; and while we may expect to have our vessels cost us more, still this is far too much difference, and we have "hung up" the matter till conditions change.

By the passage of your proposed bill this would allow us, and no doubt many others, to go ahead and build up our American shipping.

Yours, very truly,
L. E. LUNT.

Here is one from Mr. Cobb:

EASTHAMPTON, MASS., *January 9, 1906.*

Hon. H. T. RAINEY.

DEAR SIR: Received yours of the 6th instant. I am heartily in favor of the proposed bill.

Our present law has resulted in a continuance of building of wooden vessels, which are obsolete.

Our wooden coastwise fleet would be put out of business if they had to compete with foreign-built steel vessels. But I believe that, were we able to import the materials, a fleet of steel vessels would be built at Atlantic ports both for foreign and coastwise business. Nor do I believe that any great quantity of material would be bought abroad.

The American producer of those materials would meet the price and the increased demand would help to make good the reduced margin of profit.

In 1902 I had a marine architect make for me the plans for a first-class steel sailing vessel to carry 2,500 tons cargo. This ship was planned to be available for any business. We found that the materials would cost $8,000 more if bought here than if bought abroad. Your proposed bill would have made the estimated cost of this ship $67,000 instead of $75,000. We could figure a fair return for our money at that price; at $67,000 she would have been an attractive investment. As we were about to contract for this ship the steel people advanced the price, making it to cost $5,000 more, and some labor movement coming just at that time caused the builders to raise their estimate $10,000 more, making the whole $90,000.

I immediately dropped the whole matter, as at that price she could make no fair return to her owners.

I wish while you were on this matter you would take up the matter of quarantine. Quarantine should be a national regulation, and, as it is enforced for the benefit of the whole people, it would be but just for the public Treasury to bear the expense. Give to American vessels free quarantine and indemnity for time detained and pass your bill, there will be small need for any subsidy except for mail service.

Yours, very respectfully,

O. W. COBB.

Here is a letter from William Matson, of the William Matson Navigation Company, San Francisco, Cal.:

MATSON NAVIGATION COMPANY,
*San Francisco, Cal., January 30, 1906.*

Hon. H. T. RAINEY, *Washington, D. C.*

DEAR SIR: I have duly received your favor of the 6th instant, inclosing a copy of a bill introduced by you to admit into the United States free of duty any material necessary for the construction and equipment of ships.

American steel can be purchased in England cheaper than in the United States, and for that reason I am heartily in favor of such a bill and think that it would do more to stimulate the shipbuilding industry than any form of ship-subsidy bill that has been introduced.

Prices quoted on steel vessels to-day make new construction almost out of the question, and if cost is not an object, the time required for construction, owing to inability to get deliveries of steel, places a serious obstacle in the way.

Only recently I asked for bids on a new steamer of about 8,000 tons dead weight capacity, but in order that the builders might quote on a delivery suitable to my requirements, they found it necessary to figure on English material, which, with duty and freight added, made the price prohibitive.

I notice a bill has been introduced in this Congress to prohibit foreign-built vessels securing the American flag. I think this bill is unjust, considering the present price of material used in ship construction.

I have been fortunate enough to secure American registry during this session of Congress for the Spanish ship *Gaditano*, on which I spent $126,000 for repairs. This is more than three times the cost of the ship, but notwithstanding this fact, I had considerable trouble in securing the flag.

I think every American shipowner would be willing to build his vessels in the United States if steel plates could be purchased at a reasonable price.

I am sending a copy of this letter to some of our California Representatives.

Yours, truly, WM. MATSON.

I now read a letter from Mr. Whitcomb:

ENTERPRISE TRANSPORTATION COMPANY,
*January 18, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Your letter of the 6th instant, inclosing copy of bill introduced by you in the House on the 4th, could not have reached us at a more opportune time. This company is planning the construction of its first pair of new steel ships for coastwise service, and we naturally feel most keenly the excessive prices charged for construction material, which are fictitiously high, as American manufacturers do not seem to figure their price on the cost of production, but rather on its cost in England plus the tariff. We do need a reduction of this tariff in order to bring our steel makers to time.

The boats we are planning can be built in England at from 30 per cent to 40 per cent less than we are being charged in this country. While we would hesitate to advocate the removal of laws which bar us from using in our service foreign-built ships, we most heartily indorse your bill, which opens to American shipbuilders foreign-made materials.

Yours, very truly, DAVID WHITCOMB, *President.*

Mr. HANSBROUGH. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. OVERMAN. I yield.

Mr. HANSBROUGH. Would it interfere with the eloquent remarks of the Senator from North Carolina if I should move to take up another bill and proceed to its consideration?

Mr. OVERMAN. I gladly yield to the Senator.

## UNION STATION.

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of the bill (H. R. 9329) to amend an act approved February 28, 1903, entitled "An act to provide for a union station in the District of Columbia, and for other purposes."

Mr. KEAN. Regular order!

Mr. GALLINGER. There are twenty Senators who will want to speak on that bill.

Mr. OVERMAN. I yield.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from North Dakota to proceed to the consideration of the bill stated by him.

Mr. HANSBROUGH. On that I ask for the yeas and nays.

Mr. GALLINGER. Let the bill be read. I want the Senate to know what it is.

The VICE-PRESIDENT. The Secretary will read as requested by the Senator from New Hampshire.

Mr. OVERMAN. I decline to yield any further. I will proceed.

The VICE-PRESIDENT. The yeas and nays have been demanded upon the motion. Is there objection to the reading of the bill?

Mr. GALLINGER. Can there be objection to the reading of a bill which has never been read to the Senate?

Mr. HANSBROUGH. The bill has been read and has passed the Senate once, and was reconsidered.

Mr. CULLOM. Let us hear it read again.

The VICE-PRESIDENT. If the Senator from New Hampshire insists upon it, the Secretary will read the bill.

Mr. GALLINGER. I want the Senate to know what the bill is before they vote upon the question.

The VICE-PRESIDENT. The bill will be read.

Mr. HANSBROUGH. Certainly. I do not object to its being read.

Mr. GALLINGER. The Senator can not object.

The Secretary read the bill.

The VICE-PRESIDENT. Is there a second to the demand for the yeas and nays on the motion to proceed to the consideration of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer my pair to the junior Senator from Iowa [Mr. DOLLIVER] and I vote "nay."

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. If he were here I should vote "nay."

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present I should vote "yea."

Mr. STONE (when his name was called). I have a general pair with the Senator from Wyoming [Mr. CLARK].

Mr. TILLMAN (when his name was called). I should like to inquire whether the junior Senator from Vermont [Mr. DILLINGHAM] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. TILLMAN. I have a pair with that Senator, and I therefore withhold my vote.

Mr. WARREN (when his name was called). I announce my general pair with the Senator from Mississippi [Mr. MONEY]. I withhold my vote.

The roll call was concluded.

Mr. OVERMAN (after having voted in the negative). I inquire if the senior Senator from California [Mr. PERKINS] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. OVERMAN. I am paired with that Senator, and I withdraw my vote.

Mr. CARMACK. I inquire if the senior Senator from Wisconsin [Mr. SPOONER] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. CARMACK. I am paired with that Senator.

Mr. WARREN. By an arrangement of pairs the Senator from Mississippi [Mr. MONEY] will stand paired with the senior Senator from Delaware [Mr. ALLEE]. I vote "nay."

Mr. DUBOIS. I was requested to state that the junior Senator from Wisconsin [Mr. LA FOLLETTE] if present would vote "yea." He is detained by illness.

The result was announced—yeas 21, nays 26, as follows:

YEAS—21.

| | | | |
|---|---|---|---|
| Bailey | Frazier | McEnery | Scott |
| Berry | Gamble | McLaurin | Wetmore |
| Blackburn | Hansbrough | Newlands | Whyte |
| Brandegee | Hopkins | Patterson | |
| Burkett | Latimer | Pettus | |
| Dubois | McCreary | Rayner | |

NAYS—26.

| | | | |
|---|---|---|---|
| Burnham | Depew | Kean | Smoot |
| Carter | Dick | Kittredge | Sutherland |
| Clay | Elkins | Lodge | Taliaferro |
| Crane | Foraker | Long | Warner |
| Cullom | Frye | McCumber | Warren |
| Curtis | Gallinger | Penrose | |
| Daniel | Heyburn | Piles | |

NOT VOTING—43.

| | | | |
|---|---|---|---|
| Aldrich | Bulkeley | Clarke, Ark. | Flint |
| Allee | Burrows | Culberson | Foster |
| Allison | Carmack | Dillingham | Fulton |
| Ankeny | Clapp | Dolliver | Hale |
| Bacon | Clark, Mont. | Dryden | Hemenway |
| Beveridge | Clark, Wyo. | Du Pont | Knox |

| | | | |
|---|---|---|---|
| La Follette | Morgan | Perkins | Spooner |
| Mallory | Mulkey | Platt | Stone |
| Martin | Nelson | Proctor | Teller |
| Millard | Nixon | Simmons | Tillman |
| Money | Overman | Smith | |

So the Senate refused to proceed to the consideration of the bill.

The VICE-PRESIDENT. The Senator from Tennessee has the floor.

Mr. CLAPP. I ask the Senator from Tennessee to yield to me for a few moments.

Mr. CARMACK. I yield to the Senator from Minnesota.

### MENOMINEE INDIAN RESERVATION, WIS.

Mr. CLAPP. Some time ago a bill passed the House to provide for the sale of timber on the Menominee Reservation in Wisconsin. The junior Senator from Wisconsin [Mr. LA FOLLETTE], who to-day is confined to his home by severe illness, instead of having an amendment to the House bill adopted inadvertently had a Senate bill passed, which leaves nothing for conference. At his request, and on account of his absence, I ask unanimous consent for the present consideration of the bill (H. R. 24043) to authorize the sale of timber on certain of the lands reserved for the use of the Menominee tribe of Indians in the State of Wisconsin, so that the bill may be passed and go to conference. The bill had been read, and unless the Senate insists upon it, it need not be read again. I will offer an amendment to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CLAPP. I move to strike out all after the enacting clause down to and including line 15, on page 2, and insert what I send to the desk.

The VICE-PRESIDENT. The matter proposed to be inserted will be read by the Secretary.

The Secretary read as follows:

That the dead and down timber upon the Menominee Reservation, in the State of Wisconsin, shall be each year estimated and logged, and that no more standing and growing timber shall be cut than is sufficient, when added to the dead and down timber, to make 20,000,000 feet in the aggregate, and only such standing and growing timber shall be cut as shall be marked for cutting under the direction of the Forestry Service. The Secretary of the Interior may permit the manufacture into lumber by the said tribe of so much of said annual cut of logs as he may deem advisable, and the sale of the same under such rules and regulations as may be prescribed by him: *Provided*, That if in the opinion of the Secretary of the Interior the Indians can not log the dead and down timber now upon the said reservation in time to save the same and protect the standing forest, he is hereby authorized to employ white laborers to assist said Indians to log the dead and down timber now upon said reservation: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized to advance out of the funds of said tribe, on the order of the Secretary of the Interior, the sum of $75,000, or so much thereof as may be necessary to enable the said Secretary of the Interior to carry out the provisions of this act, the said sum to be reimbursed to the said fund from the proceeds of the sale of timber as hereinbefore provided.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Minnesota.

The amendment was agreed to.

The VICE-PRESIDENT. There are further amendments reported from the Committee on Indian Affairs, which will be stated.

The SECRETARY. In line 16, page 2, strike out the figure "3" and insert in lieu thereof the figure "2;" and in line 22, page 2, strike out all after the word "Treasury," down to and including line 2 on page 3, in the following words:

Interest on which shall be allowed said tribe annually at the rate of 3 per cent per annum, to be paid to the tribe per capita, or expended for their benefit under the direction of the Secretary of the Interior.

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. CARMACK. I ask for the reading of the bill as amended.

The VICE-PRESIDENT. The Secretary will read the bill as amended.

The Secretary read the bill as amended, as follows:

*Be it enacted, etc.*, That the dead and down timber upon the Menominee Reservation in the State of Wisconsin shall be each year estimated and logged and that no more standing and growing timber shall be cut than is sufficient, when added to the dead and down timber, to make 20,000,000 feet in the aggregate, and only such standing and growing timber shall be cut as shall be marked for cutting under the direction of the Forestry Service. The Secretary of the Interior may permit the manufacture into lumber, by the said tribe, of so much of said annual cut of logs as he may deem advisable, and the sale of the same under such rules and regulations as may be prescribed by him: *Provided*, That if in the opinion of the Secretary of the Interior the Indians can not log the dead and down timber now upon the said reservation in time to save the same and protect the standing forest, he is hereby authorized to employ white laborers to assist said Indians to log the dead and down timber now upon said reservation: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized to advance out of the funds of said tribe, on the order of the Secretary of the Interior, the sum of $75,000, or so much thereof as may be necessary to enable the said Secretary of the Interior to carry out the provisions of this act, the said sum to be reimbursed to the said fund from the proceeds of the sale of timber, as hereinbefore provided.

SEC. 2. That from the net proceeds of sales of said Menominee timber shall be deducted one-fifth part, which shall be deposited in the Treasury of the United States to the credit of the Menominee Indians in Wisconsin, to be used under the direction of the Secretary of the Interior for the benefit of said Indians, and the residue of said proceeds shall be funded in the United States Treasury.

SEC. 3. That all acts or parts of acts inconsistent with this act are hereby repealed.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. CARMACK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. As he is not in the Chamber I withhold my vote.

Mr. MALLORY (when his name was called). I again announce my pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "yea."

Mr. STONE (when his name was called). I am paired with the senior Senator from Wyoming [Mr. CLARK]. I do not see him in his seat and I withhold my vote.

The roll call having been concluded, the result was announced—yeas 56, nays 0, as follows:

YEAS—56.

| | | | |
|---|---|---|---|
| Bacon | Curtis | Hopkins | Perkins |
| Berry | Daniel | Kean | Pettus |
| Beveridge | Depew | Kittredge | Piles |
| Blackburn | Dick | Knox | Rayner |
| Brandegee | Dillingham | Latimer | Scott |
| Bulkeley | Dubois | Lodge | Simmons |
| Burkett | Foraker | Long | Smoot |
| Burnham | Frazier | McCreary | Spooner |
| Carmack | Frye | McEnery | Sutherland |
| Carter | Fulton | McLaurin | Taliaferro |
| Clapp | Gallinger | Millard | Tillman |
| Clay | Gamble | Overman | Warner |
| Crane | Hemenway | Patterson | Warren |
| Cullom | Heyburn | Penrose | Whyte |

NAYS—0.

NOT VOTING—34.

| | | | |
|---|---|---|---|
| Aldrich | Culberson | La Follette | Nixon |
| Allee | Dolliver | McCumber | Platt |
| Allison | Dryden | Mallory | Proctor |
| Ankeny | Du Pont | Martin | Smith |
| Bailey | Elkins | Money | Stone |
| Burrows | Flint | Morgan | Teller |
| Clark, Mont. | Foster | Mulkey | Wetmore |
| Clark, Wyo. | Hale | Nelson | |
| Clarke, Ark. | Hansbrough | Newlands | |

So the bill was passed.

### THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. OVERMAN. I now read a letter from J. J. Moore & Co.:

SAN FRANCISCO, CAL., *January 31, 1906.*

Hon. H. T. RAINEY,
*House of Representatives, Washington, D. C.*

DEAR SIR: Your favor of January 6, with copy of your bill, H. R. 10090, duly to hand, and in reply thereto beg to say that we have carefully studied the proposed bill, and whilst it may bring some relief to shipping men and the shipping interests of the United States, it appears to us not to go far enough. The fact that you have introduced this bill in the House of Representatives is evidence that you have gone into the matter of shipbuilding in the United States. We would ask if you can see how our merchant marine can be increased very much within the next ten or fifteen years from the present shipbuilding facilities, or from any new concerns likely to be built? It is our opinion that in face of the large amount of Government work being done and to be done little could be accomplished in the way of turning out merchantmen. There is no question of doubt but what the trade of the United States is to-day suffering severely for the want of sufficient American vessels to do our coasting business, and every year will add to this difficulty. Under the circumstances, would it not be a feasible and businesslike proposition for Congress to pass an act permitting American citizens to buy foreign-built ships and receive for them an American registry by paying a reasonable duty, even to the extent of 50 per cent? Surely no honest shipbuilder can object to competition on foreign-built vessels with such a tariff, and we can assure you that it would be a great relief to the shipping industry of the United States. This bill might be made operative for a term of years—say ten years—and if by that time our shipbuilding facilities had increased to an extent that they could fill our requirements, it might be allowed to die.

There is another bill which might be passed that would be of advantage to a great many American merchants doing a foreign business—that is, to permit them to buy foreign-built vessels and own them in their own names under a provisional register prohibiting them from the coasting business. Surely such a bill as this could not injure American shipbuilders or shipowners. For instance, we know of many vessels which are in reality owned by American citizens, but are under foreign flags, with the result that they pay taxes in a foreign country and also

provision and spend considerable money in foreign ports that would be spent at home if under an American flag.

We must say that we have consulted many shipping men on this subject, and they all agree that either of the bills above referred to would be a great relief to shipping men without any injury to shipbuilding.

I call the attention of the Senate to this one paragraph:

We would like to mention a circumstance that occurred to us a few years ago, as follows: A steel schooner was built in Scotland, at a cost of $52,000, with American money. We wished to have a similar vessel built at home under the American flag. We put the plans and specifications before a local firm of shipbuilders, and the lowest price we could obtain was $133,000. Under such circumstances how is it possible for American ships to compete with foreigners and pay interest upon such an enormously increased cost?

Trusting that our suggestion may be of some value to you and placing ourselves at your command should you desire any further correspondence from us, we are, dear sir,

Yours, faithfully,

J. J. MOORE & Co.
J. J. MOORE, *President*.

Mr. CARMACK. The Senate did not seem to be paying attention, and I should like to have the Senator from North Carolina read it again.

Mr. SCOTT. We can not hear the Senator from North Carolina over here.

Mr. CARMACK. That is what I was complaining of, that we could not hear the Senator from North Carolina, and I asked him to read the matter over again, in order that the Senate may hear it.

Mr. OVERMAN (reading)—

We would like to mention a circumstance that occurred to us a few years ago, as follows: A steel schooner was built in Scotland, at a cost of $52,000, with American money. We wished to have a similar vessel built at home under the American flag——

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. OVERMAN. I will finish reading this first, Mr. President. The letter continues:

We put the plans and specifications before a local firm of shipbuilders, and the lowest price we could obtain was $133,000.

Now I yield to the Senator from South Carolina.

Mr. TILLMAN. Will the Senator tell us who "us" is?

Mr. OVERMAN. The shipbuilders.

Mr. TILLMAN. What shipbuilders? From what is the Senator reading?

Mr. OVERMAN. I have read the address from a letter from San Francisco, signed by J. J. Moore & Co. and J. J. Moore, president of this shipbuilding concern.

Mr. TILLMAN. If the Senator from Tennessee [Mr. CARMACK] will permit me, I should like to ask the Senator from North Carolina if it is not true that American steel manufacturers can make steel cheaper than it is made in England, and that we have shipped steel rails abroad?

Mr. OVERMAN. That is mentioned in several of the letters from which I have been reading.

Mr. TILLMAN. I apologize to the Senator for bringing in stale information or something of the sort that has already been utilized; but the phenomenal difference between the cost of a ship in the United States and the same ship under the same specifications abroad was so startling that I just wanted to remind some people that it was not because of natural conditions, but that it arose from unnatural conditions.

Mr. OVERMAN. The Senator has the point of the controversy. I will say that several of the letters I have read mention the fact that steel is so much lower in England than it is here on account of our steel trust.

Mr. TILLMAN. I beg pardon. I was not aware that the Senator had read that statement.

Mr. CARMACK. I hope the Senator from North Carolina will read some of those letters over again. I should like to hear them.

Mr. GALLINGER. Mr. President, will the Senator from Tennessee yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from New Hampshire?

Mr. CARMACK. Certainly.

Mr. GALLINGER. Getting away from levity for a moment, Mr. President, I should like to ask the Senator from North Carolina if he knows what proportion of the cost of a ship the steel is?

Mr. OVERMAN. No, sir; I have not been informed, and I should like the Senator to inform the Senate as to that.

Mr. GALLINGER. It is about 5 per cent; and the added cost of American ships is in the matter of labor almost entirely. That is all I care to put in the RECORD.

Mr. OVERMAN. I am giving the evidence here from the shipowners themselves, and they ought to know more about it than anybody else. They say the difference in cost in this case was nearly a hundred thousand dollars.

Mr. TILLMAN. Will the Senator from Tennessee allow me to ask the Senator from New Hampshire a question?

Mr. CARMACK. With pleasure.

Mr. TILLMAN. How much of a steal is involved in the ship-subsidy scheme? [Laughter.]

Mr. GALLINGER. Mr. President, I will answer that by saying that I do not know that there is any steal in it. The Senator from South Carolina sees a steal in everything.

Mr. TILLMAN. Oh, no.

Mr. GALLINGER. Yes; that is the Senator's habit. If the Senator can point out to the country that there is any steal in extending the postal law of 1891 so that we may have some American ships flying the American flag and carrying the American mails, I am willing that he should do so.

Mr. TILLMAN. I will let the Senator from Tennessee [Mr. CARMACK] do that.

Mr. GALLINGER. All right.

Mr. FRYE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Maine?

Mr. CARMACK. With pleasure.

Mr. FRYE. Mr. President, it occurs to me that even a filibuster may be conducted in a dignified manner; that the Sabbath day might be remembered in the United States Senate, and that to amuse the galleries and excite their laughter does not assist at all in defeating the ship-subsidy bill.

Mr. CARMACK. Mr. President, if any part of those remarks were intended for me, I want to say to the Senator from Maine that I am not responsible to him for my conduct, and that I shall conduct myself according to my own ideas of propriety. If the Senator from Maine wants to leave the Senate Chamber here on Sunday and attend church, he has my permission to do so. [Laughter.]

Mr. FRYE. I would much rather be in church than to be here on a Sunday witnessing the performance which has been going on to-day.

Mr. CARMACK. Mr. President, if the Senator from Maine wishes to take a recess until to-morrow morning, I shall not interfere with him.

Mr. FRYE. The Senator could not.

Mr. CARMACK. Well, Mr. President, to become dignified, and especially for the delectation of the Senator from Maine, who I think is much more concerned about the failure of the ship-subsidy bill than he is about observing the dignity of anything or anybody——

Mr. FRYE. Mr. President, allow me to say——

Mr. CARMACK. I decline to yield to the Senator from Maine.

Mr. FRYE. I should like to reply to the last statement of the Senator from Tennessee.

Mr. CARMACK. I decline to yield to the Senator.

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Maine?

Mr. CARMACK. I do not.

The VICE-PRESIDENT. The Senator from Tennessee declines to yield.

Mr. CARMACK. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] says that steel plays a very little part in the cost of shipbuilding in the United States. He may be right about that; I do not profess to be an expert in the matter of shipbuilding, but there are others who are experts who do not agree with the Senator from New Hampshire. One of these men is Mr. Andrew Carnegie, who is suspected of knowing a good deal about the use of steel.

Mr. Andrew Carnegie says the United States has not only supplied its own wants, "but is competing to supply the wants of the world, not only in steel, but in the thousand and one articles of which steel is the chief component part," and expresses the opinion that the increasing demand from the world at large "can be met only by the United States."

"The influence of our steel-making capacity," adds Mr. Carnegie, "must be marvelous, for the nation which makes the cheapest steel has the other nations at its feet as far as manufacturing is concerned in most of its branches. The cheapest steel means the cheapest ships, the cheapest machinery, the cheapest thousand and one articles of which steel is the base."

That is quoted from the Review of the World's Commerce, and Andrew Carnegie confidently expresses the opinion that the cheapest steel does mean the cheapest ships, and that the nation that produces steel more cheaply than any other nation is the nation which will be able to build ships cheaper than any other and to control the commerce of the world without the benefit of a subsidy and without the benefit of protection. That, at least, is the logic of his argument.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had

passed the bill (S. 8119) to readjust the boundaries of the naval reservations in Porto Rico in pursuance of the act of July 1, 1902.

The message also announced that the House insists upon its amendment to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon; agrees to a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEPBURN, Mr. WANGER, and Mr. ADAMS managers at the conference on the part of the House.

The message further announced that the Speaker of the House had appointed Mr. OVERSTREET of Indiana, Mr. GARDNER of New Jersey, and Mr. MOON of Tennessee, members of the Joint Postal Commission authorized in the post-office appropriation bill.

The message also announced that the Speaker of the House had appointed Mr. HOWELL of New Jersey, Mr. BENNET of New York, and Mr. BURNETT members of the joint commission to investigate the subject of immigration as authorized under the immigration act.

The message further announced that the Speaker of the House had appointed Mr. MOON of Pennsylvania, Mr. PARSONS, Mr. DENBY, Mr. SHERLEY, and Mr. HOUSTON members of the Joint Committee for Revision of Laws, authorized under joint resolution No. 240.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

S. 7247. An act to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city, on a site to be selected for said station, of a public building;

S. 7812. An act to amend section 591 of the Revised Statutes of the United States relative to the assignment of district judges to perform the duties of a disabled judge;

S. 8327. An act to provide for the establishment of an immigration station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building;

S. 8498. An act to amend sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, and for other purposes;

S. 8526. An act permitting the erection of a dam across Coosa River, Ala., at the place selected for Lock No. 12 on said river;

S. 8622. An act granting an increase of pension to William N. Bronson;

H. R. 13605. An act to satisfy certain claims against the Government arising under the Navy Department;

H. R. 20490. An act for the relief of Frank J. Ladner;

H. R. 25719. An act to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building;

H. R. 25889. An act to provide for sittings of the United States circuit and district courts of the southern district of Ohio at the city of Dayton, in said district; and

H. J. Res. 253. Joint resolution relating to securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern.

ORDER FOR RECESS.

Mr. HALE. By reason of a message from the House of Representatives, I ask that at 6 o'clock this evening the Senate take a recess until half past 8.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that at 6 o'clock the Senate take a recess until half past 8. Is there objection? The Chair hears none, and it is so ordered.

MASONIC LODGE OF BEXAR, ALA.

Mr. PETTUS. By reason of a clerical error in the resolution reported from the Committee on Claims, the claim of the Masonic Lodge of Bexar, Ala., was omitted. With the approval of the chairman of the committee, I offer a resolution to correct the mistake.

The resolution was considered by unanimous consent and agreed to, as follows:

*Resolved*, That Senate bill No. 3060, for the relief of Masonic Lodge of Bexar, Ala., be, and the same is hereby, referred to the Court of Claims under the provisions of section 14 of the act approved March 3, 1887, for investigation and report of all material facts.

Mr. McLAURIN. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---|---|---|---|
| Ankeny | Daniel | Kean | Patterson |
| Bacon | Dick | Kittredge | Perkins |
| Beveridge | Dillingham | Latimer | Pettus |
| Blackburn | Dubois | Lodge | Piles |
| Brandegee | Du Pont | Long | Rayner |
| Bulkeley | Flint | McCreary | Scott |
| Burnham | Foraker | McCumber | Simmons |
| Carmack | Frazier | McEnery | Smoot |
| Carter | Frye | McLaurin | Stone |
| Clapp | Gallinger | Mallory | Sutherland |
| Clark, Mont. | Gamble | Millard | Taliaferro |
| Clark, Wyo. | Hansbrough | Newlands | Warner |
| Cullom | Hemenway | Nixon | Warren |
| Curtis | Heyburn | Overman | Whyte |

The VICE-PRESIDENT. Fifty-six Senators have answered to their names. A quorum is present.

Mr. CLARK of Wyoming. I ask for the adoption of the order which I send to the desk.

The VICE-PRESIDENT. Has the Senator from Tennessee yielded the floor?

Mr. CARMACK. No, sir.

The VICE-PRESIDENT. Then the order is not now in order.

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. CARMACK. Mr. President, I wish to express my most earnest regret for a little unpleasantness that recently occurred, and I especially regret that I spoke under the impulse of the moment more sharply than I should have done in reply to the suggestions of the Senator from Maine [Mr. FRYE], which were really proper and in the interest of the proper decorum of the Senate. There is no Senator here for whom I have a higher regard or a deeper respect than I have for the Senator from Maine, and I especially wish to express my regret for the last remark I made in a little colloquy and to withdraw that remark, with my apologies to the Senate and to the Senator from Maine.

Mr. FRYE. Mr. President, I am obliged to the Senator, for whom I have a very great respect. I did not mean to give him personally any offense by what I said.

Mr. CARMACK. Mr. President, we have wandered over a good deal of ground in this discussion, it is true. I do not think any part of it, however, has been irrelevant, or very little of it, except such parts as have been injected by Senators upon the other side of the Chamber, chiefly by the advocates of this bill. While the dictionary question, which the Senators upon the other side brought in, was not altogether relevant, I must say it was illuminating and that the Senate has derived a great deal of valuable information upon that question.

Mr. President, what the Senator from North Carolina [Mr. OVERMAN] read to the Senate was exceedingly pertinent to the merits of the question under discussion. The plain fact behind all this effort to secure ship subsidy is that a number of people, instead of putting their own energy, their own enterprise, and their own capital into the business, call upon the Government to finance their operations at the expense of the taxpayers of the United States. They are hoping to draw their fat dividends not from the profits of the business, but from the taxes of the American people. Let me give you an illustration of how this bill will work if it be enacted into law.

Here is the case of a ship called the *Morro Castle*, which plies between New York and Rio de Janeiro. A calculation has been made of the daily consumption of coal by that ship, the price of the coal, the number of the crew, their wages per day, and the cost of feeding the crew. Taking all the expenses of running the ship between New York and Rio de Janeiro, it appears that the total cost of coal is $11,220, of wages $4,206, of food $2,234, making a total of about $15,600 per trip. The subsidy that this vessel would receive under the terms of the bill would be $33,333.33. There would be a clear profit derived from the subsidy alone of about $17,600 on every trip, and a profit every year of $424,145, or in ten years, under the operations of this bill, $4,241,455.20. That would be the amount, Mr. President, by which the subsidy would exceed the total cost of the operation of that vessel, not simply to make up any losses that might occur in the operation of it, but it would pay

the whole cost of running that vessel and, over and above that cost, would pay a profit of $424,145.52 per annum, and for ten years $4,241,455. Mr. President, it is impossible to characterize too severely a measure under which such a thing as that may occur. This is not a bill to enable a ship to run in competition with foreign vessels, but it pays all the running expenses of that vessel, the wages, the cost of coal, and the feeding of the crew, and then gives a clear profit over and above that in the amount I have named.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from New Hampshire?

Mr. CARMACK. I do.

Mr. GALLINGER. What vessel did the Senator make his calculation upon?

Mr. CARMACK. The *Morro Castle.*

Mr. GALLINGER. What is the speed of that vessel?

Mr. CARMACK. Sixteen knots, I think.

Mr. GALLINGER. I think the Senator is mistaken.

Mr. CARMACK. No; I am not. It is a 16-knot ship.

Mr. GALLINGER. Of course the Senator knows that under the provisions of this bill, if the bill should be passed—which I trust it will be—it will be necessary to construct new ships of 6,000 tons, with a speed of 16 knots. We have very few vessels extant that can make 16 knots; in fact, there are, I think, only two or three carrying the American flag. These will be extremely expensive ships. I did not exactly catch the Senator's statement on that point.

Mr. CARMACK. I have calculations here on two vessels—the *Esperanza* and the *Morro Castle.* The *Esperanza*, however, is only a 14-knot ship, but the *Morro Castle* is a 16-knot ship.

Mr. GALLINGER. Those are foreign vessels. Would the Senator kindly allow me to look at that statement?

Mr. CARMACK. Yes, sir.

Mr. GALLINGER. Because this is a practical matter that is legitimate for discussion.

Mr. CARMACK. Mr. President, you say you can establish a merchant marine by such a system of bounties. Maybe so—you could grow oranges in New Hampshire if the Government of the United States would only provide a large enough bounty to cover all losses and pay dividends besides. No business deserves to succeed if it can not succeed except at the expense of all other industries. If the capital of the country has not gone into the building of American ships, it is because it found more profitable employment in other fields. It was not a losing but a paying business to let others do the carrying while our capital was employed to better advantage in other lines of business. To divert this capital by law from enterprises in which it is earning honest dividends into a business which can only be supported by taxing every other industry in the land is, from an economic point of view, waste and profligacy and from a moral point of view spoliation and robbery.

But there is an honest way to build up our merchant marine, not by taxing, but by untaxing the people. There was a time when American vessels did nearly all of the carrying trade of the United States. It was a time when we had no subsidies; but we did have a low tariff. American exports were then carried in American bottoms, and the American flag was on every sea. The same policy would restore like conditions.

I ask the Secretary to read the extract which I have marked.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

[Congressional Record, February 26, 1907, page 4110.]

SHIP SUBSIDIES AND HIGH TARIFF.

John Roach, protectionist shipbuilder, to a special committee of the House, in 1869, said:

"America has lost her commerce, and what has she obtained in exchange for it? Simply the right of a few men to charge $9 per ton in gold on the importation of pig iron. Pig iron is the basis of all other metals connected with the making and repairing of ships. There has been a revolution in shipbuilding, and iron is the material from which they are now built. The high cost of iron produced by the tariff upon it is one of the principal difficulties our commerce has to contend with. I did not come here to ask a bounty. I came here to tell you that while all other articles of American produce are protected to a great extent, there is no protection for American ships. If Congress will take off all the duties from American iron, reducing it to the price of foreign iron, then we are prepared to compete with foreign shipbuilders. The labor question is mistaken; we are prepared to meet that difficulty and to ask no further legislation on the subject."

Mr. Morrill, protectionist Republican, asked Mr. C. H. Cramp as to the rate of duty imposed on shipbuilding material, and Mr. Cramp replied:

"About 40 per cent; and if our shipbuilders could be relieved from that, they could compete successfully with foreign shipbuilders. The difference in the cost of labor would be overcome by the superiority of American mechanics. Wooden ships will no longer be built, since iron ships are superior in every respect."

Senator Chandler, of Michigan, in 1872, said:

"It is desirable to own iron ships, very desirable, and I hope to see the day when we shall have our old supremancy in shipping, but it never will be done in the world by subsidies. It is not the subsidized lines of Great Britain that pay the largest returns. * * * You will never restore your flag to the ocean by subsidies, I care not how great you may make them; you may increase your subsidies to $10,000,000 a year, and you will not restore your flag."

Senator Morrill, of Vermont, in 1872, said:

"Is it practicable to recall our shipping? I think it is, and by the simplest process. Not a dollar of subsidies. Give us cheap materials and we will do it. Give us the ground on which we stand, so that we shall have our materials just as cheap as they can be afforded elsewhere, and then all these shipyards and all that skilled labor will be at work at once; and you will find that we shall restore the balance of the shipping interests on the ocean that now stands against us."

Senator Sherman, May 4, 1872, said:

"Since we can not build these vessels within 20 or 30 per cent of the cost in England, why not admit them free? Why not admit them duty free, raise the American flag upon them, put American officers upon their decks, and have American lines instead of British lines? Why, sir, if that bill should pass authorizing foreign ships when owned by American citizens to be used for the present for three years under the American flag one-half of the lines between New York and England would be American lines in sixty days."

UNITED STATES PREDOMINANT IN IRON AND STEEL MAKING.

President McKinley submitted January 29, 1901, to Congress an official Review of the World's Commerce, which at page 22 states:

"The most striking fact in our export development is the remarkable growth of the foreign demand for our iron and steel, our exports amounting to nearly $130,000,000 in 1900 against $32,000,000 in 1895. In an article in the New York Evening Post of January 12, 1901, Mr. Andrew Carnegie says the United States has not only supplied its own wants 'but is competing to supply the wants of the world, not only in steel, but in the thousand and one articles of which steel is the chief component part,' and expresses the opinion that the increasing demand from the world at large 'can be met only by the United States.'

"'The influence of our steel-making capacity,' adds Mr. Carnegie, 'must be marvelous, for the nation which makes the cheapest steel has the other nations at its feet as far as manufacturing is concerned in most of its branches. The cheapest steel means the cheapest ships, the cheapest machinery, the cheapest thousand and one articles of which steel is the base.'" (Review of the World's Commerce, 1900.)

CHEAPNESS OF AMERICAN GOODS.

"It is the relative cheapness of American steel that has given it preeminence, and it is the same with other products that are winning their way abroad. Economy of production is the master key that unlocks for us markets that seemed a little while ago to be inexorably closed. This economy of production implies not merely low prices to the foreign consumer, but a greater degree of excellence, a superior adaption to his wants. As he has been pointed out in the Reviews, as well as elsewhere, the American workingman, though receiving higher wages, produces, with labor-saving machinery, at a lower unit of cost, and his greater application and ingenuity enable him to avail himself effectively of the most recent inventions and appliances for improving the quality of his special line of work. The American factory system is highly organized and more efficient than any other, and if our export trade were as well developed, there would be little to fear." (Review of the World's Commerce, 1900.)

Mr. GALLINGER. Will the Senator from Tennessee yield to me for a request?

Mr. CARMACK. With pleasure.

Mr. GALLINGER. I ask unanimous consent that to-morrow at 11 o'clock a vote be taken on this bill.

Mr. McLAURIN. I object.

The VICE-PRESIDENT. Objection is made.

Mr. GALLINGER. Then I ask unanimous consent that at 11.30 o'clock to-morrow a vote be taken on the bill.

Mr. CARMACK. I object.

The VICE-PRESIDENT. Objection is made.

Mr. GALLINGER. Of course, Mr. President, I am at the mercy of the gentlemen who intend to talk the bill to death, and I have no redress.

Mr. CARMACK. I am glad the people of the United States will not be at the mercy of this bill.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from New Hampshire?

Mr. CARMACK. With pleasure.

Mr. GALLINGER. The statement that was just read quoted the late Senator Sherman as saying that if we had free ships this entire problem would be solved. I call the attention of the Senator from Tennessee to the fact that if he will examine the testimony taken by the late Merchant Marine Commission he will find that the leading capitalists in Boston and New York were asked if in the event of a free-ship bill passing they would invest any money in the shipping business, and they all replied without hesitation that they would not do so, that they could not sail those ships at a profit, because of the increased cost as compared with foreign ships, but, on the contrary, that they would have to sail them at a loss, and not a dollar would they invest in them.

One other point, if the Senator will kindly allow me. The Senator has just submitted a calculation as to the profits that would result on this line to Argentina, the bill allowing $800,000 a year for fortnightly service. In the Senator's calculation—and I want him to look at this matter seriously—he made no allowance whatever for interest on the investment, for insurance, for depreciation, which is 5 per cent on the cost of a vessel, or for administrative expenses, and many other things.

One other point that I want particularly to call to the attention of the Senator from Tennessee. He assumed in his calculation that one ship could perform this service, while it will be absolutely necessary to place four ships on the line to Brazil and five ships on the line to Argentina. So the alleged profit of $424,000 a year would have to be divided by four in one case and by five in the other. It would make a very great difference in the calculation the Senator made if he should take that into consideration.

Mr. President, in reference to free ships I want to add one more word, and that is, that if we have free ships it means the closing of American shipyards and throwing out of employment American workmen and keeping the shipyards of foreign countries and the workmen of foreign countries employed.

Mr. CARMACK. Of course capitalists would never invest in the building of ships without a subsidy as long as they had a hope of getting a subsidy. I believe if that hope had been dispelled some time ago, American capital would already have begun the work of building ships.

Right in this connection and on that very point I wish to have read a statement of Mr. W. E. Kay, who appeared before the Merchant Marine Commission, of which the Senator from New Hampshire was the chairman. I ask the Secretary to read the extracts I have marked.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

Mr. GOODYEAR. There is a gentleman here who has been a part of Brunswick, a part of its growth and development since his boyhood, with whom I have never agreed on anything, with one exception, and that is in loving him. I want to hear from W. E. Kay.

Senator MARTIN. The Commission will be delighted to hear from Mr. Kay.

Mr. KAY. Mr. Chairman and gentlemen, I know as little of this question as any gentleman who has spoken. [Laughter.] I would not consume the time of this Commission by discussing the possible growth of our southern ports, for that cuts no figure in the great national question, Shall the American merchant marine be upbuilt, and how? The great fathers of this Republic thought it wise and proper to put upon the statute book, as a part of the American system, restriction upon the introduction into this country of foreign-built vessels, but they failed, when they wrote those laws upon the statute book, to put in a corresponding inducement in the shape of bounties on tonnage or premiums upon mileage or mail subsidies, to counteract what I consider to be the baleful effect of such legislation.

I am speaking only for myself. But how is it possible to have an American merchant marine, all steel-built vessels, in competition with foreign-built vessels, under the varying conditions, as they exist, of higher prices of labor in this country, coupled with a protective system which puts up the price of the material that goes into the ship, and then expect that in the great markets of the world the American ship, built at a higher price, at a higher rate of wages, and at a higher cost of provisioning and operating, can compete with the cheaper-built ship, the cheaper manned, and the cheaper provisioned foreign ship?

* * * * * * *

Under our protective system we can not build ships in this country as cheaply as they can be built abroad, and yet we wonder that American ships do not fill the seas. How can we expect that American tonnage will enter foreign ports in competition with the cheaper class of foreign ships unless we put our ships upon the same basis on which the foreigner puts his ships which are in competition with ours?

OPPOSED TO THE PROTECTIVE SYSTEM.

Shall it be that the protective tariff will be removed from the materials that enter into the construction of a ship, or shall we have the privilege of seeing the American flag upon American ships in the oceans of the world by reason of a bounty per mile? Shall a great nation add to the cost of the ship and load down its tonnage charge and charter parties with the extra cost that the protective system of tariff necessarily implies—taxes addtional to those under which it is suffering—for the purpose of carrying its cargo in American bottoms?

I, for one, think the people of the United States have been taxed to a point almost beyond endurance in the matter of creating industries, and although it be a discordant note in this assembly, I would not respect myself if I did not declare here and now the sentiment that the competition in commerce upon the seas must be carried on like the competition in every other business. The ship which can carry at the lowest price will get the business. When these people are loaded down with taxes, are additional levies to be put upon them to create an American merchant marine to add to the burden under which they are already suffering? I, for one, would prefer that the German flag should float on the German ship and the English flag on the English ship, and that those ships should carry our cotton from southern ports to the United Kingdom and foreign ports if for the proud privilege of waving the American flag upon the bottom that is to carry our cotton across the seas each and every humble citizen in this country is to be taxed upon every element of food that enters his mouth, or every element of clothing he puts upon his back, to pay for a bounty upon shipping in order that this country may have a merchant marine.

DESTROY THE TARIFF.

These sentiments are not popular; they may not appeal to my hearers, but the issue is squarely presented to the American people: Shall the Government, in order to attempt to enable our people to compete in a field where business sense tells them they can not compete on ordinary principles, by the exercise of the power of taxation put upon the people such a burden in the shape of bounties or mail subsidies or otherwise as will enable the nation to have its ships float upon the seas, as a result not, Mr. Chairman, of the direct competition between might and worth, but rather because it is a bounty-fed proposition; or will they, on the other hand, in order that equality may be brought about, repeal the protective system that the fathers threw about American shipping, or the protective tariff that makes it almost impossible to build in this country a ship at such a price that it may navigate the seas in contradistinction to foreign vessels?

As I say, the sentiments I am uttering may not appeal to my audience, but the question is there, and it is a practical question. You can not have American-built steel ships under the present system, and you must, under the present system, have one of two things. You must either enact free shipping laws and let the foreign-built vessel come under the American flag and compete in the markets of the world, or you must tax your people, as you are now taxing them through the protective tariff, the amount of the duty laid upon the steel plates and the steel shapes and everything else that enters into the construction of vessels, and add that and load down the charter-party rates and have the Government pay it in order that we may have American-built vessels flying the American flag.

The materials may, by a system of rebates, be admitted free. You may call it an element entering into the cost, but it is not the whole cost. At last the labor and every other element, except the sheets and plates, that enter into the construction of a vessel are protected by law as against the foreign-built vessel. You must go further. Not only by your legislation must you relieve shipbuilders of the duty upon the raw material, but you must open the construction of vessels to the competition of the whole world if you are going to have it so that the world can bid upon shipping. [Applause.] I am glad to answer the question.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from New Hampshire?

Mr. CARMACK. With pleasure.

Mr. GALLINGER. I dislike to interrupt the Senator, but he is so kindly disposed that I will venture to make an observation in connection with what has just been read. It was not my privilege to meet with the members of the Merchant Marine Commission at southern ports, but I have read carefully all the testimony which was taken there.

Now, Mr. President, this gentleman speaks of the tax that will be imposed upon the American people because of this legislation. If this legislation should go through, as I trust it will, it will result in building twenty-two ships in American shipyards of 6,000 tons burden or over, giving employment to American workmen and likewise using up a great deal of the products of the forests and the mills of the United States. That $2,600,000 would be a tax of just about 3 cents on each man, woman, and child in the United States. So this tremendous tax that has been pictured is really not worth very much consideration.

Now, let me paint another picture. We have spent $12,000,000 on the harbor of Galveston. Twelve million dollars have been taken from the Treasury and the American people have paid it in one form or another in the way of taxation to deepen that harbor and to remove obstructions. All of the enormous commerce carried out of that harbor is carried in foreign vessels, with one exception, and that is an American schooner of 300 tons burden. All the products of the fields and factories of the South that find their outlet at Galveston are carried in foreign steamships, with the exception of that one lone schooner, and we have spent $12,000,000 of the people's money in deepening and widening the channel for the accommodation of foreign steamships.

If the Senator thinks that is a desirable condition of things, I can not agree with him, nor do I believe the American people approve of it.

I want to thank the Senator for permitting the interruption.

Mr. CARMACK. I am glad to yield to the Senator.

Mr. President, I think the argument of the Senator from New Hampshire, with all due respect to him, is entirely fallacious. What has it to do with the question of commerce in the harbor of Galveston or any other harbor? It is carried in foreign vessels if carried more cheaply in foreign vessels than in American vessels and if it pays the American people to have products carried in foreign vessels instead of carrying them in their own.

I have heard the argument made over and over again that we pay great subsidies to foreign shipowners because they are carrying American trade and because they are doing so large a part of our carrying trade. It seems to me that this argument is entirely fallacious. You might as well say that the tailor pays a subsidy to the shoemaker for making his boots instead of doing the work for himself. You might as well say that the people of Maine pay a subsidy to the fruit growers of California and that they ought to be repaid by a system of subsidized hothouses.

We have been paying other people to do our carrying because we found it more economical to let them do it than to do it ourselves. So long as we sell abroad we must take the work of other people in paying for our surplus products. There is no article that we import from any country that does not represent so much work which we permit other people to do for us, instead of doing it for ourselves. There is no more subsidy in taking pay for our agricultural or manufacturing exports in

transportation than there is in taking pay for goods that are brought in. So long as the service is rendered for a fair compensation there is no subsidy, but whenever more than a fair price is exacted by a law which takes from all the people to give to a few it is a subsidy.

Mr. McLAURIN rose.

Mr. CARMACK. I yield to the Senator from Mississippi.

Mr. McLAURIN. Along this line, Mr. President, I will say to the Senator that this House bill, which is called "an amendment," but which really has never been referred to any committee of the Senate, provides that a subsidy shall be paid to corporations when a majority of the stock is held by citizens of the United States. Now, if 50½ per cent of the stock in one of these corporations is held by citizens of the United States and 49½ per cent by foreigners, this bill of the House, never referred to the Committee on Commerce or any other committee of the Senate, proposes not only to provide these magnificent harbors for ships for foreigners, but to pay those foreigners a subsidy.

Mr. CARMACK. The point is well taken, Mr. President. The bill proposes to pay foreigners not only the 49½ per cent, but there may be a great deal of fraud with respect to the 50½ per cent. A large majority of the stock might possibly be owned by foreigners, and they may be drawing subsidies from the American Treasury.

Mr. LATIMER rose.

Mr. CARMACK. I yield to the Senator from South Carolina.

Mr. LATIMER. Mr. President, I want to ask the Senator from Tennessee, or the Senator from New Hampshire, if they can give me the information, what proportion of the $200,000,000 paid to foreign shipowners is really paid to Americans who own ships that are sailing under a foreign flag?

Mr. CARMACK. Perhaps the Senator from New Hampshire can answer that better than I can.

Mr. GALLINGER. I have no knowledge of any company of Americans owning any ship that flies a foreign flag. There are undoubtedly some Americans who own stock in those ships to a limited extent. I can not definitely answer the Senator's question.

Mr. LATIMER. I want to know what proportion of the stock is so held.

Mr. GALLINGER. The Senator is asking an impossible question.

Mr. LATIMER. It is claimed by those who are advocating this legislation that we are paying out tremendous sums of money to foreign shipowners for carrying American commerce.

Mr. GALLINGER. We are paying, approximately, $200,000,000 a year to foreigners who are carrying our commerce, and that is distributed abroad, while, if we had American ships, it would be distributed in the United States.

Mr. LATIMER. The point I am after is what amount of that money really goes to Americans who own stock in foreign ships?

Mr. GALLINGER. I presume they get a little something by way of dividends. They have relatively a very small amount of stock.

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from North Carolina?

Mr. CARMACK. Certainly.

Mr. SIMMONS. I discover that the Senator from Tennessee has given very deep study to the subject under consideration. I have been very much interested in his brilliant and illuminating discussion and analysis of this important question. I have no doubt the Senator in the course of his investigation has had occasion to consider the method of subvention of our American merchant marine by the application of a discriminating duty. Several methods have been suggested as means of restoring our merchant marine, but of all suggested methods for the accomplishment of this great object, I think the most equitable and just is that of discriminating duties.

I believe that a rebate of 10 per cent of the duties on all imports brought to this country in American bottoms will do more toward restoring our merchant marine to its old-time prestige and prosperity than the scheme of subsidies and bounties provided in this bill, and I am certain it will be far more just to the taxpayers of this country. While restoring our merchant marine, it would to some extent relieve the people of the present unjust burdens of tariff taxation. If the bill now under consideration shall reach a vote, I shall propose a substitute for it providing in substance, that hereafter all dutiable articles of foreign production brought into this country in vessels built and registered in this country the rate of duties to be levied, collected, and paid to the United States shall be reduced 10 per cent of the rates leviable against such articles under our tariff laws.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Carolina yield to the Senator from Massachusetts?

Mr. SIMMONS. Certainly.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty minutes spent in executive session the doors were reopened, and the Senate (at 6 o'clock p. m.) took a recess until 8.30 o'clock p. m.

## EVENING SESSION.

The Senate reassembled at the expiration of the recess.

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

The VICE-PRESIDENT. The pending question is upon the motion of the Senator from New Hampshire [Mr. GALLINGER] to concur in the amendment proposed as a substitute by the House of Representatives.

Mr. CARMACK. Mr. President——

Mr. DUBOIS. Will the Senator from Tennessee yield to me?

Mr. CARMACK. I shall be glad to yield to the Senator from Idaho.

Mr. KEAN. I trust the Senator from Idaho will not interrupt the Senator from Tennessee just at the moment he is beginning his remarks.

The VICE-PRESIDENT. The Senator from New Jersey is out of order. The Senator from Tennessee yields to the Senator from Idaho.

Mr. DUBOIS. Mr. President, I think I notice the lack of a quorum.

The VICE-PRESIDENT. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and after a little delay the following Senators had answered to their names:

| | | | |
|---|---|---|---|
| Allison | Dick | Kean | Perkins |
| Bailey | Dillingham | Kittredge | Pettus |
| Berry | Dubois | Lodge | Piles |
| Blackburn | Flint | Long | Rayner |
| Burnham | Frazier | McCumber | Scott |
| Burrows | Fulton | McLaurin | Smoot |
| Carmack | Gallinger | Mallory | Taliaferro |
| Clapp | Gamble | Millard | Tillman |
| Clay | Hale | Mulkey | Warner |
| Culberson | Hansbrough | Newlands | Whyte |
| Cullom | Heyburn | Overman | |
| Daniel | Hopkins | Patterson | |

The VICE-PRESIDENT. Forty-six Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 25812) to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission of the State of Pennsylvania.

The message further announced that the House had passed the following joint resolutions, in which it requested the concurrence of the Senate:

H. J. Res. 219. Joint resolution providing for an increase in the number of copies to be printed of the Annual Report of the Comptroller of the Currency;

H. J. Res. 229. Joint resolution to provide for the printing of 250,000 copies of the Special Report on the Diseases of the Horse;

H. J. Res. 255. Joint resolution providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session;

H. J. Res. 256. Joint resolution authorizing the Attorney-General to print 850 copies of the Session Laws; and

H. J. Res. 257. Joint resolution authorizing the Secretary of the Treasury to print 1,000 additional copies of the Annual Report of the Director of the Mint.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 360. An act to relinquish the interest of the United States in and to certain land in the city of Pensacola, Fla., to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., and his successors, in trust for the Catholic congregation of Pensacola, Fla.;

S. 6249. An act to provide for the establishment of an agricultural bank in the Philippine Islands;

S. 8189. An act granting to the St. Louis, Iron Mountain and Southern Railroad Company, a corporation, the right to construct, maintain, and operate a single-track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, upper White River, Arkansas; and

S. 8299. An act to confer certain civic rights on the Metlakahtla Indians of Alaska.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 6, 8, 11, 12, 19, 20, 21, 25, 61, 64, 65, and 74.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 7, 9, 10, 13, 14, 15, 16, 17, 18, 22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 60, 62, 63, 66, 68, 69, 70, 71, 72, 73, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, and 129, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: After the matter inserted by said amendment insert, as a separate paragraph, the following:

"That the accounting officers of the Treasury be, and they are hereby, authorized and directed to relieve John W. McHarg from a charge of $622.68, which was made against him while he was serving as acting commissary of subsistence in Cuba in 1899 and 1900, and which was due to the embezzlement of one Gomez, a Cuban interpreter."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: Add after the word "dollars," at the end of said amendment, the following: "; and the salaries of said clerks are fixed at $4,000 per annum each, and for such increased salaries there is appropriated for the fiscal year 1908 $1,000 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To pay William B. Turner for preparing an index to the report of the French Venezuelan Claims Commission, $200."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$6,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and on page 62, in line 4, of the bill, after the word "fifty-six" insert: ", and in Senate Document Numbered Three hundred and sixty-nine;" and the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
HENRY M. TELLER,
*Managers on the part of the Senate.*

LUCIUS N. LITTAUER,
JAMES A. TAWNEY,
STEPHEN BRUNDIDGE, Jr.,
*Managers on the part of the House.*

Mr. McLAURIN. Yesterday, Mr. President, some astonishment seemed to be manifested because of an amendment I offered to pay a sum to the remonstrants who remonstrated against the seating of the senior Senator from Utah. I did not at that time know that there was any precedent, but it seemed to me from an innate sense of justice that if the protestee in that case was to be paid his necessary expenses, the same treatment ought to be accorded to those who remonstrated against the seating of the Senator from Utah.

My investigation has led me to find a precedent for the payment of the expenses of remonstrants as well as of the protestee. It is the case of the Hon. NATHAN B. SCOTT, of West Virginia.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

IMMIGRATION COMMISSION.

The VICE-PRESIDENT. Some days ago the Chair appointed as a member of the commission authorized by the act to regulate immigration of aliens into the United States, which was approved by the President on the 20th of February, the Senator from Mississippi [Mr. McLAURIN]. That Senator is unable to accept the appointment, and the Chair appoints the Senator from South Carolina [Mr. LATIMER] as a member of the commission.

COMMITTEE SERVICE.

Mr. CLAPP. Mr. President, owing to the pressure of other duties, I feel constrained to ask to be excused from further service on the Joint Committee on the Revision of the Laws.

The VICE-PRESIDENT. The Senator from Minnesota asks to be excused from further service on the Joint Committee for the Revision of the Laws. In the absence of objection, the request will be granted.

THE MERCHANT MARINE.

The Senate resumed consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. CARMACK. Mr. President, a good deal has been said here in the way of reproach——

Mr. DUBOIS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Idaho?

Mr. CARMACK. I yield to the Senator from Idaho.

Mr. DUBOIS. Mr. President, I address the Senator from New Hampshire [Mr. GALLINGER], and suggest that he cease pressing the consideration of the pending bill. I differ somewhat from my friend from Tennessee [Mr. CARMACK] in regard to filibustering. I think he has established very fully from Webster the definition of filibustering; but I am content to accept the definition which appears in the Century Dictionary, as offered by the Senator from New Hampshire. I think he ought to permit us to proceed in an orderly way and at leisure and allow Senators to have bills passed to which there is no particular objection, without keeping the Senate here in almost continuous session.

Under existing circumstances a filibuster is justified and should be resorted to, but there never has been a successful filibuster, according to the definition offered by the Senator from New Hampshire through the Century Dictionary, which is the opposition of a minority to the majority, unless there has been a majority not only of the Senate, but of the people behind the filibuster.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. DUBOIS. I do.

Mr. GALLINGER. Will the Senator from Idaho test his statement that a majority of the Senate is back of the filibuster by agreeing to vote now?

Mr. DUBOIS. I will not, because of the superb organization of the other side of the Chamber, which superb organization may be our undoing, for my relations with the other side of the Chamber have been such, and I am glad to say they are such now, that I know that side of the Chamber as well as I do this side of the Chamber, and there are not one-third of the members on that side of the Chamber who want this bill to pass, yet every one of them, through the superb organization of the Republican party, would vote for this bill if it were presented to the Senate.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. DUBOIS. I do.

Mr. CLAPP. I can hardly let that statement pass unchallenged. For one I would vote against this bill or any other equally important measure of this kind that came as late to this body as this bill has come.

Mr. DUBOIS. Mr. President, I do not want to say, and I must not in the closing hours of my service say, to the Senate anything that would be offensive to anyone in this body. I do not intend to do that; but I know, and I know from private conversations with Senators on the other side, that they do not want this bill to pass. My friend from New Hampshire on principle is in favor of ship subsidies. He has made a splendid fight for them for years, and he would accept this as in a measure carrying out his wishes. There are two or three other Senators—I think not more than two or three—on that side who are so intensely in favor of ship subsidies that they would vote for this measure as a stepping stone to something additional in the future. The great majority, however, and the great majority who voted for the bill of the Senator from New Hampshire, do not accept with any complaisancy at all the bill as amended by the House. They do not want it, and I should think, after the very great fight the Senator from New Hampshire has made, that he would be better contented, having gotten some public sentiment more than ever before in favor of ship subsidy, to wait until the next session of Congress, and then have passed again his original bill, have the other House agree to that, and have it become a law.

Mr. President, I have been engaged in some filibustering. I recall very well just before I became a member of this body, when I was a Member of the other House, the force bill. That bill had passed the House and was pending in this Chamber. There was a determined filibuster organized against it, and it was fought out for months. Finally the bill was displaced and beaten. There is not a Senator on that side, there is no one in the country, who is not glad that it was beaten. That was a thoroughly organized filibuster, and it was proper and right, as the event demonstrated.

Immediately after that, when I became a member of this body, in 1891, there was an organized filibuster against the repeal of the silver-purchasing clause of the Sherman Act. I was designated by the Democrats and the Republicans—I being a Republican then—to lead that filibuster. I know most of you recall how determined it was. It continued for months, with night sessions, and every tactic was resorted to which we could think of. Behind those of us who were filibustering was the united support of our own people, yet in the end we had to succumb. The majority of this body was determined to repeal the silver-purchasing clause of the Sherman act; the people of the country had made up their minds that it must be repealed, and at the end, although we were supported by our united constituency, we were forced to quit. I recall very well the time and the occasion when we abandoned our fight.

There never has been a filibuster in this body which was successful unless it was supported by a majority of the Senate, backed by a majority of the people, and this filibuster—for that is what it is—is supported by a majority of the Senate. The Senator from New Hampshire could pass this bill if he had behind him the earnest, active support of his own party. He has made his record, and I ask him to stand on his record, and to come back at the next session of Congress with his own bill, and have it passed again through the Senate, as he succeeded in getting it passed in the first session of this Congress. The people of the country having become more and more educated to the idea they will induce the House of Representatives to support his bill if it is worthy.

The Senator knows and that side knows that the House of Representatives is not in favor of this bill. They would not accept the bill as originally drawn and as it passed the Senate; but by a bare margin they accepted a bill which they sent over here in the closing days of the session, knowing that we would kill it. They knew that perfectly well. They had the bill in that House for months, and there can be, in my judgment, no justification for the Senator from New Hampshire insisting further on the passage of this bill. In the interest of all of us, and in his own interest, I ask him if he will not yield, withdraw the bill, and allow the different Senators who have private measures which are not objectionable an opportunity to secure their passage? It goes without saying, because the Senator from New Hampshire knows it full well, that there is such an organization here that we can talk the bill out. There is no attempt to disguise the fact on this side that this bill shall not become a law, and it seems to me that the Senator from New Hampshire has had a test of strength sufficient to justify him in accepting the situation as it is.

Mr. CARMACK. Mr. President, I wish to say something in line with what has been so well said by the Senator from Idaho [Mr. DUBOIS].

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from North Carolina?

Mr. CARMACK. I will yield to the Senator in just a little while.

We have been reproached several times in the course of this discussion with the charge that we were resorting to improper methods to delay action upon this bill. The truth is, Mr. President, that we have not been trying to prevent, but we have been trying to secure consideration for this bill. By no other means, except by those to which we have resorted, would it have been possible to have secured for this measure anything like a full and fair and deliberate consideration. You may say it was for purposes of delay, but it was also, Mr. President, for purposes of deliberation.

The Senator from Minnesota [Mr. CLAPP] said—and I think he announced a very correct rule and principle of conduct—that he would not vote for any important measure that came to this body as this measure has come in the closing days of the session. This bill has come here, Mr. President, without having been considered by any committee of the Senate, without being reported by any committee of the Senate, practically a new measure, and here in the very closing hours of this session we are expected to take up the bill and rush it through to a vote without anything like a fair and full consideration. The tactics to which we have resorted have been only for the purpose of giving the Senate an opportunity to do what it would not otherwise have the opportunity to do.

I do not believe in filibustering as a general principle. I have never been eager and ready to resort to dilatory tactics, and I do not believe that such tactics should ever be resorted to for purposes of delay, except in the case of some measure of very extreme importance or for the purpose of securing such delay as will be necessary to fair deliberation upon the question at issue.

The Senator from Idaho referred to the filibuster conducted here against the bill to repeal the purchasing clause of the Sherman Act. If I remember rightly, Mr. President, there were two sets of filibusterers in that case. The opponents of the bill were the first filibusterers. If the vote had been taken when that measure was first presented to Congress, it would have been defeated; but the supporters of that measure protracted and delayed its consideration until they obtained a majority of both Houses of Congress and then pressed it to a vote. The other side then filibustered until, while I believe a majority of the people were really behind them, a majority of the people and the majority of both Houses of Congress did not continue to support any further protraction of the dilatory tactics.

We saw dilatory tactics resorted to on the other side of the Chamber in the consideration of the statehood bill. I believe every Senator in the Chamber knows and recognizes the fact that Senators upon the other side of the Chamber, especially the New England Senators, making a majority of the Republicans on the other side of the Chamber, were against that bill; but a minority of the Republicans united with the Democrats, making a majority for the bill, and a majority of Senators upon the other side of the Chamber united in what was practically a filibuster, in speaking and continuing to speak and resorting to all methods for the purpose of delay in order to put the bill over until another session of Congress. That was no violent crime on their part. I was not in sympathy with the Senators who were conducting that movement, and yet I could not feel that they were committing any great crime. They were simply postponing the question for full and further deliberation. If they had conducted it indefinitely to defeat the bill, it would have been very wrong, and public sentiment would have forced a discontinuance of such tactics.

I remember further, Mr. President, that the distinguished

Senator from Montana [Mr. CARTER] conducted a filibustering speech in this Chamber for I do not know how many hours, until he had succeeded in killing the river and harbor bill.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Montana?

Mr. CARMACK. With pleasure.

Mr. CARTER. Do I understand the Senator to use the word "filibuster" in its vulgar sense, or in the sense that Webster defines it? [Laughter.]

Mr. CARMACK. Mr. President, since my friend from Idaho has deserted me on the dictionary proposition, I have yielded upon that, and accept the vulgar definition, as I see the Senators upon the other side of the Chamber are determined to hold to it in that sense.

Mr. CARTER. That, then, has become the Tennessee idea. [Laughter.]

Mr. CARMACK. For the present. [Laughter.]

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Nevada?

Mr. CARMACK. I yield.

Mr. NEWLANDS. If the Senator will yield to me for a moment, I desire to say to the Senator from New Hampshire that just before the recess was taken he made some very interesting observations regarding the purpose and the effect of this bill. I understood him to say that the maximum number of ships employed on the subsidized lines would be about twenty-six. Am I correct in my recollection?

Mr. GALLINGER. I would say to the Senator, Mr. President, that the number of new ships, of 16 knots speed and of 6,000 tons and upwards, expected to be constructed, provided this bill becomes a law, is twenty-two.

Mr. NEWLANDS. Twenty-two. May I ask the Senator what would be the probable cost of those ships?

Mr. GALLINGER. Mr. President, I am unable to state that definitely. I have stated the tonnage, and the Senator can figure that himself, if he has any knowledge of the subject.

Mr. NEWLANDS. My recollection is that in the debate of a year ago it was assumed that a ship of 6,500 tons, running at a speed of 14 knots, would cost about $900,000 or $1,000,000. I assume that a 16-knot ship would cost more. Can the Senator inform us how much more?

Mr. GALLINGER. I can not. I have no expert knowledge. I think it is safe to say that each one of the ships would cost a little over a million dollars.

Mr. NEWLANDS. Will the Senator also inform us as to whether these ships would receive the maximum subsidy called for by this bill or the minimum? As I understand, the minimum subsidy is about $1,750,000 each year and the maximum $3,500,000.

Mr. GALLINGER. The Senator has not been as diligent as he usually is in reading bills. The minimum is for a monthly service, the maximum for a fortnightly service. The amount is the same for each voyage.

Mr. NEWLANDS. The maximum, the Senator says, is for a fortnightly service.

Mr. GALLINGER. It is.

Mr. NEWLANDS. And the minimum is for a monthly service?

Mr. GALLINGER. That is correct.

Mr. NEWLANDS. Then, am I correct in saying that the fortnightly service will cost about $3,750,000 per annum?

Mr. GALLINGER. For the four lines, does the Senator mean?

Mr. NEWLANDS. For all the lines.

Mr. GALLINGER. Precisely $2,600,000.

Mr. NEWLANDS. That would be the maximum cost, then, under this bill?

Mr. GALLINGER. For a fortnightly service.

Mr. NEWLANDS. For a fortnightly service?

Mr. GALLINGER. Yes.

Mr. NEWLANDS. And that running for ten years would make $26,500,000?

Mr. GALLINGER. The Senator's mathematics is correct, but it would be years before all those ships could be built.

Mr. NEWLANDS. I am very much indebted to the Senator for getting my mathematics right.

Mr. GALLINGER. There is no charge for the information.

Mr. NEWLANDS. Unless my figures are right, I am afraid my remarks would fall to the ground.

Mr. President, it appears that we are to pay in ten years——

Mr. OVERMAN. I will ask the Senator from Nevada how much it will cost to carry out the last section of the bill?

Mr. NEWLANDS. The Senator from North Carolina is desirous of more information, and I should like to ask the Senator from New Hampshire as to what would be the cost under the last section of the bill relating to the naval reserve.

Mr. GALLINGER. I have not figured it out, I will say to the Senator, but it is an inconsequential amount.

Mr. NEWLANDS. It provides for 10,000 men.

Mr. GALLINGER. The maximum.

Mr. NEWLANDS. The maximum.

Mr. GALLINGER. Yes.

Mr. NEWLANDS. Can the Senator state what is the average amount paid to each man?

Mr. GALLINGER. It is stated in the bill. The Senator can read it for himself.

Mr. NEWLANDS. I have not an opportunity of reading it just now, and I supposed the Senator had it within his knowledge.

Mr. GALLINGER. The Senator's time is not any more valuable than mine.

Mr. NEWLANDS. My inquiry has been of service in one direction at least, and that is it indicates that the Senator in charge of this bill has about as little information in regard to its purpose and effect as the rest of us have.

Mr. GALLINGER. If I had as little as the Senator from Nevada has, I would not press the bill any further.

Mr. NEWLANDS. It is very evident that the Senator has very little, for he is unable to answer my question.

Mr. GALLINGER. Oh, yes; the Senator is able to answer it.

Mr. NEWLANDS. The Senator referred me to the bill itself——

Mr. GALLINGER. Certainly.

Mr. NEWLANDS. And I assumed that the Senator referred me to the bill because he was unable to give me the information.

Mr. GALLINGER. No; I was afraid the Senator would not think I was accurate, whereas if he read the bill he would know that he has accurate information. I want to help the Senator.

Mr. NEWLANDS. The Senator can help me by giving information without compelling me to read through the bill at the present time. I imagine very few Senators have been able to read through the bill or make the mathematical calculations necessary, and it is customary for the Senator in charge of a great bill of this kind, affecting the economics of the whole country, requiring a large expenditure of money, to be able to respond to the reasonable requests of Senators for information, and it seems to me it is all the more incumbent upon the Senator, when this bill is brought in in the closing days of the session, to fortify the bill with the answers required by Senators regarding it.

Mr. GALLINGER. If the Senator will permit me right here, it has been openly announced this evening that a Democratic filibuster is being conducted against this bill. The Senator must not expect me to supply him with intelligence to continue the filibuster.

Mr. NEWLANDS. I am very glad, then, to know that the purpose of the Senator is to suppress information with a view to facilitating and speeding rapid action upon this bill. I assume, therefore, that he wishes the country to be as ignorant of this bill as the Senate now is. It only illustrates the contention we have all made, that in the closing hours of the session it is unwise for a great party in control of the Government to push upon the consideration of the Congress of the United States by mere brute force a bill involving not only questions of great policy, but matters of large expenditure running through a series of years.

Mr. President, the Senator has given me sufficient information, however, to enable me to present a few objections to this bill. The Senator states that under this bill twenty-two steamers, costing an average of about a million dollars each, will be required to conduct this fortnightly service, the maximum service provided for by the bill. That means that the total expenditure will be about $22,000,000 for the construction of the ships necessary for this service. Those ships are to be constructed in American shipyards, at a cost 25 or 30 per cent above the cost of similar ships in foreign shipyards. It is assumed that a subsidy of $2,600,000 annually, running over a period of ten years and yielding in the aggregate $26,000,000, will induce Americans, full of enterprise and energy, to order the construction of ships costing $22,000,000.

It seems to me very safe to assume that it will encourage such construction, for upon the very face of the statement it appears that within ten years the men who order these ships constructed will receive $4,600,000 more than the ships cost, and it seems to me that that will be a pretty profitable operation.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Georgia?

Mr. BACON. Will the Senator permit me to call the attention of the Senator from New Hampshire to the question that the Senator from Nevada has already propounded to him as to the cost of the naval reserve, if I do not interrupt the Senator unduly?

Mr. NEWLANDS. Not at all. Proceed.

Mr. BACON. I desire to suggest to the Senator from New Hampshire that he is entirely justified in not answering the question of the Senator from Nevada not for the reason stated by the Senator, but because nobody can take the bill and make an estimate of what the cost of the naval reserve will be, for the reason which, if I may be permitted by the Senator from Nevada, I will now state.

I desire to say, however, before doing so that I do not make this statement in the line of what the Senator from New Hampshire suggests, of a desire to consume time, but for the purpose of stating what I think is a substantial objection to the bill. There is a part of the bill, so far as the general principle of it is concerned, that I would myself favor if it were correct in its details, and that is the part of the bill which looks to the establishment of lines of steamships between ports of the United States and ports in South America where we now have no lines. I am willing that there should be liberal mail compensation for the purpose of the establishment of such lines. I do not, however, favor the principle of a ship subsidy based on tonnage or length of voyage or time, where there is no reference to developing trade where none now exists between other countries and the United States.

Some Senators at least will recall that when the bill was before the Senate last year I gave my voice then in favor of a provision which would give liberal mail compensation to establish lines between this country and other countries where we now have none—such, for instance, as South America—and I have not changed my mind. I think it would be worth while and important for the United States, by the use of liberal mail compensation, to undertake to establish lines between this country and ports in South America where we now have none. It would build up an important and valuable trade between South America and the United States where there is now unfortunately so little.

But when it comes to the question of the naval reserve, about which the Senator from Nevada made the inquiry, that is an altogether different proposition. The proposition as to the naval reserve is that officers and men engaged in the service of private individuals who have steamship lines shall be paid certain amounts annually not for service rendered to the United States Government, but while they are exclusively in the service of such private individuals. The point I want to call attention to is that the provisions of the bill are such that no one can answer the question that the Senator from Nevada asked of the Senator from New Hampshire.

Mr. GALLINGER rose.

Mr. BACON. The Senator will pardon me for just a moment, in order that I may make my proposition clear.

After going on to provide for the enrollment of officers and men in what shall be known as a "naval reserve," and in a subsequent part of the bill limiting that number to 10,000, there is an enumeration of the various classes of officers and men who will be paid an annual amount by the United States Government while they are thus in the service of private shipowners; and I will read now, in order that what I suggest as to the impossibility of estimating what it will cost may be properly understood, the provision as to the payment of these officers and men.

Beginning on page 5, line 19, there is a specification of the amounts thus to be paid, as follows:

> For each officer of the line or Engineer Corps having the rank of lieutenant in the Naval Reserve, $110; for each officer of the line or Engineer Corps having the rank of lieutenant (junior grade) in the Naval Reserve, $90; for each officer of the line or Engineer Corps having the rank of ensign in the Naval Reserve, $80; for each man with a rating of chief petty officer, $70; for each man with a rating of petty officer, first class, $60; for each man with a rating of petty officer, second class, $48; for each man with a rating of petty officer, third class, $40; for each seaman, first class, $36; for each seaman, second class, $30; for each seaman, third class, $24.

While there is thus an enumeration of the amount to be paid each of these several classes, there is no provision which says what proportion of the 10,000 shall be represented in either one of these classes. In other words, there is nothing which says how many officers there shall be of those who shall receive $110, or how many there shall be of those who shall receive $90, or how many there shall be of those who shall receive $80, or how many there shall be of those who shall receive $70, or how many there shall be of those who shall receive $60, or how many there shall be of those who shall receive $48, or $40, or $36, or $30, or $24.

With an utter absence of any regulation as to how many of each class there shall be, there being a difference in the amount to be paid to each class, how is it possible for anyone to estimate how much the Naval Reserve is to cost?

Now, I say I think the Senator from New Hampshire was justified in declining to make an estimate upon the subject because of the fact of the uncertainty of the bill and not because of his want of desire to enlighten the Senator from Nevada.

Mr. MALLORY. Will the Senator from Georgia pardon me for a moment?

Mr. BACON. Certainly.

Mr. MALLORY. The Senator from New Hampshire, on a similar bill based on pretty much the same facts, a year ago did make an estimate. He estimated that the cost of the naval volunteer retainers would be $150,000 the first year; the second year would be $300,000; the third year would be $400,000; the fourth year would be $500,000; and it would remain at $500,000 until the tenth year. The only difference between the provision in that bill and the provision here is that instead of designating them by naval titles that bill provided:

> For each master or chief engineer of a vessel of the United States of 5,000 gross tons or over, $100; for each master or chief engineer of a vessel of the United States of 1,000 gross tons or over, but of less than 5,000 gross tons, $85.

And so on down the whole list.

Mr. BACON. That of course gives an estimate, but an estimate based upon probabilities and not upon any specific provisions in the bill. In other words, everything is left to the absolute discretion of the Secretary of the Navy. While, if the Secretary of the Navy were to follow the rule which the Senator from New Hampshire adopted in making his estimate, the amount thus consumed might follow the same line and amount to what the Senator from New Hampshire thus estimated, it is within the power of the Secretary of the Navy to double that amount. It is absolutely within the power of the Secretary of the Navy so to distribute these various classes which will be thus enrolled as to double the amount estimated by the Senator from New Hampshire.

Therefore the Senator from New Hampshire is entirely justified in declining to say what will be the cost under this bill, because no man can tell what will be the cost unless he knows what a future Secretary of the Navy may determine in his discretion to do.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. Certainly.

Mr. GALLINGER. Mr. President, the Senator from Georgia is correct when he says that no actual figures can be given. The estimate made last year when this bill was under consideration, and which was debated at great length, was, I am frank to say, an approximate estimate. The British Government with its enormous navy and enormous merchant marine has had a law precisely similar to this, and during the last quarter of a century has succeeded in enrolling only about 30,000 of these officers and seamen. The presumption is that, having fixed the maximum in the pending bill at 10,000, with our limited material of officers and men, it would take a great number of years to get even half that number.

Mr. BACON. The Senator, I think, will recognize the fact that it will be very much easier to get the officers than the men; and if the officers are in excess, the amount expended will be very much larger.

Mr. GALLINGER. The trouble on that point is that the officers do not exist. They are a very small proportion, and a great many of them would not take service of this kind.

The Senator from Georgia is always fair in debate. I have never known him to be otherwise.

Mr. BACON. I thank the Senator very much.

Mr. GALLINGER. And I am gratified to make answer to the criticisms the Senator from Georgia has made on this section of the bill in the same spirit in which his criticisms or suggestions were made.

Mr. BACON. I endeavored to show my absolute good faith——

Mr. GALLINGER. Yes.

Mr. BACON. By saying to the Senate that so far as the other part of the bill is concerned, its general principle, I indorsed it, and would favor it by my vote if this feature were not connected with it.

Mr. GALLINGER. The Senator said that same thing when a similar bill was under debate a year ago, and I then expressed the hope, and I have felt the hope at the present time, that the

Senator will see his way clear to vote for the bill as it came from the House. The Senator will observe, if the 10,000 men were all officers, and a very small proportion of them will be officers, receiving a hundred dollars each, it would amount to only a million dollars when we got the 10,000.

Mr. BACON. The Senator will pardon me. I do not intend to be understood as limiting my objection to this feature of the bill to the fact that it may cost a much larger amount than is contemplated by those who now favor the bill. I object to that feature upon the ground that I do not think it is a correct principle for the United States Government to take money out of the Treasury of the United States and pay wages to those who are not employed in the service of the United States, but who are exclusively in the employ of private individuals running private ship lines.

Mr. GALLINGER. That is the Senator's view. I think it is a very wise provision. It has been found wise in Great Britain, where they have built up a great navy and an enormous mercantile marine, and I think we would act wisely to follow the example that Great Britain has set in that respect.

The Senator will observe that the officers being comparatively few in number and the seamen constituting the bulk of them, the rates running down from $110 to $24, the probabilities are that the average would not be above $30 each, $50 at the maximum. And it will take a great many years to get the 10,000 men. So I was absolutely within the limits of correct statement when I said that the amount would be inconsequential. Probably it might cost a couple hundred thousand dollars a year. I do not think it would cost more.

But if the Senator bases his objection upon the broader ground that it is bad legislation, of course I have no controversy with him.

Mr. BACON. I base it on both grounds.

Mr. GALLINGER. It is a mere difference of opinion.

Mr. BACON. I think the principle is wrong and that the provision in its details is wrong.

Mr. GALLINGER. I am sure it could not have been worked out in any different way, and if the Senator should undertake it, I think he would come to the same conclusion I did, that there was no other method of solving the problem than the method adopted in this bill.

Mr. NEWLANDS rose.

Mr. GALLINGER. Will the Senator from Nevada permit me on one other point just a word?

Mr. NEWLANDS. Certainly.

Mr. GALLINGER. The Senator spoke about this enormous subsidy, and I want to call the Senator's attention to one fact, and then I think I will not interrupt him further.

We will take, for instance, the line to Argentina, a very desirable line. The President says we ought to have it. Secretary Root says we ought to have it. The country, through the newspapers, largely has said we ought to establish lines to South America to develop our trade with those sister republics. That line would cost under this bill $800,000 for a fortnightly service. We will take, then, the line to Brazil, to establish which would cost $600,000, or $1,400,000 for those two lines. The Senator speaks of other nations, and says we ought to be able to compete with them; that we ought to have genius and enterprise and ability enough to build ships and compete with the other nations of the world for the trade of the world.

Mr. President, we can not build ships as cheaply as those countries can. We pay higher wages to our mechanics. Everybody admits that. We pay more for the food on our ships than any other country in the world. We pay more for the officers, for the reason that they are compelled to be Americans, and their salaries are twice those of the officers of foreign steamships.

In addition to that, what does the German Government do? The German Government pays to the North German Lloyds, under a fifteen-year contract, not a ten-year contract, $1,330,000 a year for a fortnightly mail service in 15-knot steamers via the Suez Canal to the East Indies. They pay more to the North German Lloyds for that one service with inferior steamers than we propose to pay these two lines, one to Argentina and the other to Brazil.

Let us see what the British Government does. I will take a line that everybody knows about, the Royal Mail Company. The British Government pays that company $1,350,000 a year to maintain a mail service to the West Indies, Brazil, and Argentina, almost as much as we propose to pay to our two lines of superior ships.

Mr. CARMACK. Permit me to ask the Senator from New Hampshire a question.

Mr. GALLINGER. If the Senator will permit me, I wish to make just one further observation.

The British Government pays the Peninsular and Oriental Company $1,600,000 a year for mail service to the East Indies. Does the Senator really think that, inasmuch as it costs us in this country 30 or 35 per cent more to build steamships than it does in Great Britain, we can compete with Great Britain unless we pay some subvention to our steamships, when Great Britain and Germany and Japan are paying enormous subventions to their steamships? I do not think the Senator will insist on that contention.

Mr. CARMACK. I will have something to say about that a little later. What I want to ask the Senator now is, what proportion of British vessels engaged in the carrying trade receive any subsidy from the British Government?

Mr. GALLINGER. A very large proportion, I think, do not; but there are certain great lines that do, and we will be in competition with those lines if we run our steamships to South America.

Mr. CARMACK. Is it not the fact that an overwhelming majority of them receive no subsidy or aid from the Government at all?

Mr. GALLINGER. A very large proportion of them do not, that is true; but all of their great lines do.

Mr. CARMACK. Only a very small percentage of them receive any.

Mr. GALLINGER. The lines that are to come in competition with us receive enormous subventions.

Mr. BACON. Before the Senator takes his seat, with the permission of the Senator from Nevada, the Senator from New Hampshire will remember that when this bill was before the Senate last spring or summer I then urged upon the Senator to content himself with a bill which should make provision for liberal mail compensation for lines between ports of the United States and other ports where we now have no lines, and that there should be abandoned the effort which was then made to incorporate in the bill and which was incorporated in the bill passed by the Senate, the provision for tonnage bounty, and the provision about the naval reserve, which, while having a high-sounding name, at last is a provision by which parties engaged in the business for their own profit of running ship lines were aided to the extent of having a part of the compensation of their crews paid by the United States Government.

I offered an amendment striking out from the bill everything except that which related to the payment of mail compensation to these particular lines of steamships between ports of the United States and the points where we now have no steamship lines. That amendment offered by me was defeated. The bill went to the House. It comes back to us very nearly in the condition it would have been in if my amendment had carried. It unfortunately has upon it this, to me, very objectionable feature of the so-called "naval reserve."

Mr. GALLINGER. Now, will the Senator——

Mr. BACON. If the Senator will pardon me just a moment, I do not desire to participate at length in this debate to-night, and I just want to say to the Senator and to those who are so much interested in this class of legislation I do not know what is going to be the fate of the pending bill in this Congress. Of course it is a very late hour for the completion of legislation of this kind. But I believe that the country at large and all sections of the country recognize the importance of the establishment of lines between ports of the United States and ports, especially in South America, where we now have no lines; and if the Senator and those who are acting with him can rid themselves of the desire to incorporate upon such a bill these other features which look not to the simple fact of the establishment of commerce between this country and others where we practically have none and will limit themselves to this latter purpose and throw off all extraneous features and will bring to this Congress a measure which will look to that as the great and the sole purpose, I believe they will find that they will be met in a most liberal spirit by all Senators in this Chamber.

But I do not think as long as there is incorporated in such bills any features which look to the advancement of private interests at the public expense they will find that these efforts will be crowned with success.

Mr. GALLINGER. Will the Senator from Navada permit me a word?

Mr. NEWLANDS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. If I move to strike from this bill the naval-reserve feature, can the Senator from Georgia give me assurance that we can have a vote upon the bill to-night?

Mr. BACON. I can not. I can only give the Senator the assurance that I will vote for it. I can not speak for any other Senator than myself.

Mr. GALLINGER. Can the Senator from Tennessee receive assurance from the other side that if that provision goes out of the bill we can have a vote on the bill to-night?

Mr. SPOONER. What provision is that?

Mr. GALLINGER. The naval-reserve provision.

Mr. CARMACK. I do not feel justified in giving that assurance. I can not do it.

Mr. GALLINGER. I greatly regret that I can not have that assurance.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 25672) to amend an act entitled "An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River."

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

H. R. 3208. An act granting a pension to Isabel T. Borthwick;

H. R. 12623. An act granting a pension to Minnie C. O'Connor;

H. R. 16235. An act authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.;

H. R. 24655. An act to authorize the legislature of Oklahoma to dispose of a certain section of school lands; and

H. R. 24815. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908.

DISEASES OF THE HORSE.

Mr. WHYTE. I am instructed by the Committee on Printing to ask unanimous consent for the passage of several joint resolutions providing for printing which have come from the House. House joint resolution 229 is the first one that I desire to have put upon its passage. It will take but a few minutes.

The VICE-PRESIDENT. The Chair will lay the joint resolutions before the Senate in their order.

The joint resolution (H. J. Res. 229) to provide for the printing of 250,000 copies of the Special Report on the Diseases of the Horse was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be printed and bound in cloth 250,000 copies of the Special Report on Diseases of Horses, with accompanying illustrations, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture, 175,000 for the use of the House of Representatives, 60,000 for the use of the Senate, and 15,000 for the use of the Department of Agriculture.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. BEVERIDGE. Mr. President, may I ask the Senator from Maryland what the cost of this printing would be?

Mr. WHYTE. The original document was reprinted in 1903. It is probably the most popular document that has emanated from Congress. There have been none printed since 1903.

Mr. BEVERIDGE. What I was asking the Senator was what would be the cost of printing the number proposed of this document?

Mr. WHYTE. I am explaining to the Senator that the cost would be much less now than it was originally. All the plates are at the Printing Office. It is a reprint of the antecedent publication on diseases of the horse down to the present day. The House of Representatives passed the joint resolution almost unanimously, I think. Certainly it was presented to the House at the instance of about 100 Members of the House of Representatives in the petition which I hold in my hand, and which the chairman of the Committee on Printing of the House of Representatives sent to me. It will cost about $125,000.

Mr. BEVERIDGE. That is the information I wanted.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SECOND-CLASS MAIL MATTER.

The joint resolution (H. J. Res. 255) providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session, was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be printed and bound in paper covers 5,000 copies of House document No. 651, Fifty-ninth Congress, second session, relating to second-class mail matter, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for distribution by the Post-Office Department.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SESSION LAWS.

The joint resolution (H. J. Res. 256) authorizing the Attorney-General to print 850 copies of the Session Laws was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Attorney-General be, and he is hereby, authorized to have printed, for distribution by the Department of Justice, 850 copies of the Session Laws and of the Statutes at Large, in lieu of 500 copies of each as now provided by law.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT OF DIRECTOR OF THE MINT.

The joint resolution (H. J. Res. 257) authorizing the Secretary of the Treasury to print 1,000 additional copies of the Annual Report of the Director of the Mint was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to have printed 1,000 additional copies of the annual report of the Director of the Mint on the operations of the mint and assay offices for the fiscal year ended June 30, 1906, with appendices, and 1,000 additional copies of the annual report of the Director of the Mint on the production of precious metals for the calendar year 1905, with appendices, and that hereafter there may be printed, in the discretion of the Secretary of the Treasury, for distribution by the Treasury Department, 2,000 copies of said reports, instead of 1,000 copies as heretofore.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT OF COMPTROLLER OF THE CURRENCY.

The joint resolution (H. J. Res. 219) providing for an increase in the number of copies to be printed of the annual report of the Comptroller of the Currency was read the first time by its title and the second time at length, as follows:

*Resolved, etc.,* That section 73 of an act "Providing for the public printing and binding, and the distribution of public documents," approved January 12, 1895, be, and the same is hereby, so amended as to authorize the printing annually hereafter of 10,000 copies of the Annual Report of the Comptroller of the Currency, for distribution by the Comptroller of the Currency, instead of 7,000 copies, as heretofore.

There being no objection, the joint resolution was considered as in Committeee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRANSFER OF DOCUMENTS OF INDUSTRIAL COMMISSION.

The joint resolution (H. J. Res. 211) authorizing the transfer of the files, books, and pamphlets of the Industrial Commission was read the first time by its title and the second time at length.

Mr. HANSBROUGH. I ask for the consideration of the joint resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. KEAN. From what committee does the resolution come?

The VICE-PRESIDENT. It has come from the House of Representatives.

Mr. KEAN. Has it been reported by a committee?

The VICE-PRESIDENT. It has just come from the House of Representatives, and it has been laid before the Senate.

Mr. KEAN. Was present consideration asked for it?

The VICE-PRESIDENT. The Senator from North Dakota [Mr. HANSBROUGH] requested present consideration. Is there objection?

Mr. KEAN. I ask the Chair from what committee it has come?

The VICE-PRESIDENT. The Chair advises the Senator from New Jersey that it has not been reported from a committee.

Mr. HANSBROUGH. I make the report from the Committee on the Library.

Mr. KEAN. It has not been referred to any committee.

The VICE-PRESIDENT. Does the Senator from New Jersey object to its being presently considered?

Mr. HANSBROUGH. A like resolution exactly——

Mr. LODGE. Let it be read for the information of the Senate.

The VICE-PRESIDENT. The joint resolution will be again read, at the request of the Senator from Massachusetts.

The Secretary again read the joint resolution.

Mr. BEVERIDGE. Mr. President, if the Senate is going to stop upon this——

Mr. LODGE. I desire to make an inquiry in regard to the joint resolution.

Mr. BEVERIDGE. Then I yield to the Senator from Massachusetts for that purpose, but I desire to obtain the floor afterwards.

Mr. LODGE. I desire to make an inquiry. There is no report with the joint resolution. I do not understand why these books should be taken from the Library, where they were deposited by act of Congress, and placed in the Department of Commerce and Labor, which has no building of its own as yet and no place adapted for the care and preservation of books. Why should they be taken from the Library of Congress and handed over to that Department? I can not see any use in doing it.

Mr. HANSBROUGH. Mr. President, a similar joint resolution was introduced in the Senate and referred to the Committee on the Library, and while there are only two members of the committee in the Chamber at this time, they have agreed to the report, I understand.

Mr. MALLORY. I should like to inquire if this is a message from the House, or is it a Senate joint resolution?

Mr. LODGE. The joint resolution has never been referred.

Mr. HANSBROUGH. It is a joint resolution from the House. I stated that a similar joint resolution had been before the Committee on the Library. This is frequently done here, especially in the closing hours of a session. Furthermore, I will make this statement: The Librarian of Congress, Mr. Putnam, is very anxious that this transfer should be made. The Department of Commerce and Labor is willing that the documents should be transferred to that Department.

I have no interest in the matter in the world; and if the Senator from Massachusetts and the Senator from New Jersey think they know more about it than the Librarian and the Committee on the Library of the Senate, I am perfectly willing that they should object, and let it go over.

Mr. LODGE. I object.

The VICE-PRESIDENT. Objection is made.

Mr. BEVERIDGE obtained the floor.

Mr. CARMACK. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from Tennessee rises to a question of order.

Mr. CARMACK. The Senator from Nevada has the floor by my consent, and I do not see how all these proceedings can be had unless the Senator who has the floor yields for that purpose.

The VICE-PRESIDENT. The Senator from Indiana was recognized and is entitled to the floor.

Mr. BEVERIDGE. Mr. President, I do not intend to say anything upon this matter which has been discussed by the Senator from North Dakota and the Senator from New Jersey and the Senator from Massachusetts. I rose immediately after the passage of the joint resolution the consideration of which was asked by the Senator from Maryland [Mr. WHYTE], in view of the answer to my question as to the cost of the document, to make one or two very brief observations, the sum of which is to congratulate the Senator from Maryland and our friends upon the other side of the Chamber, all of whom voted for the joint resolution, upon their progress in paternalism, because, having been informed that we were spending $125,000 of the nation's money to publish a book to educate the farmers of the nation upon the diseases of the horse, not much more can be left in the practical application of the doctrine of paternalism which I have heard so fiercely denounced upon the other side at this session.

We had heretofore supposed that the question of the education of the people, as well as of the children, was exclusively for the State. But Senators have unanimously voted $125,000 of the nation's money to educate the farmers upon diseases of the horse. Of course, Mr. President, if that can be done, in principle the Senators can also appropriate the nation's money to furnish the children of the Republic with schoolbooks, and upon this final violation——

Mr. CARTER. Do I understand the Senator from Indiana to contend that there is a horse on the other side? [Laughter.]

Mr. BEVERIDGE. It remained for the Senator from Montana, with his vivid western and picturesque language, to appropriately describe the condition of the other side upon this question, for it is very plain that State rights, the last bulwark of liberty, has been deliberately violated here to-night, stabbed to death, as it were, by the willful appropriation of $125,000 of the people's money for the education of the farmers of the entire Republic upon the diseases of the horse.

Mr. PETTUS. Mr. President, without expressing any deep gratitude to the Senator from Indiana [Mr. BEVERIDGE] on account of his lecture, we accept it very meekly because of his wisdom and long experience.

As to the wit of the Senator from Montana [Mr. CARTER], I think, of all the men on earth, he is the last man who should talk about filibustering. If there is a man on earth who has got no right to talk about it, he is the man. [Laughter.] I recollect very well one occasion on which that Senator spoke as long as twenty-four hours to defeat one bill. Of course he was not filibustering. A great Republican like him would not do it. Oh, no; not at all!

Mr. President, there is an old maxim that some people ought to remember, that men who live in glass houses ought not to throw stones.

COMMISSION ON REVISION AND CODIFICATION OF THE LAWS.

The VICE-PRESIDENT. The Chair appoints under the provisions of the joint resolution to create a joint committee to consider the revision and codification of the laws of the United States the Senator from Idaho [Mr. HEYBURN], the Senator from Utah [Mr. SUTHERLAND], the Senator from Washington [Mr. PILES], the Senator from Mississippi [Mr. MCLAURIN], and the Senator from Arkansas [Mr. CLARKE].

COAL-LAND LAWS IN ALASKA.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under coal-land laws applicable to Alaska, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments.

H. C. HANSBROUGH,
THOMAS H. CARTER,
FRED T. DUBOIS,
*Managers on the part of the Senate.*

JOHN F. LACEY,
FRANK W. MONDELL,
JOHN L. BURNETT,
*Managers on the part of the House.*

The report was agreed to.

PERSONAL EXPLANATION—SANTO DOMINGO TREATY.

Mr. CLARK of Montana. Mr. President, I rise to make an explanation of a matter personal to myself. It relates to the ratification of the treaty with San Domingo ten days ago. I do this solely for the purpose of removing some misapprehension throughout the country concerning my position upon that very important proposition.

When the vote was taken I was temporarily absent from the Senate. The report sent out by the Associated Press concerning the vote giving the yeas and nays and the names of Senators who were paired wound up with the statement that Senator CLARK of Montana did not vote and was not paired.

I thought little about this matter until I received several letters upon the subject. As we all know, this great question, which had been pending before the Senate for some two years or more, has aroused a great deal of interest over the country and caused heated discussions, and I feared the inference that might be drawn from the published report would be that I had evaded a vote upon the question.

I have never attempted to evade a vote upon any question. I have always been ready to meet fairly and squarely any question submitted here for consideration and action.

I have a general pair with the senior Senator from Indiana [Mr. BEVERIDGE]. In all the deliberations on this question in the Committee on Foreign Relations I have asserted my objection to the treaty. When it was finally passed upon in that committee, my vote was recorded in opposition to it.

It has been intimated by some persons, who obviously did not understand the situation clearly, that I might be charged with the responsibility of failure to prevent the ratification of the treaty because of my not voting or in not being properly paired, and I will present the following statement to correct that impression and to show that, no matter whether I voted

or not or was or was not paired, the treaty would have been ratified:

There were 43 votes for the treaty and 19 votes against it, making 62 votes in all.

There were 18 Senators paired for the treaty and 9 Senators paired against it, making 27 Senators paired.

Two-thirds of the Senators who voted would be 41⅓. Had I been present there would have been 20 votes cast against the treaty, making 63 votes all together, two-thirds of which are 42, leaving still 1 majority for the treaty.

Had my pair been observed by Mr. BEVERIDGE in my absence and had I been paired with one other Senator, the vote would have been 41 for the treaty and 19 against it.

Sixty votes in all would have been cast, two-thirds of which are 40, or still 1 vote more than necessary to ratify the treaty.

To summarize, had my pair been observed, and if I had been paired with one other Senator, there would have been cast 41 votes for the treaty; 20 Senators would have been paired in favor of the treaty, making 61 for the treaty; there would have been cast 19 votes against the treaty; 10 Senators would have been paired against it, making 29 against the treaty, still leaving 1 vote over the two-thirds necessary to ratify it, thus showing, Mr. President, that through no action of mine could the final result have been changed.

The vote took place here late at night, and I was absent. I did not suppose that the treaty would come up at that late hour. No notice had been given whatever of the matter.

Mr. BEVERIDGE. Mr. President, I am very glad the Senator from Montana [Mr. CLARK] has so clearly demonstrated that his absence and my failure to observe the pair did not change the result on the vote on the Santo Domingo treaty, for the Senator has demonstrated that, and demonstrated to the entire country that any blame which attaches for the success of that matter, if anyone considers it a blame, does not in any wise rest on his shoulders, since the result would have been the same, according to the Senator's undeniable figures, in any event. Nevertheless, Mr. President, that does not relieve me from the necessity, and indeed a duty, of explaining to the Senator from Montana the nonobservance of the pair, which he had a right to expect would be observed, and which heretofore during our seven years of mutual service has always been observed by each of us.

The Senator from Montana during the present session has, as all the Senate knows, been so regular and constant in attendance on the sessions of the Senate and in the discharge of the duties of his office, and there have been so many votes when we were both present that I did not observe on that day that the Senator was not in his seat. At the last meeting of the Foreign Relations Committee, as indeed at all prior meetings, he had been present, as he had, I think, on the occasion of every vote that has been taken on every question during the present session; and not until to-day was I aware that the Senator was absent on that particular occasion. Of course, the Senator knows, because he has seven years of proof, and it ought not even to require the assertion, that had I known the Senator was absent I would have withheld my vote.

I remember very well on that occasion that immediately afterwards I was called out of the Chamber; and I say to the Senator and to the Senate that not until to-day was I aware that the Senator had been absent, much less was I aware that any criticism had been made of the Senator for the defeat of the measure. I am particularly glad to make this acknowledgement to the Senator, and also to congratulate the Senator upon the fact that, regardless of the pair, he has demonstrated to the Senate and to his colleagues on that side that his presence or even the observance of the pair would not have affected the result.

There is this one thing which I think it fair to say, and I say it without any more criticism of the Senator than he has made of me—which has been none at all—that I think on a matter of such importance, when the Senator had been at all times present during the session and knew that he was to be absent on that occasion, it was only fair to let me know of the Senator's contemplated absence, so that I would have been in no danger of not observing the pair. That has occurred between both the Senator and myself on at least three or four other critical matters.

Mr. President, I think I have nothing more to say. The exact accuracy of the statements, both of the Senator and myself, will be recognized by all.

Mr. CLARK of Montana. Mr. President, just a word in reply to the Senator from Indiana [Mr. BEVERIDGE]. I did not for a moment think the Senator from Indiana would disregard knowingly and willfully his pair with me. I have too much respect and esteem for him to believe that he would be capable of doing such a thing, and I endeavored to set out in my few remarks clearly that my object was not in the least to criticise his action, but simply to place myself clear upon this question to which I have always been unalterably opposed.

### W. D. CLAY AND OTHERS.

Mr. PETTUS. I ask unanimous consent for the present consideration of House bill 22182, in reference to certain lands in Alabama.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 22182) to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs, which had been reported from the Committee on Public Lands with an amendment, on page 1, line 8, after the word "lands," to insert "in the State of Alabama;" so as to read:

That William D. Clay, James W. Clay, and Maggie Click, heirs of James W. Clay, deceased, be, and they are hereby, authorized to select in lieu of lands heretofore erroneously patented by the Government to their father, James W. Clay, and lost by said heirs, any other 80 acres of nonmineral, unappropriated surveyed public lands in the State of Alabama subject to homestead entry.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

### ALASKAN RAILROADS, ETC.

Mr. BEVERIDGE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the chairman of the Committee on Territories be, and he is hereby, authorized and directed to appoint a subcommittee, consisting of five members of the Committee on Territories, to sit during the recess of the Senate at such times or places as the subcommittee may deem wise, to consider all proposed legislation relating to the survey and construction of railroads in the district of Alaska, and whose duty it shall be to ascertain and report upon the feasibility of the different proposed routes, the cost of construction and operation, the advantage of such roads to the inhabitants of Alaska and to the Government of the United States, the present cost of transportation of merchandise and mails, the probable reduction thereof to the individual and to the Government if railroads are established, the advantage to be derived by the manufacturers and merchants of the United States from the establishment of railroads in American territory from the coast to the interior, the feasibility of operating railroads by electricity generated by water power on the public domain, and such other and further information bearing upon the proposition named as may to said subcommittee seem important. Such subcommittee is authorized to send for such persons or papers, take testimony, employ a stenographer, and the expenses incurred shall be paid from the contingent fund of the Senate upon vouchers to be approved by the Senate to audit and control the expenses of the Commission.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 24043) to authorize the sale of timber on certain of the land reserved for the use of the Menominee tribe of Indians in the State of Wisconsin; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. BURKE of South Dakota, and Mr. ZENOR managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and joint resolution:

S. 6447. An act to authorize the appointment of Acting Asst. Surg. George R. Plummer, United States Navy, as an assistant surgeon in the United States Navy;

S. 8230. An act for the relief of Harold D. Childs;

S. 8012. An act to erect a monument on the Tippecanoe battle ground, in Tippecanoe County, Ind.;

S. 8092. An act providing for the completion by the Secretary of the Navy of a monument to the memory of the American soldiers who fell in the battle of New Orleans at Chalmette, La., and making the necessary appropriation therefor;

S. 8568. An act granting an increase of pension to Rosanna A. May;

S. 8585. An act for the relief of Charles W. Spalding; and

S. R. 98. Joint resolution granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany.

The message further announced that the House had passed the following bill and joint resolution with amendments; in which it requested the concurrence of the Senate:

S. 1032. An act to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.; and

S. R. 29. Joint resolution authorizing the selection of a site

and the erection of a pedestal for the Stephenson Grand Army memorial in Washington, D. C.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 13304. An act to provide a suitable memorial to the memory of Christopher Columbus; and

H. R. 25883. An act to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy.

ENROLLED BILLS SIGNED.

The message announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

H. R. 24640. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes; and

H. R. 25812. An act to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission of the State of Pennsylvania.

MENOMINEE INDIAN LAND IN WISCONSIN.

Mr. CLAPP. I ask that House bill 24043 may now be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 24043) to authorize the sale of timber on certain of the land reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CLAPP. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed as the conferees on the part of the Senate Mr. CLAPP, Mr. WARNER, and Mr. CLARK of Montana.

STATUE OF COMMODORE JOHN D. SLOAT.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1032) to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.; which were, on page 1, line 6, to strike out "erection and;" on page 1, line 6, to strike out "statue of" and insert "monument to commemorate the taking possession of the Pacific coast;" on page 1, line 7, to strike out all after the word "Navy" down to and including "same" in line 8; on page 1, line 9, to strike out "statue" and insert "monument," and on page 2, line 3, to strike out "statue and pedestal" and insert "monument."

Mr. PERKINS. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

STEPHENSON GRAND ARMY MEMORIAL.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 29) authorizing the selection of a site and the erection of a pedestal for the Stephenson Grand Army Memorial in Washington, D. C.; which was, on page 2, line 5, to strike out all after the word "appropriated" down to and including the word "memorial," in line 7.

Mr. WARNER. I move that the Senate concur in the House amendment.

The amendment was agreed to.

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. NEWLANDS. Mr. President, when I was interrupted by the colloquy between the Senator from Georgia [Mr. BACON] and the Senator from New Hampshire [Mr. GALLINGER] I was calling attention to the fact that twenty-two ships called for by this bill would cost $4,000,000 less than the subsidy provided for by the bill; and the inquiry naturally arises why, if the United States Government is to expend $26,500,000 on ships intended to promote the commerce of the United States, it should not itself build and own these ships, instead of turning them over to subsidized corporations? It is perfectly clear that if it built the ships itself it would have for an expenditure of $22,000,000 twenty-two ships, and if it expended $26,500,000 in subsidy it would have nothing. I ask what kind of business arrangement it is upon the part of the Government to expend $26,500,000 and have nothing, when by the expenditure of $22,000,000 on its own account it would have the valuable asset of twenty-two ships worth $1,000,000 apiece?

But, it may be inquired, to what use could the Government put these ships? The reports of these committees indicate to what use they can be put. One of the grounds upon which this subvention is based is the claim that if the United States were to engage in war it would lack the transports, the colliers, and the scouts necessary to supplement our Navy in actual warfare. It appears that thus far we have spent hundreds of millions of dollars in creating a navy ostensibly for the purpose of protecting a merchant marine, and yet we have no merchant marine in existence, and so poverty stricken are we in this regard that if war should break out we could not get from private shipowners in this country the necessary ships as transports, scouts, colliers, dispatch boats, etc., to supplement our Navy. So that it appears we have an imperfect navy; that we have the fighting ships without the transport ships. A navy under such conditions is just as feeble and imbecile as an army would be without guns, or as an army would be without a commissary, or as an army would be without a quartermaster's department and without transportation. If, then, we are to make our Navy effective in case of war——

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. I do for a question. I am anxious to get on.

Mr. GALLINGER. The Senator from Nevada is now touching upon a very important phase of this discussion, and I want to ask if he has observed in the bill under consideration that these ships, if built, can be impressed by the Government in time of war, and if that is not a very wise provision in view of the fact that we are short of transports, colliers, and other necessary auxiliary vessels for the Navy in time of war?

Mr. NEWLANDS. Mr. President, in reply to the Senator from New Hampshire I have to say that if this subvention is granted it is of course wise to provide that these ships shall be available to the Government to be used as scouts, transports, and colliers in case of naval warfare; but I think the purpose can be accomplished in a better way. The General Staff of the Army, in a report filed some time ago regarding the requirements of our Navy in case our insular possessions should be attacked, stated that we would require 228 such vessels, at an average cost of $1,000,000 apiece; so that it seems that in order to make our Navy effective in case of war with any great power—for of course our insular possessions would be immediately attacked—it will be necessary for us to have, in addition to our fighting ships, 228 vessels, at a cost of a million dollars apiece, or a total cost of $228,000,000.

If, then, it is proposed that we shall subsidize the merchant marine of this country to the extent of $228,000,000 in order to provide for the necessities of war, it seems to me we should hesitate a long time before we enter upon such a policy, and it would be wise, at least if we propose to provide twenty-two ships, which in case of emergency can be used for scouts, colliers, and transports, that they should be built by the United States Government as a part of our existing Navy. All could join in such an appropriation, for it would not have the purpose of subvention or subsidy, but simply the patriotic purpose of providing in part the auxiliary ships which our Navy requires.

It may be said that in time of peace these ships would be useless. Well, if we had no naval use for them during that time, the Government of the United States could let them out to private companies at a reasonable rental and with proper restrictions. It could man each ship with a part of the naval reserve provided for by this bill and officer each ship with a naval officer, and then let the naval reserve cooperate with a commercial force in manning and administering these ships.

If these twenty-two ships were built upon the Government account they would not necessarily be built in the Government yards; they could be built in the private shipyards of the country, and would in that way advance the shipbuilding interests, which the Senator from New Hampshire is anxious to promote.

Mr. PATTERSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. NEWLANDS. I yield.

Mr. PATTERSON. Mr. President, I only want to occupy a very few moments. The debate this evening has been quite instructive, and I am unwilling that it shall close, as I understand it is likely to close soon, without, in connection with the speech of the Senator from Nevada [Mr. NEWLANDS], who is discussing the matter of the Government proprietorship of vessels, calling

attention to a report that was made to the Senate twenty-one years ago, in which the question of the ownership of railroads was discussed. I want to read from the report of the select committee, which is the report that led to the first legislation upon the subject of railroad regulation, and of which committee the present distinguished and most honored Senator from Illinois [Mr. CULLOM] was the chairman. I want to call the attention of the Senate to the membership of that committee before I read a very short sentence from one of the ablest reports that was ever made to this body upon a great economic subject.

As I have said, the present Senator from Illinois [Mr. CULLOM] was chairman of the committee. Warner Miller, of New York; Senator Platt, of Connecticut; Isham G. Harris, of Tennessee, and Senator Gorman, of Maryland, were the other members of the select committee. The last three, composing the majority of the committee, have already passed over to the majority, but they have left behind them in this report a monument of patriotism and wisdom. Reading from the report, I call the attention of the Senate to the language used by these distinguished men. Speaking of railroad regulation and the State ownership of railroads—

> Regulation through state ownership has been practically unknown in the United States. It is of foreign origin and is foreign to the character of our institutions. The time may come when the people of the United States will be forced to consider the advisability of placing the railways of the country completely under the control of the General Government, as the postal service is, and as many believe the telegraph service should be. This would seem to be the surest method of securing the highest perfection and greatest efficiency of the railroad system in its entirety and the best method of making it an harmonious whole in its operation and of bringing about that uniformity and stability of rates which is the greatest need of trade and commerce.

Mr. HANSBROUGH. What is the date of that report?

Mr. PATTERSON. January 18, 1886, and that was the report that led to the first legislation by Congress upon the subject of the regulation of railways. Later on in this report the committee gives reasons why that system should not be immediately adopted; that is, that the experiment of railroad regulation should be tried before the country should be compelled perforce to enter upon the state ownership of railroads in order that the results referred to might be brought about.

Mr. NEWLANDS. Mr. President, the report which the Senator has read constitutes a part of his very interesting exposition of the advantages of government ownership of railroads, but I am anxious to differentiate between the suggestion which I am making and the government ownership of railroads.

The construction of the twenty-two ships to which I have referred means simply the securing of ships that are essential to our Navy and without which the fighting vessels of the Navy would be powerless in case of war. My suggestion is that if the merchant marine of this country can not be sustained by private capital, and for that reason in case of war the Navy can not secure the necessary colliers, transports, scouts, and dispatch boats, it is essential that we should proceed to construct them upon our own account; and I have shown that, constructed, as they would be, in the private shipyards of the country, they would advance private shipbuilding, which is one of the contentions of the Senator from New Hampshire.

I have also shown that in time of peace the ships might be used in the various services now contemplated by this bill. I would not expect the Government to operate them. A business arrangement could be made with American shipping companies by which these vessels could be turned over. Then, at a moderate rental, the private shipping companies to run the ships, the Government to own them and aid in manning them with the naval reserves, with the right to take them back under its own control in case of war.

Mr. MALLORY. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Florida?

Mr. NEWLANDS. Yes.

Mr. MALLORY. I should like to call the attention of the Senator to the fact that it has been testified before the Merchant Marine Commission by a gentleman who has had considerable experience in the owning and operating of ships that if he were to be presented with a fully equipped ocean-going ship, the expense of maintenance and operation would be so much in excess on the American ship over what it is on a foreign ship that he could not compete with the foreign-owned vessel. Whether that is true or not I do not pretend to say, but I think the circumstances certainly justify us in believing that it approximates to the truth.

Mr. NEWLANDS. Assuming that the cost of the administration of an American ship is so great as to forbid a private owner entering upon such administration, even with the free gift of the ship, yet the naval-reserve system provided for by the pending bill would aid in the administration of the ship.

### LEONARD MARTIN COX.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 25883) to reinstate Leonard Martin Cox in the corps of civil engineers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PERKINS subsequently said: I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 25883) to reinstate Leonard Martin Cox in the corps of civil engineers of the Navy, to report it favorably without amendment and to recommend its passage. I call the attention of the senior Senator from Kentucky to it.

Mr. BLACKBURN. I will state in support of the report of the Senator from California from the Committee on Naval Affairs that the passage of this bill is very earnestly urged by the Navy Department, from the Secretary down. There are seven vacancies, to one of which it is proposed to reappoint this young officer. His value as an officer is attested by the Department, and his reappointment, as provided for in the bill, is very earnestly urged. I ask that it may be considered now.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. NEWLANDS. Mr. President, the Senator from Florida states, from the testimony before the Commission, that if these ships were turned over to private shipowners as a free gift, the cost of administering them would be so great as to be prohibitory of this service.

Mr. MALLORY. As compared with foreign ships.

Mr. NEWLANDS. As compared with foreign administration. That may be true, but it must be recollected that this bill has a twofold purpose. It has in view, first, turning over to the shipowner a sufficient subvention to pay for the ships, and then it has in view, further, the establishment of a naval reserve which will aid the shipowner in the administration of those ships.

Mr. CARTER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Montana?

Mr. CARTER. Will the Senator from Nevada yield to me for a moment?

Mr. NEWLANDS. I wish to yield the floor entirely in a few moments, and I should like to close.

Mr. CARTER. I realize the anxiety of the Senator to conclude his remarks, but this is a matter of current importance, and will not require much time. It is a motion to reconsider.

Mr. NEWLANDS. I yield.

### CLAIMS OF POSTMASTERS IN THE STATES AND TERRITORIES.

Mr. CARTER. Yesterday Senate resolution 171 was passed. I move to reconsider the vote by which it was adopted.

The VICE-PRESIDENT. The Senator from Montana enters a motion to reconsider the vote by which Senate resolution 171 was passed.

Mr. BACON. What does the resolution relate to?

Mr. CARTER. It directed a statement of the accounts of postmasters between 1864 and 1874. The Post-Office Committee is informed by the Department that it will require the services of twenty $1,400 clerks about one year to state the account, and that the account will probably involve a cost to the Treasury of the United States of about $2,000,000.

Mr. PENROSE. The resolution never was referred to the committee.

Mr. CARTER. The resolution was not referred to any committee of the Senate. I am informed that other matters of similar character have been referred to the Committee on Post-Offices and Post-Roads and have been uniformly adversely reported by the committee.

Mr. PENROSE. I may add that I am informed as chairman of the committee that the majority of these claims are in the hands of claim agents, and that the nominal beneficiaries will never receive any particular advantage if the claims are paid. It has been the policy of the Committee on Post-Offices and Post-Roads carefully to guard this matter and to refuse to take favorable action without looking further into it.

That this resolution should have been passed by the Senate

without reference to the committee strikes many members of that committee as being highly irregular and improper. I earnestly hope the motion to reconsider will prevail.

Mr. DICK. I move to lay the motion of the Senator from Montana on the table.

Mr. NEWLANDS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield further?

Mr. NEWLANDS. I decline to yield further.

Mr. CARTER. I enter the motion to reconsider.

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. NEWLANDS. I was remarking when the Senator from Montana interrupted me that this bill not only provides for furnishing the shipowners with the money to enable them to build the ships, so that the ships themselves are practically free ships, but it also furnishes aid in the shape of a naval reserve for the administration and operation of the ships.

Now, what is the necessity of a naval reserve, so far as the Government itself is concerned? The necessity is this: We have no merchant marine which is training sailors to be employed upon the ships that are being constructed for the Navy and in case of war. We need a naval militia just as we need an Army militia, as a source from which the Government can recruit in case of war. This bill contemplates a naval reserve of 10,000 men, and I do not think the number asked for is excessive. England has a naval reserve of 30,000 men. But I insist upon it that we should not have a sham reserve. We should have a real reserve; that if we have this reserve it should be officered by naval officers; it should be drilled and disciplined, so that when war arises these forces will be available.

Mr. President, I am requested by the Senator from Tennessee, who has the right to the floor, to yield to the Senator from Montana.

CLAIMS OF POSTMASTERS IN THE STATES AND TERRITORIES.

Mr. CARTER. Referring to resolution No. 171, directing the Secretary of the Treasury to state an account, I will say that the resolution was not referred to any committee of the Senate. It relates to a matter concerning which the position of the Committee on Post-Offices and Post-Roads of this body has been firmly fixed, and I believe is in perfect harmony with the views of the Senate. As I have heretofore stated, the Treasury Department announces that the resolution will require the services of twenty fourteen-hundred-dollar clerks for one year to make the statement, and that the statement when made will probably involve a charge against the Treasury of the United States of $2,600,000.

As stated by the chairman of the Committee on Post-Offices and Post-Roads, these claims are said to be held by power of attorney and otherwise by certain claim agents in the city of Washington. Concerning that I can only speak from hearsay. But wheresoever the claims may be held, I insist that the resolution should be reconsidered and properly referred to a committee of the Senate having jurisdiction over the subject-matter, to the end that it may go through the ordinary processes to which all these matters are subjected in the course of our legislative proceedings.

I move that the vote by which the resolution was passed be reconsidered, and later I will ask that the resolution be referred.

The VICE-PRESIDENT. The Senator from Montana moves that the vote by which Senate resolution No. 171 was passed be reconsidered.

Mr. DICK. I renew the motion to lay on the table the motion of the Senator from Montana.

The resolution to which the Senator refers was introduced in the first session of this Congress, has been before the Senate all these months, and during this entire session has appeared daily upon its Calendar. The resolution is in precise terms like one which the Senate adopted, presented by the senior Senator from Colorado [Mr. TELLER], some time in March, and reported upon by the Department in April.

The resolution which was adopted yesterday seeks to furnish to the Senate precisely the same information, which is whether the Government owes these postmasters anything or not, and, if it owes these men anything, how much? It does not carry with it a dollar of appropriation. If the claims are large or small, if they are unreasonable or otherwise, can be considered when the information is at hand.

Whether these claims are in the hands of claim agents or not I do not know, and I do not care. If the Government of the United States owes these old servants a dollar, it ought to pay it, and there ought not to be an effort on the part of the Government, certainly not on the part of the Senate, to keep away or cover up information so vital to the very question at issue—whether anything is owing these men. If nothing is owing, let us know it. If something is owing, let us know that. I do not believe it is fair or honest to retain information which deals with what the Government owes for services, and a Senate resolution asking for information so pertinent to so vital a question, it seems to me, is fairly answerable by the Department, and whether it entails labor or cost is not a matter of so much moment, it seems to me, as fair dealing with our public servants.

Mr. CARTER. I realize that the motion of the Senator from Ohio precludes debate, if the rule be strictly enforced.

The VICE-PRESIDENT. Without objection, the Senator from Montana will proceed.

Mr. CARTER. The purpose of the Committee on Post-Offices and Post-Roads in attempting to forestall the opening of this question in this manner does not cast any reflection upon the person introducing or anyone pressing the resolution.

To begin with, as a matter of ordinary respect for parliamentary procedure, no resolution should pass the Senate of such vital import as this without reference to a committee of the Senate. The amount involved in securing the information is very large. The period of time covered by the transactions referred to reaches back to a point in the early fifties. The first of these claims, I think, originated about 1854. It does not appear in the resolution that these claims of 1854 are to be inquired into, but the resolution will, in its effect, go as far back as 1854.

The Treasury Department announcing that the sum of $2,600,000 rests at the other end of the line, the statement made that these claims have been collected together by claim agents who have industriously sought to gather them together, seem to put the Senate upon guard with reference to the propriety of instituting the inquiry. I do not know of a single claimant, a postmaster, who served between 1854 and 1874 who is here asking any relief from Congress, or who is now alive, for that matter.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. CARTER. Certainly.

Mr. GALLINGER. I will say to the Senator that there are just some such postmasters in my State who have been denied by the Government of the United States money that they honestly earned.

Mr. CARTER. I am perfectly satisfied that the Senate will cheerfully vote to reimburse any individual who comes here with an honest claim, thoroughly proven, for services rendered. But this placing of a premium upon the collection of stale claims seems to me an ill-advised policy, and I think it ought to be stopped at once.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Ohio [Mr. DICK] to lay on the table the motion of the Senator from Montana [Mr. CARTER].

The motion was not agreed to.

The VICE-PRESIDENT. The question recurs on agreeing to the motion made by the Senator from Montana to reconsider the vote by which Senate resolution 171 was agreed to. [Putting the question.] By the sound the ayes seem to have it.

Mr. DICK. I ask for the yeas and nays.

The yeas and nays were not ordered.

The motion to reconsider was agreed to.

Mr. CLAY. I move to refer the resolution to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

HIGHWAY IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 67) for the opening of a connecting highway between Water Side drive and Park road, District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

MEMORIAL TO CHRISTOPHER COLUMBUS.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 13304) to provide a suitable memorial to the memory of Christopher Columbus; which was read twice by its title, and referred to the Committee on the Library.

Mr. HANSBROUGH subsequently said: I am directed by the Committee on the Library, to whom was referred the bill (H. R. 13304) to provide a suitable memorial to the memory of Christopher Columbus, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that there shall be erected in the city of Washington, D. C., a suitable memorial to Christopher Columbus, and for that purpose proposes to appropriate $100,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. NEWLANDS. Mr. President, if a naval reserve is to be used as a recruiting force for naval ships hereafter constructed, or for regular sailors and men upon the ships in case of war, it is essential that the naval reserve should be a real reserve and not a sham reserve. The difficulty with this bill is that the naval reserve will probably be a sham reserve, whereas, under the suggestion I make, the naval reserve will be a genuine force, under discipline, under the direction and control of naval officers, and will be available as a trained body of men in case of war.

Under this bill we are to operate twenty-two ships. It is probable that upon each one of those ships there will be from 100 to 150 men belonging to the naval reserve. The pay which they receive from the United States Government will, while the ships are being used for commercial purposes, diminish the burden upon the company which operates the ships, and thus the company operating the ships will be relieved of a considerable portion of the expense of administration which would otherwise devolve upon it. At the same time the naval reserve upon each ship would be under the command of a trained officer, and would have the discipline necessary to make it useful in case of war.

Mr. President, if we are to enter upon two lines of expenditure with a view to promoting our merchant marine and promoting commercial intercourse with the countries which those lines connect with this country, and if the Government of the United States is to spend $26,000,000 toward this cost of vessels and is also to maintain upon those vessels a naval reserve as a contribution toward the expenses of the operation, I contend that the steamships should belong to the United States; that they should be leased to private companies in time of peace; that they should be in part manned by the Naval Reserve under the command and discipline of trained naval officers, and that we would thus have ships which, whilst used for commercial purposes in time of peace, would be immediately available, with disciplined and trained men and officers, in case of war.

In time of peace, when these vessels are used for commercial purposes, it might be as well to have civilian captains and civilian mates, as well as civilian sailors, but even that would not be necessary. I believe that these great lines, conducted by ships owned by the National Government but operated by private companies, might well be manned and officered entirely by the Naval Reserve. It is quite customary for officers in the French navy to accept service in the merchant marine. That kind of service is favored by the Government, for it keeps in full activity a body of men who otherwise would be likely to go to rust. I have myself traveled upon French commercial ships which were officered by men who were officers of the French navy, and I am sure no more capable officers could be found even in commercial transactions.

Mr. President, the purpose of this bill is to make these ships the pioneers of commerce with those countries with which at present we have almost no commercial relations; the purpose is to establish a postal service; the purpose is to establish a transportation service for our goods to those countries and their goods in return, and the purpose also is to maintain these ships and construct them or aid in their construction, so that the Government can call upon them in case of war for use in a supplementary way to our Navy.

England, with her vast body of mariners, has been compelled to establish such a reserve. She has now 30,000 men in her service. We should have a similar reserve. These men should be made useful in times of peace, and I can imagine no better way of making them useful than employing them during times of peace in this pioneer work of establishing these commercial lines, in the expectation that later on unsubsidized capital will take up the work so commenced.

But, Mr. President, there is another weakness in this bill, and that is that it proposes to subsidize companies which may incorporate under the laws of the States. It seems to me that if any system of subsidy is entered upon the system should embrace aid only to those corporations that are organized under the laws of the United States, and that no subsidy should be given to a corporation organized under the law of any State.

The regulation of foreign and interstate commerce is under the Constitution intrusted to the National Government. A corporation formed to engage in interstate or foreign commerce should be an instrumentality of the nation for this purpose, and should be created by it with proper restrictions as to capitalization, published statements, etc. We have gone too far in permitting the corporations created by the States to exercise functions which belong to the nation. We will have to correct this by putting the railroad combinations under national charter. We should not aggravate the difficulties resulting from the abuse of national functions by permitting State charters for corporations engaged in foreign commerce. I believe in maintaining the reserved powers of the States, but I also believe that true democracy demands that the nation should exercise to the full its delegated powers.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. With pleasure.

Mr. HALE. The honorable Senator yields to me for public business.

Mr. NEWLANDS. I will state to the Senator from Maine I am very glad that private business should give way to public business.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12 and 87.

That the House recede from its disagreement to the amendments of the Senate numbered 68; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In line 6 of said amendment strike out the words "of said building" and insert in lieu thereof "for said building not to exceed one million eight hundred thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and in line 2 of the matter inserted by said amendment strike out the words "coin including fractional silver coin" and insert in lieu thereof the word "dollars;" and in lines 3 and 4 strike out the sum named and insert in lieu thereof "fifty thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: At the end of the amended paragraph, after the word "available," insert the following: "*Provided*, That no part of this appropriation shall be expended for the employment of any person in making said investigation who is not now in the employ of the Government or hereafter regularly appointed after competitive examination and certification through the Civil Service Commission;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The Spanish Treaty Claims Commission is directed to ascertain as soon as may be what has been the average cost per page of taking testimony for use in cases before said Commission by dividing the whole amount expended from appropriations under this head by the total number of pages of testimony heretofore taken. The claimant in all cases before said Commission not already finally disposed of shall hereafter be required to pay in the first instance the expense of taking his testimony, including the cross-examination of his witnesses at the rate per page so found, and to secure the payment thereof shall within ninety days from the passage of this act deposit with the clerk of said Commission the average cost of taking the claimant's testimony in cases heretofore disposed of at the rate per page aforesaid, and upon failure to make such deposit within the time fixed his case shall be dismissed with prejudice. Whenever any case is disposed of by the Commission in

favor of the claimant his said deposit shall be returned to him by the clerk, but if the case is disposed of in favor of the Government so much of his deposit as is required to pay the costs of taking his testimony shall be covered into the Treasury, and the balance, if any, shall be returned to the claimant."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: Strike out the matter inserted by said Senate amendment, leaving both propositions out of the bill; and the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
JAMES H. BERRY,
*Managers on the part of the Senate.*
J. A. TAWNEY,
WALTER I. SMITH,
GEORGE W. TAYLOR,
*Managers on the part of the House.*

The report was agreed to.

Mr. GALLINGER. Mr. President, we have had a very interesting discussion this evening. I have during the evening, as during the day, been ready at any time to yield to any Senator who had a bill in which he was interested and for which he desired to have consideration. I have had no disposition at any time to keep the Senate here in the discussion of the shipping bill after the announcement had been made that it was not to be allowed to come to a vote. The conference report on the sundry civil appropriation bill having been agreed to, I am now, so far as I am concerned, quite willing that the Senate should take a recess, which the Senator from Maine has risen to move.

Mr. HALE. I desire to move that the Senate take a recess, but I yield for the moment to the Senator from Colorado [Mr. PATTERSON].

Mr. PATTERSON. Mr. President, I was not paying attention when the conference report on the sundry civil appropriation bill was agreed to. It was my purpose to have made a few remarks about one of the items in the bill over which the conferees had been in dispute. It is an item put into the bill by the Senate committee for a public building in Denver. As originally in the bill, the amendment of the committee, without fixing any amount, directed the Secretary of the Treasury to prepare plans and specifications for a general public building in Denver. It was my extreme desire that the amendment should be passed in that form, and I want now to thank the members of the conference on the part of the Senate for the generous kindness they displayed in inserting the amendment in a way that satisfied me and my colleague, and for the splendid manner in which they sought to induce the conferees of the House to acquiesce in it. They yielded to the demand of the conferees on the part of the House, who first opposed the amendment, but in the end agreed to allow it to remain, after fixing a limit of $1,800,000.

Mr. HALE. For the building.

Mr. PATTERSON. I want to say, Mr. President, that it is a sum that I consider quite inadequate for a public building in the great and growing and magnificent city of Denver. While I feel very, very grateful indeed to the Senate conferees for the splendid, generous spirit they displayed in dealing with it and in seeking to retain the amendment in the bill as it was originally placed there, I hope that when the appropriation shall be made after the plans and specifications are prepared both the Senate and the House will see their way clear to give to Denver a building that will cost not less than $3,000,000.

Denver is becoming what may be called the "show city of the West." It is a city that those who visit believe is next to Washington in beauty and in everything that goes to make up a city that is lovable and attractive. Before many years it will be the one great city between St. Louis and San Francisco or Los Angeles; and if there is a city on the continent that is deserving of a public building that should stand as a memorial of the generosity of the General Government and that will be a pride and glory to the nation, that city is Denver.

I only wanted to say so much in order that I might express my thanks to the conferees on the part of the Senate for the splendid part they have played in connection with the matter.

Mr. GALLINGER. Mr. President, I wish to add to what I said a moment ago that I indulge the hope that after the Senators who have been opposing the very reasonable and desirable bill I have been in charge of may have had the peaceful rest that I trust they may have between now and the time to which we will take a recess, they will persuade themselves that it is but right and proper that they should permit a vote to be taken on the bill. I shall ask for such a vote to-morrow.

Mr. HALE rose.

Mr. CARMACK. Is the Senator going to move a recess?

Mr. HALE. Yes.

Mr. CARMACK. Mr. President, I merely wish to say that while I hardly think it is fair to cut me off right in the beginning of my remarks, yet I realize the convenience of the Senate and of Senators. I understand that they should have some rest for the remainder of the evening, and I will not insist upon continuing to-night, although there are some arguments made by the Senator from New Hampshire that I should like to have an opportunity to answer.

Mr. HALE. I move that the Senate take a recess until to-morrow morning at half past 9.

The motion was agreed to; and (at 11 o'clock and 42 minutes p. m., Sunday, March 3) the Senate took a recess until 9 o'clock and 30 minutes a. m., Monday, March 4.

## NOMINATIONS.

*Executive nominations received by the Senate March 2, 1907.*

### POSTMASTERS.

ALABAMA.

Walter W. Harkins to be postmaster at Fayette, in the county of Fayette and State of Alabama. Office became Presidential January 1, 1907.

ARIZONA.

Oregon D. M. Gaddis to be postmaster at Kingman, in the county of Mohave and Territory of Arizona, in place of Oregon D. M. Gaddis. Incumbent's commission expires March 10, 1907.

CALIFORNIA.

Fred M. Kelly to be postmaster at Needles, in the county of San Bernardino and State of California, in place of Fred M. Kelly. Incumbent's commission expired February 16, 1907.

Samuel S. Wood to be postmaster at Rialto, in the county of San Bernardino and State of California. Office became Presidential January 1, 1907.

Warren A. Woods to be postmaster at Suisun City, in the county of Solano and State of California, in place of Warren A. Woods. Incumbent's commission expired February 26, 1907.

GEORGIA.

Augusta Glover to be postmaster at Monticello, in the county of Jasper and State of Georgia, in place of Edward Y. Swanson, resigned.

INDIAN TERRITORY.

Lyman F. Beard to be postmaster at Madill, in District 22, Indian Territory, in place of Richard H. Everett. Incumbent's commission expired December 15, 1906.

IOWA.

Eric P. Dalander to be postmaster at Madrid, in the county of Boone and State of Iowa, in place of Eric P. Dalander. Incumbent's commission expired January 7, 1907.

LOUISIANA.

Raoul J. Bienvenu to be postmaster at St. Martinville, in the parish of St. Martin and State of Louisiana, in place of Raoul J. Bienvenu. Incumbent's commission expired February 26, 1907.

MISSISSIPPI.

Seth W. Collins to be postmaster at McComb, in the county of Pike and State of Mississippi, in place of Seth W. Collins. Incumbent's commission expired April 2, 1906.

MISSOURI.

William A. Ulery to be postmaster at Elsberry, in the county of Lincoln and State of Missouri, in place of William A. Ulery. Incumbent's commission expired February 28, 1907.

NEW HAMPSHIRE.

Bertha L. Martin to be postmaster at Goffstown, in the county of Hillsboro and State of New Hampshire. Office became Presidential October 1, 1906.

NEW JERSEY.

Frank E. De Graw to be postmaster at South Amboy, in the county of Middlesex and State of New Jersey, in place of Bernard Roddy, deceased.

NEW YORK.

Herbert J. Curtis to be postmaster at Red Hook, in the county of Dutchess and State of New York, in place of Herbert J. Curtis. Incumbent's commission expired January 22, 1907.

Abram Devendorf to be postmaster at Fort Plain, in the county of Montgomery and State of New York, in place of Abram Devendorf. Incumbent's commission expires March 16, 1907.

Seneca D. Zeh to be postmaster at Hillsdale, in the county of Columbia and State of New York. Office became Presidential January 1, 1907.

NORTH CAROLINA.

William J. Leary, sr., to be postmaster at Edenton, in the county of Chowan and State of North Carolina, in place of Leroy L. Brinkley, resigned.

John R. Mobley to be postmaster at Williamston, in the county of Martin and State of North Carolina, in place of Joseph M. Sitterson, removed.

NORTH DAKOTA.

Thomas Jones to be postmaster at Linton, in the county of Emmons and State of North Dakota. Office became Presidential January 1, 1907.

H. C. Plumley to be postmaster at Fargo, in the county of Cass and State of North Dakota, in place of Ernest C. Eddy. Incumbent's commission expired February 4, 1907.

Frank Sims to be postmaster at Willow City, in the county of Bottineau and State of North Dakota, in place of Frank Sims. Incumbent's commission expired January 29, 1907.

Ole Roland to be postmaster at Bottineau, in the county of Bottineau and State of North Dakota, in place of Ole Roland. Incumbent's commission expired January 29, 1907.

OHIO.

H. H. Baird to be postmaster at Pataskala, in the county of Licking and State of Ohio, in place of William S. Needham. Incumbent's commission expires March 3, 1907.

George E. Canning to be postmaster at Mount Vernon, in the county of Knox and State of Ohio, in place of George E. Canning. Incumbent's commission expired January 16, 1906.

Herman C. Glander to be postmaster at West Alexandria, in the county of Preble and State of Ohio. Office became Presidential January 1, 1907.

Mary S. Hill to be postmaster at Berlin Heights, in the county of Erie and State of Ohio. Office became Presidential January 1, 1907.

William B. Jones to be postmaster at Delaware, in the county of Delaware and State of Ohio, in place of William B. Jones. Incumbent's commission expired February 4, 1907.

OKLAHOMA.

C. H. Eldred to be postmaster at Alva, in the county of Woods and Territory of Oklahoma, in place of William C. Douglass. Incumbent's commission expired January 21, 1906.

PENNSYLVANIA.

Caleb S. Brinton to be postmaster at Carlisle, in the county of Cumberland and State of Pennsylvania, in place of Caleb S. Brinton. Incumbent's commission expired March 2, 1907.

David S. Kern to be postmaster at Pennsburg, in the county of Montgomery and State of Pennsylvania, in place of David S. Kern. Incumbent's commission expired January 26, 1907.

George W. Torrence to be postmaster at Smithton, in the county of Westmoreland and State of Pennsylvania. Office became Presidential January 1, 1907.

RHODE ISLAND.

Albert S. Wood to be postmaster at Hope Valley, in the county of Washington and State of Rhode Island. Office became Presidential January 1, 1907.

TEXAS.

Laura Martin to be postmaster at Bonham, in the county of Fannin and State of Texas, in place of Harry Martin, deceased.

VERMONT.

Edward W. Bisbee to be postmaster at Barre, in the county of Washington and State of Vermont, in place of Edward W. Bisbee. Incumbent's commission expired January 22, 1907.

WEST VIRGINIA.

Wilbur C. Baxter to be postmaster at Sutton, in the county of Braxton and State of West Virginia, in place of James H. Dunn. Incumbent's commission expired February 26, 1907.

WISCONSIN.

Edwin F. Ganz to be postmaster at Alma, in the county of Buffalo and State of Wisconsin, in place of Edwin F. Ganz. Incumbent's commission expired January 23, 1907.

Thomas W. Morefield to be postmaster at Elkhorn, in the county of Walworth and State of Wisconsin, in place of Thomas W. Morefield. Incumbent's commission expired June 19, 1906.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 2, 1907.*

COLLECTOR OF CUSTOMS.

Charles F. Leach, of Ohio, to be collector of customs for the district of Cuyahoga, in the State of Ohio.

POSTMASTERS.

CALIFORNIA.

Clyde F. Baldwin to be postmaster at Whittier, in the county of Los Angeles and State of California.

Oliver H. Duvall to be postmaster at Claremont, in the county of Los Angeles and State of California.

Fred. M. Kelly to be postmaster at Needles, in the State of California.

Samuel S. Wood to be postmaster at Rialto, in the State of California.

MISSOURI.

James H. Turner to be postmaster at Weston, in the county of Platte and State of Missouri.

MASSACHUSETTS.

George Abbott to be postmaster at East Douglass, in the county of Worcester and State of Massachusetts.

Frederick H. Greene to be postmaster at Ashburnham, in the county of Worcester and State of Massachusetts.

NEBRASKA.

Joseph W. McClelland to be postmaster at Fullerton, in the county of Nance and State of Nebraska.

Isaac S. Tyndale to be postmaster at Central City, in the county of Merrick and State of Nebraska.

NEW HAMPSHIRE.

Bertha L. Martin to be postmaster at Goffstown in the State of New Hampshire.

NEW JERSEY.

Charles C. Cowperthwait to be postmaster at Mount Holly, in the county of Burlington and State of New Jersey.

Frank E. De Graw to be postmaster at South Amboy, in the State of New Jersey.

Thomas C. Elvins to be postmaster at Hammonton, in the county of Atlantic and State of New Jersey.

Arthur Winner to be postmaster at Palmyra, in the county of Burlington and State of New Jersey.

NEW YORK.

Herbert J. Curtis to be postmaster at Red Hook, in the State of New York.

Abram Devendorf to be postmaster at Fort Plain, in the State of New York.

Seneca D. Yeh to be postmaster at Hillsdale, in the State of New York.

NORTH DAKOTA.

Thomas Jones to be postmaster at Linton, in the State of North Dakota.

Frank Sims to be postmaster at Willow City, in the State of North Dakota.

H. C. Plumley to be postmaster at Fargo, in the State of North Dakota.

Ole Roland to be postmaster at Botteneau, in the State of North Dakota.

PENNSYLVANIA.

Clara E. Fessenden to be postmaster at Roulette, in the county of Potter and State of Pennsylvania.

George W. Torrence to be postmaster at Smithton, in the county of Westmoreland and State of Pennsylvania.

RHODE ISLAND.

Albert S. Wood to be postmaster at Hope Valley, in the county of Washington and State of Rhode Island.

VERMONT.

Edward W. Bisbee to be postmaster at Barre, in the county of Washington and State of Vermont.

WEST VIRGINIA.

Wilbur C. Baxter to be postmaster at Sutton, in the county of Braxton and State of West Virginia.

WISCONSIN.

Thomas W. Morefield to be postmaster at Elkhorn, in the county of Walworth and State of Wisconsin.

## REJECTION.

*Executive nomination rejected by the Senate March 2, 1907.*

POSTMASTER.

FLORIDA.

William H. Northup to be postmaster at Pensacola, in the county of Escambia and State of Florida.

## HOUSE OF REPRESENTATIVES.

### SUNDAY, *March 3, 1907.*

[*Continuation of legislative day of Saturday, March 2, 1907.*]

The recess having expired, the House was called to order by the Speaker at 11 o'clock a. m.

APPOINTMENTS BY THE SPEAKER.

The SPEAKER announced the following appointments:

Temporary Committee on Accounts: Mr. CASSEL, Mr. HUGHES, Mr. BARTLETT.

Commission under the immigration act: Mr. HOWELL of New Jersey, Mr. BENNET of New York, Mr. BURNETT.

Visitors to the Military Academy: Mr. HULL, Mr. DWIGHT, Mr. HAY.

Visitors to the Naval Academy: Mr. DAWSON, Mr. HINSHAW, Mr. PADGETT.

Postal Commission authorized by post-office appropriation bill: Mr. OVERSTREET of Indiana, Mr. GARDNER of New Jersey, Mr. MOON of Tennessee.

Trustee, Reform School, District of Columbia: Mr. JENKINS.

House committee under joint resolution No. 240, constituting a joint committee for revision of laws: Mr. MOON of Pennsylvania, Mr. PARSONS, Mr. DENBY, Mr. SHERLEY, Mr. HOUSTON.

RECESS.

Mr. MACON rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MACON. Mr. Speaker, I move that the House do now take a recess until to-morrow morning at 9 o'clock.

The SPEAKER. The question is on the motion of the gentleman from Arkansas, that the House do take a recess until to-morrow morning at 9 o'clock.

The question was taken; and on a division (demanded by Mr. MACON) there were—ayes 11, noes 50.

Mr. MACON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. A quorum is not present. The doorkeepers will close the doors, the Sergeant-at-Arms will bring in absentees, and the roll will be called. Those in favor of taking a recess will, as their names are called, answer "aye;" those who are opposed will answer "no;" those not voting will answer "present." The Clerk will call the roll.

The question was taken; and there were—yeas 41, nays 153, answered "present" 14, not voting 169, as follows:

YEAS—41.

| | | | |
|---|---|---|---|
| Adamson | Gill | Patterson, S. C. | Southall |
| Aiken | Glass | Rainey | Spight |
| Bartlett | Granger | Richardson, Ala. | Sulzer |
| Beall, Tex. | Hay | Russell | Van Duzer |
| Bowers | Heflin | Shackleford | Wallace |
| Clark, Mo. | Humphreys, Miss. | Sheppard | Webb |
| De Armond | Lever | Slayden | Williams |
| Dixon, Ind. | Lewis | Small | Zenor |
| Ellerbe | Lloyd | Smith, Ky. | |
| Finley | McLain | Smith, Md. | |
| Flood | Macon | Smith, Tex. | |

NAYS—153.

| | | | |
|---|---|---|---|
| Alexander | Bonynge | Burton, Ohio | Crumpacker |
| Allen, Me. | Bradley | Campbell, Kans. | Currier |
| Babcock | Brick | Cassel | Cushman |
| Bartholdt | Broussard | Chaney | Dale |
| Bates | Brownlow | Chapman | Dalzell |
| Bede | Buckman | Clark, Fla. | Darragh |
| Bell, Ga. | Burleigh | Cocks | Davey, La. |
| Bennet, N. Y. | Burleson | Cooper, Pa. | Davidson |
| Birdsall | Burnett | Cooper, Wis. | Dawson |
| Bishop | Burton, Del. | Cromer | Deemer |
| Dickson, Ill. | Hull | Mahon | Schneebeli |
| Draper | James | Mann | Scott |
| Englebright | Jenkins | Martin | Shartel |
| Esch | Jones, Wash. | Meyer | Sherley |
| Fitzgerald | Kahn | Minor | Sherman |
| Fletcher | Keifer | Mondell | Sims |
| Fordney | Kennedy, Nebr. | Moon, Tenn. | Smith, Cal. |
| Foster, Vt. | Kline | Mudd | Smith, Mich. |
| Fowler | Knapp | Murdock | Smith, Pa. |
| French | Knopf | Murphy | Snapp |
| Fulkerson | Lacey | Needham | Southard |
| Gardner, Mich. | Lafean | Nelson | Stafford |
| Gilhams | Lamar | Olcott | Stephens, Tex. |
| Gillett | Landis, Chas. B. | Olmsted | Sterling |
| Goulden | Legare | Otjen | Sullivan |
| Graff | Lilley, Conn. | Overstreet, Ind. | Sulloway |
| Greene | Littauer | Padgett | Talbott |
| Grosvenor | Livingston | Parker | Tirrell |
| Hale | Lorimer | Payne | Townsend |
| Haskins | Loud | Pearre | Volstead |
| Henry, Conn. | Loudenslager | Perkins | Waldo |
| Hepburn | Lovering | Pollard | Wanger |
| Higgins | Louden | Powers | Watson |
| Hill, Conn. | McCall | Prince | Weeks |
| Hinshaw | McCleary, Minn. | Randell, Tex. | Wiley, N. J. |
| Houston | McGavin | Reeder | Wood |
| Howell, N. J. | McKinley, Ill. | Rodenberg | |
| Howell, Utah | McKinney | Rucker | |
| Hubbard | McMorran | Samuel | |

ANSWERED "PRESENT"—14.

| | | | |
|---|---|---|---|
| Allen, N. J. | Capron | McNary | Robinson, Ark. |
| Brundidge | Clayton | Pujo | Ryan |
| Burgess | Garrett | Ransdell, La. | |
| Burke, S. Dak. | Gillespie | Riordan | |

NOT VOTING—169.

| | | | |
|---|---|---|---|
| Acheson | Fassett | Kitchin, Wm. W. | Roberts |
| Ames | Field | Klepper | Robertson, La. |
| Andrus | Floyd | Knowland | Ruppert |
| Bankhead | Foss | Lamb | Saunders |
| Bannon | Foster, Ind. | Landis, Frederick | Scroggy |
| Barchfeld | Fuller | Law | Sibley |
| Beidler | Gaines, Tenn. | Lawrence | Slemp |
| Bennett, Ky. | Gaines, W. Va. | Lee | Smith, Ill. |
| Bingham | Garber | Le Fevre | Smith, Iowa |
| Blackburn | Gardner, Mass. | Lilley, Pa. | Smyser |
| Boutell | Gardner, N. J. | Lindsay | Southwick |
| Bowersock | Garner | Littlefield | Sparkman |
| Bowie | Gilbert | Longworth | Sperry |
| Brantley | Goebel | McCarthy | Stanley |
| Broocks, Tex. | Goldfogle | McCreary, Pa. | Steenerson |
| Brooks, Colo. | Graham | McDermott | Stevens, Minn. |
| Brown | Gregg | McKinlay, Cal. | Tawney |
| Brumm | Griggs | McLachlan | Taylor, Ala. |
| Burke, Pa. | Gronna | Madden | Taylor, Ohio |
| Butler, Pa. | Gudger | Marshall | Thomas, N. C. |
| Butler, Tenn. | Hamilton | Maynard | Thomas, Ohio |
| Byrd | Hardwick | Michalek | Towne |
| Calder | Haugen | Miller | Trimble |
| Calderhead | Hayes | Moon, Pa. | Tyndall |
| Campbell, Ohio | Hearst | Moore, Pa. | Underwood |
| Candler | Hedge | Moore, Tex. | Van Winkle |
| Cockran | Henry, Tex. | Morrell | Vreeland |
| Cole | Hermann | Mouser | Wachter |
| Conner | Hill, Miss. | Nevin | Wadsworth |
| Coudry | Hogg | Norris | Washburn |
| Cousins | Holliday | Overstreet, Ga. | Watkins |
| Davis, Minn. | Hopkins | Page | Webber |
| Davis, W. Va. | Howard | Palmer | Weems |
| Dawes | Huff | Parsons | Weisse |
| Denby | Hughes | Patterson, N. C. | Welborn |
| Dixon, Mont. | Humphrey, Wash. | Pou | Wharton |
| Dovener | Hunt | Reid | Wiley, Ala. |
| Dresser | Johnson | Reyburn | Wilson |
| Driscoll | Jones, Va. | Reynolds | Woodyard |
| Dunwell | Kelliher | Rhinock | Young |
| Dwight | Kennedy, Ohio | Rhodes | |
| Edwards | Kinkaid | Richardson, Ky | |
| Ellis | Kitchin, Claude | Rives | |

So the motion to take a recess was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. JENKINS with Mr. CLARK of Florida.

Mr. FOSS with Mr. GUDGER.

For the vote:

Mr. LONGWORTH with Mr. TAYLOR of Alabama.

Mr. TAWNEY with Mr. UNDERWOOD.

Mr. WASHBURN with Mr. CANDLER.

Mr. COUSINS with Mr. CLAYTON.

Mr. GARDNER of Massachusetts with Mr. THOMAS of North Carolina.

The SPEAKER. On this motion the yeas are 41, the nays are 151, present 5, a quorum, and the motion to take a recess fails. The Doorkeeper will open the doors.

CORRECTION OF THE RECORD.

Mr. HINSHAW rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. HINSHAW. To correct the RECORD. On page 4538, on the vote in regard to the shipment of silver, I voted "no." I am recorded as not voting.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to reports of committees of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the following titles:

S. 7247. An act to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city, on a site to be selected for said station, a public building; and

S. 8327. An act to provide for the establishment of an immigration station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 6704) to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing

votes of the two Houses on the amendments of the Senate to the bill (H. R. 13605) to satisfy certain claims against the Government arising under the Navy Department.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908.

The message also announced that the Senate had passed the following resolutions:

*Resolved*, That the Senate has heard with profound sorrow of the death of Hon. WILLIAM H. FLACK, late a Representative from the State of New York.

*Resolved*, That the business of the Senate be now suspended in order that a fitting tribute may be paid to his memory.

The message also announced that the Senate had heard with profound sorrow the announcement of the death of the Hon. JOHN H. KETCHAM, late a Representative from the State of New York.

*Resolved*, That the business of the Senate be now suspended in order that a fitting tribute may be paid to the memory of the deceased.

The message also announced that the Senate had heard with profound sorrow the announcement of the death of Hon. HENRY C. ADAMS, late a Member of the House of Representatives from the State of Wisconsin.

*Resolved*, That the business of the Senate be now suspended in order that a fitting tribute may be paid to his memory.

The message also announced that the Senate has heard with profound sorrow of the death of Hon. JOHN F. RIXEY, late a Representative from the State of Virginia.

*Resolved*, That the business of the Senate be now suspended in order that a fitting tribute may be paid to his memory.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 17415. An act to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 23221. An act for the erection of a public building at the city of Athens, in the State of Ohio;

H. R. 25885. An act to extend the time for building a bridge across Red River at Shreveport, La.; and

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 25812. An act to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission of the State of Pennsylvania.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked for by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. TELLER as the conferees on the part of the Senate.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

H. J. Res. 236. Joint resolution authorizing the Secretary of the Navy to furnish metal for a bell;

H. R. 3268. An act for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased;

H. R. 8699. An act for the relief of James A. Carroll;

H. R. 10095. An act making certain changes in the postal laws;

H. R. 10305. An act to provide for the repayment of certain customs dues;

H. R. 11401. An act granting an increase of pension to William Kling;

H. R. 13418. An act for the relief of W. S. Hammaker;

H. R. 15859. An act ceding certain lands to Colorado State Agricultural College;

H. R. 19500. An act for the relief of Indian traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier, a Menominee Indian trader with the Menominee Indians of Wisconsin;

H. R. 19751. An act to authorize the Natchez Electric Street Railway and Power Company to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.;

H. R. 21091. An act authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis;

H. R. 22588. An act for the relief of homestead entrymen who have paid more than the lawful purchase money;

H. R. 24816. An act to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906;

H. R. 24833. An act for the relief of the Louisiana Molasses Company (Limited) and the Louisiana Distilling Company;

H. R. 25437. An act to grant American registry to the German bark *Mariechen;*

H. R. 25474. An act to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same;"

H. R. 25739. An act to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River;

H. R. 25801. An act granting an honorable discharge to Seth Davis;

H. R. 25811. An act to authorize the Monroe, Farmerville and Northwestern Railway Company to construct a bridge over the Ouachita River and one over the D'Arbonne River, in Louisiana;

H. R. 25832. An act to authorize Herman L. Hartenstein to construct a dam across the St. Joseph River near the village of Mottville, St. Joseph County, Mich.; and

H. R. 25849. An act permitting the building of a dam across the Savannah River at Cherokee Shoals.

AMENDING SECTION 591 OF THE REVISED STATUTES.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent for the consideration of the Senate bill which I send to the Clerk's desk.

The SPEAKER. Is the bill on the Calendar?

Mr. JENKINS. The bill is on the Calendar.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

An act (S. 7812) to amend section 591 of the Revised Statutes of the United States relative to the assignment of district judges to perform the duties of a disabled judge.

*Be it enacted, etc.*, That whenever in the case contemplated and provided for in section 591 of the Revised Statutes it shall be certified by the circuit judge, or in his absence, of the circuit justice of the circuit in which the district lies, that for any sufficient reason it is impracticable to designate and appoint a judge of another district within the circuit to perform the duties of such disabled judge, the Chief Justice may, if in his judgment the public interests so require, designate and appoint the judge of any other district in another circuit to hold said courts and to discharge all the judicial duties of the judge so disabled, during such disability.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to know what the bill accomplishes. We can not tell from hearing the bill read.

Mr. JENKINS. Mr. Speaker, I will say to the gentleman from Illinois, in answer to his question, that under the present law if a district judge is incapacitated for any reason the circuit judge or circuit justice can order any other district judge in that circuit to act. This bill extends the law so if a judge can not be found in the district the Chief Justice of the Supreme Court of the United States can order any other district judge outside of the circuit to perform the duties. It is a very necessary bill, I will say to the gentleman. It has passed the Senate, is urged upon us by the Department of Justice, and our attention has been called to many places throughout the United States where they are really suffering to-day for the want of the presence of a judge and can not have him because under the law an assignment can not be made.

Mr. MANN. Does the bill so read that they can order a judge from one circuit to another only in case of the incapacitation of the circuit judge?

Mr. JENKINS. That is all.

Mr. SULZER. In other words, if this bill becomes a law it will expedite the administration of justice.

Mr. MANN. That is a question whether it does or not. There is not a single dollar of increase of expenditure, because the man gets the extra money all the time.

Mr. JENKINS. No; I think the gentleman will withdraw

that statement when he stops to think. In a great many places our attention is called to the fact persons are held in jail when they could be tried if it was possible to get a judge to try the case. It would be certainly for the benefit of the Government. It is an administrative matter which has been urged upon us by the Department of Justice, and the committees of both Houses have unanimously reported upon it.

Mr. OLMSTED. Is there any additional compensation or other expense to judges going from other districts?

Mr. JENKINS. None whatever.

Mr. SULZER. It seems to me that this is a good bill and it ought to pass.

Mr. MANN. I see the gentleman from New York is especially interested in it. Are there any judges expected to be incapacitated in New York or elsewhere?

Mr. SULZER. I am always interested in justice.

Mr. JENKINS. I can not answer the gentleman, but I am presenting a good measure.

Mr. MANN. The fact the gentleman from New York is in its favor persuades me to withdraw my objection.

Mr. SULZER. The gentleman from New York is always in favor of justice—to all men.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read the third time; was read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

### CHALMETTE MONUMENT.

Mr. MEYER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8292) providing for the completion by the Secretary of War of a monument to the memory of American soldiers who fell in the battle of New Orleans at Chalmette, La., and making the necessary appropriation therefor.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the sum of $25,000 be, and the same is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the completion of a monument to the memory of the soldiers who fell in the battle of New Orleans in the war of 1812, said monument to be completed under the direction and approval of the Secretary of War: *Provided*, That the State of Louisiana shall cede and transfer its jurisdiction to the property on which said monument is to be completed in accordance with the provisions of act No. 41 of the legislature of that State, approved July 19, 1902: *Provided further*, That when said monument is completed the responsibility of maintaining the same and keeping the grounds surrounding it shall remain with the United Daughters of 1776 and 1812, free of any expense or responsibility on the part of the Government of the United States.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. MEYER. Mr. Speaker, I move to suspend the rules.

The SPEAKER. The Chair contemplated submitting for unanimous consent five monument bills on the Calendar, namely, the Chalmette Monument Place, St. Bernard, La.; Christopher Columbus monument; John D. Sloat monument, at Monterey, Cal.; the Stephenson Grand Army monument, Washington, D. C., and Tippecanoe battle ground, Tippecanoe County, Ind. These are bills on the Calendar, and the Chair intended to submit these five with that statement. Is there objection to the consideration of the bill?

Mr. LEVER. Mr. Speaker, reserving the right to object, I would suggest to the Chair that he might add one more, namely, to erect a monument to John Thomas Sumter, of South Carolina. The bill was reported in the Fifty-seventh Congress by the Committee on the Library.

The SPEAKER. It is not on the Calendar now.

Mr. LEVER. And I have made diligent efforts to have it reported this session.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The Chair takes it that one objection will cover the other four.

### CHANGE OF COURT JURISDICTION IN OKLAHOMA.

The SPEAKER laid before the House the bill (S. 8498) entitled "An act to amend sections 16, 17, and 20 of an act entitled 'An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States,' approved June 16, 1906, and for other purposes," a similar bill being upon the Union Calendar, which was read, as follows:

*Be it enacted, etc.*, That section 16 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, be, and the same is hereby, amended so as to read as follows:

"SEC. 16. That all civil causes, proceedings, and matters pending in the supreme or district courts of Oklahoma Territory, or in the United States courts or United States court of appeals in the Indian Territory, arising under the Constitution, laws, or treaties of the United States, or affecting ambassadors, ministers, or consuls of the United States, or of any other country or state, or of admiralty, or of maritime jurisdiction, or in which the United States may be a party, or between citizens of the same State claiming lands under grants from different States; and all cases where there is a controversy between a citizen of either of said Territories prior to admission and a citizen of any State, or between a citizen of any State and a citizen or subject of any foreign state or country, in which cases of diversity of citizenship there shall be more than $2,000 in controversy, exclusive of interest and costs, shall be transferred to the proper United States circuit or district court established by this act, for final disposition, and shall therein be proceeded with in the same manner as if originally brought therein: *Provided*, That said transfer shall not be made in any such case where the United States is not a party, except on application of one of the parties, in the court in which the cause is pending, at or before the second term of such court after the admission of said State, supported by oath, showing that the case is one which may be so transferred. The proceedings to effect such transfer, except as to time and parties, shall be the same as are now provided by law for the removal of causes from a State court to a circuit court of the United States. Cases transferred from appellate courts shall go to the circuit courts of the United States in such State, which courts, for the purpose of hearing such cases, are hereby vested with all the powers of such Territorial appellate courts. If the circuit court shall affirm the judgment, it shall, if the case be one then originally cognizable in the district court, remand it to that court for carrying into effect the judgment of the trial court; but if the case be one then originally cognizable in the circuit court, it shall carry into effect the judgment of the trial court. If the circuit court shall reverse the judgment, it shall, if the case be one then originally cognizable in the district court, remand the case to that court for a new trial; but if the case be one then originally cognizable in the circuit court, it shall set the case down for a new trial therein. All final judgments and decrees rendered in such circuit and district courts in such transferred cases may be reviewed by the Supreme Court of the United States, or by the United States circuit court of appeals, in such cases and in the same manner as is now provided by law with reference to the judgments and decrees of the existing United States circuit and district courts.

"Prosecutions for all crimes and offenses committed within the Territory of Oklahoma or in the Indian Territory, pending in the district courts of the Territory of Oklahoma or in the United States courts in the Indian Territory upon the admission of such Territories as a State, which, had they been committed within a State, would have been cognizable in the Federal courts, shall be transferred to and be proceeded with in the United States circuit or district court established by this act for the district in which the offenses were committed, in the same manner and with the same effect as if they had been committed within a State. Prosecutions for all such offenses committed within either of said Territories and pending in the supreme court of the Territory of Oklahoma, or in the United States court of appeals in the Indian Territory, upon the admission of such Territories as a State, shall be transferred to the United States circuit courts created by this act for the district within which the offense was committed, which courts are hereby vested with the same jurisdiction to hear such cases as is now vested in the appellate courts of such Territories. Upon the affirmance or reversal by the circuit court of a judgment in any such case, like proceedings shall be had, and like appeals and writs of error allowed, as is provided in this section of this act in civil cases."

SEC. 2. That section 17 of said act is hereby amended so as to read as follows:

"SEC. 17. That all causes, proceedings, and matters, civil or criminal, pending in the supreme court of the Territory of Oklahoma, or in the United States court of appeals in the Indian Territory, not transferred to the United States circuit or district courts in said State of Oklahoma shall be proceeded with, held, and determined by the supreme court or other final appellate court of such State as the successor of said supreme court of the Territory of Oklahoma and of the United States court of appeals in the Indian Territory, subject to the same right to review upon appeal or writ of error to the Supreme Court of the United States now allowed from the supreme or final appellate court of a State under existing laws."

SEC. 3. That section 20 of said act is hereby amended so as to read as follows:

"SEC 20. That all causes, proceedings, and matters, civil or criminal, pending in the district courts of Oklahoma Territory, or in the United States courts in the Indian Territory, at the time said Territories become a State, not transferred to the United States circuit or district courts in the State of Oklahoma, shall be proceeded with, held, and determined by the courts of said State, the successors of said district courts of the Territory of Oklahoma, and the United States courts in the Indian Territory; with the right to prosecute appeals or writs of error to the supreme or appellate court of said State, and also with the same right to prosecute appeals or writs of error from the final determination in such cases made by the supreme or appellate court of such State to the Supreme Court of the United States, as is provided by law for appeals and writs of error from the supreme or final appellate court of a State to the Supreme Court of the United States. All criminal cases pending in the United States courts in the Indian Territory not transferred to the United States circuit or district courts in the State of Oklahoma shall be prosecuted to a final determination in the State courts of Oklahoma under the laws now in force in that Territory."

SEC. 4. That original sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and Arizona to form a constitution

and State government and be admitted into the Union on an equal footing with the original States," and all other laws in conflict herewith are hereby repealed.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I would like to know what the bill provides for, Mr. Speaker.

Mr. HAMILTON. Mr. Speaker, perhaps the report of the House Committee on Territories would give a better explanation than I could give in the brief time that I can consume, but the condition is simply this: The enabling act for the creation of the proposed State of Oklahoma provided, in effect, that all Federal causes should be transferred to the Federal courts provided for in the enabling act. Now, in Indian Territory, I think, there are eight so-called "district courts." Their calendars are congested with small cases, many of them criminal cases, and the Department of Justice advises that something should be done to relieve the Federal courts from the congestion incident to the transfer of these cases to the Federal courts provided for by the enabling act; that is, the Federal courts for the eastern and western districts of the proposed State of Oklahoma. Therefore, this bill in effect provides that all causes which are properly cognizable in said courts shall be cognizable in State courts, and those which are properly cognizable in Federal courts shall be triable in the Federal courts proposed to be created. This is advised by the Department of Justice. The bill has passed the Senate and a similar bill has been reported out by the Committee on Territories of this House.

Mr. MANN. The gentleman says "properly cognizable in the Federal courts." Does he mean by that cases above $2,000?

Mr. HAMILTON. Yes.

Mr. MANN. And that is the only distinction?

Mr. HAMILTON. There are other distinctions, but that covers the matter.

Mr. BURLESON. What Senate committee considered this bill and reported it.

Mr. HAMILTON. The Committee on Territories.

Mr. BURLESON. It was never referred to the Judiciary Committee of the Senate?

Mr. HAMILTON. Certainly not. It was referred to the Committee on Territories of the Senate and reported by that committee, and passed by the Senate. A similar bill was reported by the House Committee on the Territories.

Mr. STEPHENS of Texas. I would like to ask the gentleman if the judges or the State Bar Association of Oklahoma and Indian Territory recommended the passage of this bill?

Mr. HAMILTON. I do not think that has been presented to our committee, but the Department of Justice has been very much interested in this matter and sent a letter to the committee.

Mr. STEPHENS of Texas. Recommending the passage of this bill?

Mr. MANN. Will the gentleman yield to a question?

Mr. HAMILTON. Certainly.

Mr. MANN. Does this bill change the jurisdiction in Federal cases?

Mr. HAMILTON. It changes the jurisdiction; sending many of the cases to the State courts.

Mr. MANN. Then it changes the jurisdiction?

Mr. HAMILTON. There are eight district courts there, and in the present condition of the Indian Territory, all kinds of cases are tried in those courts.

Mr. MANN. I understand that.

Mr. HAMILTON. All those cases that are now pending would be triable in the Federal courts.

Mr. MANN. The criminal and fine cases now pending?

Mr. HAMILTON. Yes.

Mr. MANN. I am surprised that the gentleman did not cover that in the enabling act.

Mr. HAMILTON. We did not cover them all; but nobody could guard against the gentleman's surprise.

Mr. MANN. I thought the gentleman would have guarded against that at least.

Mr. HAMILTON. We did not have an opportunity to consult the gentleman about our enabling act; but some matters have developed since we passed it.

Mr. MANN. What provision is there in this bill for appeals in criminal and other cases?

Mr. HAMILTON. There is no provision in it, but there will be the usual appeal that would be usual in a State case. It simply transfers those cases to State courts.

Mr. MANN. Where there are appeals from the trial courts pending in a higher court, civil or criminal, what becomes of those cases?

Mr. LLOYD. They remain in the higher court.

Mr. MANN. The higher court will remain the same? Is there no provision for any higher court to take these cases?

Mr. HAMILTON. Not in this.

Mr. WALDO. Will the gentleman yield to a question?

Mr. HAMILTON. Certainly.

Mr. WALDO. Do I understand that the result of this legislation, if passed, will be that the cases now pending before the Territorial courts of Oklahoma and the Indian Territory will be divided into two classes, and those properly within the Federal jurisdiction will be transferred to the new Federal courts, and those properly within the jurisdiction of the State courts will be transferred to the new State courts?

Mr. HAMILTON. That is it, in effect.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. HAMILTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was ordered to lie on the table.

TOBE HOLT.

The SPEAKER laid before the House the bill (H. R. 16659) to correct the military record of Tobe Holt, with a Senate amendment, which was read.

Mr. CAPRON. I move that the House concur in the Senate amendment.

The motion was agreed to.

DONATION OF CONDEMNED CANNON.

Mr. LOUD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 16235.

The Clerk read as follows:

A bill (H. R. 16235) authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.

*Be it enacted, etc.*, That the Secretary of War is hereby authorized to deliver to the city of Petoskey, Mich., two brass field pieces (formerly located at Fort Brady, Mich., and now at Rock Island Arsenal, condemned to be converted into scrap brass), with their carriages and implements, the same to be taken care of by said city, and be subject at all times to the order of the Secretary of War.

The amendments recommended by the committee were read, as follows:

In line 3, after the word "to," insert "loan and."
In line 7 strike out the words "with their carriages and implements."
Add to the bill the following:
"*Provided*, That no expense shall be incurred by the United States in the delivery of said cannon."

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, there is one cannon already located at Petoskey, Mich. I desire to know if there are any other abandoned cannon at Petoskey, Mich.?

Mr. LOUD. No; I think not.

The SPEAKER. Is there objection? [After a pause.] The Chairs hears none.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LOUD, a motion to reconsider the vote by which the bill was passed was laid on the table.

FOYS FLATS, TRENT RIVER, NORTH CAROLINA.

Mr. BURTON of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I ask the Clerk to read.

The Clerk read as follows:

House joint resolution No. 253, relating to securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern.

*Resolved, etc.*, That the Secretary of War is authorized to expend such portion of the appropriation made in the river and harbor act of this session for the Neuse and Trent rivers, North Carolina, as may be necessary for securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed it was accordingly read the third time, and passed.

On motion of Mr. BURTON of Ohio, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

CIRCUIT AND DISTRICT COURTS AT DAYTON, OHIO.

Mr. NEVIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 25889) to provide for sittings of the United States circuit and district courts of the southern district of Ohio at the city of Dayton, in said district.

*Be it enacted, etc.*, That from and after the passage of this act there shall be held at the city of Dayton, in the southern district of Ohio, a

term of both the circuit and district courts of said district on the first Monday in May and November of each year.

SEC. 2. That grand and petit jurors summoned for service at such terms of either of the courts aforesaid may be residents of any part of this said southern district of Ohio.

SEC. 3. That prosecutions for crimes or offenses hereafter committed in any part of the said district shall be congnizable at the terms aforesaid of either of the said courts having jurisdiction thereof.

SEC. 4. That all suits which, under existing law, may be brought within the said southern district, or any division thereof, may be instituted, prosecuted, tried, and determined at the said terms of court so to be held in the said city of Dayton.

SEC. 5. That any judge of the United States holding court in the southern district of Ohio in pursuance of existing laws may transfer any suit now pending in the court wherein he shall be so, as aforesaid, sitting to the next term of the circuit or district court, as the case may be, whichever shall have jurisdiction of the same, next to be held at the said city of Dayton, in accordance with the terms of this act.

SEC. 6. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency, but not otherwise.

Mr. MANN. Reserving the right to object, I would like to have an explanation of the bill.

Mr. NEVIN. At this session of the House we have already passed a bill for that purpose. It passed the Senate and went to the Attorney-General; but it turns out that in the bill which we drew, and which was recommended by the Judiciary Committee and passed the House and Senate, we failed to provide that they might draw jurors anywhere in both subdivisions. To cure that defect is the sole purpose of this amendment, and this takes the place of the other bill; nothing else.

Mr. MANN. Let me ask the gentleman: We passed a bill a short time ago for a new judge in Ohio?

Mr. NEVIN. Yes.

Mr. MANN. Is this the same bill?

Mr. NEVIN. No; this is simply a bill providing for the holding of court at Dayton, Ohio, a city of over 100,000 people. The bill that passed both this body and the Senate went to the President for his approval and was referred to the Attorney-General, and the Attorney-General simply said, "You can not draw jurors under the law dividing the district into two sections."

Mr. MANN. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. NEVIN, a motion to reconsider the last vote was laid on the table.

### RECORDS OF THE INDUSTRIAL COMMISSION.

Mr. McCLEARY of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution No. 211, authorizing the transfer of the files, books, and pamphlets of the Industrial Commission.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That all official minutes and files of correspondence of the Industrial Commission deposited with the Librarian of Congress by the joint resolution of February 21, 1902, be transferred to the Department of Commerce and Labor, to become the property of said Department. The Librarian of Congress is hereby authorized to select from the volumes and pamphlets constituting the library of the Industrial Commission such publications as may be needed for the uses of the Library of Congress, which books shall become the property of the Library of Congress, and to turn over the residue of such volumes and pamphlets to the Department of Commerce and Labor, to become the property of the said Department.

Mr. SULZER. Mr. Speaker, reserving the right to object, we should like to have some explanation of this resolution.

Mr. McCLEARY of Minnesota. Mr. Speaker, I have here a letter from the Secretary of Commerce and Labor, which will probably make the explanation desired by the gentleman.

The Clerk read as follows:

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
*Washington, February 7, 1907.*

COMMITTEE ON THE LIBRARY,
*House of Representatives, Washington, D. C.*

GENTLEMEN: I desire to call your attention to House joint resolution No. 211, authorizing the transfer of the files of the Industrial Commission to the Department of Commerce and Labor. Such a transfer would, in my judgment, be of decided advantage to this Department. I am informed by the late secretary of the Commission that its files contain correspondence, statements, papers, statistics, and miscellaneous material collected by the Commission in connection with its work. While doubtless the important results of the Commission's investigations were all published, there is little doubt that some valuable information of a detailed character, or information tending to explain some of the published material, remains in the files unpublished. Inasmuch as the larger part of the field of investigation covered by the Industrial Commission has to do with subjects falling within the jurisdiction of the Department of Commerce and Labor, it would seem that there would be no way in which this material could be made more useful than by transferring it to the files of this Department.

I am informed further that the files of the Industrial Commission are not extensive in bulk, and that they are already so arranged and indexed that they could be transferred to the files of this Department with little difficulty or expense.

You will note that the resolution provides that the publications constituting the library of the Industrial Commission shall, in general, become the property of the Library of Congress. The only exception contemplated is the possible one of a few books which may be directly connected with the testimony or material in the manuscript files.

Very respectfully,

OSCAR S. STRAUS, *Secretary.*

The SPEAKER. Is there objection?

Mr. SULLIVAN. Mr. Speaker, will the result of the passage of this joint resolution be to transfer these files and documents from a place where they are now available to the public to a place where they will not be available to the public?

Mr. McCLEARY of Minnesota. In answer to the inquiry of my friend from Massachusetts I will say no. When the Industrial Commission finished its work and its term of office expired, they were temporarily stored in the building of the Library. This is the material from which they made their report. The Department of Commerce and Labor desires that original material to be in its possession.

Mr. MANN. And the Library wants to be rid of it. I will say to the gentleman that I objected to the proposition when it came up before, and then saw the Librarian of Congress, and he said they had no use for the material; that they wanted to get rid of it; that it was often consulted by the Department of Commerce and Labor, and that they thought it ought to go over there, but that they proposed to retain the books.

Mr. SULLIVAN. The only question is whether experts not connected with the Government service wishing to make an investigation of the original data may be able to make that investigation hereafter when these documents and files are transferred to the Department of Commerce and Labor.

Mr. MANN. The material will go over to the librarian of the Department of Commerce and Labor and will be accessible just the same.

Mr. SULLIVAN. When placed in the library of that Department, will the data be available to the public?

Mr. McCLEARY of Minnesota. Just the same as now.

Mr. SULLIVAN. You are certain about that?

Mr. McCLEARY of Minnesota. There is no question about that.

Mr. MANN. It will be open to the public.

The SPEAKER. The Chair hears no objection.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. McCLEARY of Minnesota, a motion to reconsider the last vote was laid on the table.

### AGRICULTURAL BANK IN THE PHILIPPINES.

Mr. CRUMPACKER. Mr. Speaker, I move to suspend the rules and pass the Senate bill that I send to the Clerk's desk, with the amendments recommended by the Committee on Insular Affairs.

The bill was read, as follows:

An act (S. 6249) to provide for the establishment of an agricultural bank in the Philippine Islands.

*Be it enacted, etc.*, That for the purpose of aiding in the establishment and operation of such an agricultural bank in the Philippine Islands as the general government thereof may hereafter specifically authorize the Philippine government is empowered to guarantee an income of not exceeding 4 per cent per annum upon cash capital actually invested by individuals or corporations in such agricultural bank; such guaranty shall be granted by an act of the Philippine Commission which shall contain, among others, the following provisions:

First. The guaranty shall be made to a company organized under the laws of the Philippine Islands, with its principal office in Manila and with branches in such parts of the islands as may be designated by the Philippine Commission.

Second. The bank shall not grant loans except to those engaged in agriculture and with the sole purpose of assisting agriculture in the Philippine Islands.

Third. No loan exceeding in amount $5,000 shall be made except upon the written authorization of the secretary of finance and justice of the Philippine Islands.

Fourth. Interest charged on loans shall not exceed 10 per cent per annum: *Provided*, That in no event shall the total annual contingent liability under the guaranties authorized by this act at any time exceed $200,000, and no such guaranty shall continue for a longer period than twenty-five years.

For the further security of the Philippine government said government shall provide by the aforesaid act proper rules, including those for determining the cash capital actually invested in such bank and the net income actually received on said capital so invested, and shall provide for supervision by said Philippine government, through the auditing and other appropriate bureaus thereof, of the conduct of the business of the bank.

The bank shall make such reports from time to time as to its receipts and expenditures in such form and substance and sworn to by such officials as may be prescribed by the Philippine government, and its books and accounts shall be at all times open to inspection by any authorized agent of the Philippine government.

SEC. 2. That money paid by the Philippine government pursuant to the aforementioned guaranty shall be a liability of the bank of the Philippine government, and, as such, shall constitute a lien upon and be paid out of the annual net profits of the bank, subject only to the right of the stockholders to receive therefrom 4 per cent dividends per annum upon the bank's cash paid-up capital stock. No dividends above

4 per cent shall be paid, and no profits credited to the surplus fund, either during the period of the government's guaranty or subsequent thereto, until the Philippine government shall have been repaid in full all sums advanced to the bank under said guaranty.

Obligations of the bank to the Philippine government arising from advances made pursuant to the aforementioned guaranty and existing at the time when the bank shall go into liquidation shall constitute a lien on the bank's assets, subject only to the payment of the bank's legitimate debts and the repayment to the stockholders of the par value of the bank's duly authorized cash paid-up capital stock: *Provided*, That nothing in this section shall be interpreted as a guaranty on the part of the Philippine government to the stockholders of the bank of the par value of the bank's cash paid-up capital stock when the bank shall go into liquidation.

SEC. 3. That the bank shall not be permitted to hold real estate beyond that required for business premises: *Provided*, That the temporary acquisition of land as the result of foreclosure, or otherwise, on account of a debt, shall be permitted on condition that land so acquired shall be sold within ten years from the date of acquisition, and all said land not so alienated in good faith shall be forfeited to the Philippine government.

Mr. SULZER. Mr. Speaker, reserving the right to object——

The SPEAKER. Is a second demanded?

Mr. SULLIVAN. I demand a second.

Mr. RUCKER. I demand a second.

The SPEAKER. The gentleman from Massachusetts demands a second.

Mr. CRUMPACKER. I ask unanimous consent that a second be considered as ordered.

Mr. SHACKLEFORD. Mr. Speaker, the gentleman from Massachusetts was not on the floor when the gentleman from Missouri demanded a second.

The SPEAKER. The gentleman from Massachusetts is on the committee.

Mr. SHACKLEFORD. So is the gentleman from Missouri.

Mr. RUCKER. Mr. Speaker, I have no objection to the Speaker recognizing the gentleman from Massachusetts——

The SPEAKER. The Chair had recognized the gentleman from Massachusetts before the Chair knew that the gentleman from Missouri desired to demand a second.

Mr. RUCKER. But I placed myself directly in front of the Chair, hoping that I might be seen.

Mr. SULLIVAN. I am perfectly willing, Mr. Speaker, to yield all the time to the gentleman from Missouri that he desires.

Mr. RUCKER. I demand a second.

The SPEAKER. The gentleman from Massachusetts, on the committee, was recognized by the Chair——

Mr. SHACKLEFORD. But the gentleman from Massachusetts is not on the committee.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. RUCKER. Unquestionably.

The SPEAKER. The Chair will recognize the gentleman from Missouri to demand a second.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second may be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana is entitled to twenty minutes and the gentleman from Missouri [Mr. RUCKER] is entitled to twenty minutes.

Mr. GARRETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT. Will it be in order at any time while the matter is pending to move to substitute the minority bill?

The SPEAKER. It will not be in order. This is a motion to suspend all rules and pass the bill with the amendment.

Mr. ZENOR. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. ZENOR. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZENOR. An amendment could be offered by unanimous consent, could it not?

The SPEAKER. It could by unanimous consent, provided the party in charge of the elephant obtained recognition. [Laughter.]

Mr. CRUMPACKER. Mr. Speaker, the purpose of this bill is to authorize the government of the Philippine Islands to create an agricultural bank, a bank that will be permitted to make loans for agricultural purposes only. The bill prescribes the character of loans and limits the amount of loans that are to be made. It is purely for the purpose of promoting agriculture in the Philippine Islands. The bill is somewhat general in its terms, conferring upon the Philippine government power to organize or create a bank with the peculiar features that are outlined in the bill.

There can be no doubt of the necessity of some relief to the small farmers in the Philippine Archipelago. They are, under existing conditions, the prey of the loan sharks, of the usurer; they are not a provident people, and when planting time comes many find themselves without means to procure seeds and the necessary farm implements. They are compelled to borrow and compelled to pay 25, 40, 50, and even as high as 100 per cent for loans they are able to make. And, more than that, the money lender in many instances exacts a contract requiring the borrower to sell his crop to the lender at prices often ruinously low.

Mr. SULZER. Will the gentleman permit a question?

Mr. CRUMPACKER. I prefer to explain the bill, but I will yield to the gentleman for one question.

Mr. SULZER. In paragraph 4 I see it says in the bill that the interest charged for loans shall not exceed 10 per cent. Does not the gentleman think that is too high?

Mr. CRUMPACKER. Oh, no.

Mr. SULZER. No Territorial bank charges such a high rate of interest.

Mr. CRUMPACKER. The question is whether the provisions of the bill are sufficiently liberal to induce men with means to organize a bank under it. A maximum rate of 10 per cent to farmers in the Philippine Islands would be a great relief and do as much as anything I can conceive of in the way of legislation, if it can be accomplished that way, toward promoting the welfare of the farmer and increasing the prosperity of the archipelago generally.

The bill is recommended earnestly and insistently by the Philippine Commission—able, patriotic men, who are on the ground and who are thoroughly familiar with the characteristics of the Philippine people and who are familiar with existing conditions. It is earnestly recommended by the Secretary of War, who is personally acquainted with the situation there. Before this bill was prepared, special representatives of the Philippine government visited Egypt with a view of studying the Egyptian agricultural bank, a bank that was established there for the purpose of making agricultural loans under the recommendations and at the prompting of Lord Cromer, perhaps the most conspicuous and most successful colonial administrator in the world to-day. This bill proposes to create a bank after the fashion of the Egyptian Agricultural Bank. Many of the features of that bank are embodied in the bill, and that bank, after about eight or ten years of operation, has proved an unqualified success. It has greatly promoted the welfare of the Egyptian farmers, has increased the output of farm products, and has multiplied the prosperity of that country.

Mr. ZENOR. Mr. Speaker, will the gentleman yield?

Mr. CRUMPACKER. I yield for a question.

Mr. ZENOR. I want to inquire of the gentleman whether this bill proposes a system of banking as was proposed in Egypt?

Mr. CRUMPACKER. This bill provides for the creation of a bank with branches—branches for the purpose of making loans. If an agricultural loan bank is to accomplish any useful purpose in the Philippine Islands, it must have loan offices in all the various communities, so that it can bring its benefits to the very door of the people it is intended to assist.

Mr. ZENOR. Just one more question.

Mr. CRUMPACKER. I beg the gentleman's pardon, but my time is so short that I can not yield any more. Criticism has been made of the bill, Mr. Speaker, because it guarantees a 4 per cent dividend on the capital that is actually invested. Any money that the Government is required to expend under that dividend guaranty is a lien upon the assets of the bank, and must be paid currently out of its profits, over and above the 4 per cent, which will be applied to the stock, as long as there is any liability to the Government. I want to impress upon the minds of the gentlemen of this House that while this kind of a bank would not be adapted to conditions in this country—and if it were to be proposed for America I would oppose it—yet if we undertake to establish American standards as our criterion to guide us in enacting legislation for the Philippine Islands, I do not hesitate to say now that our administration of that great trust will be a dismal failure. We must in a large measure trust to the judgment and wisdom and the integrity of the men the Administration selects to represent it in the execution of that trust. Members of this House are not prepared to determine whether a bill of this character is adapted to conditions in the Philippine Islands or not. Because it may not be suitable for the purpose of the people here, a highly and intensely civilized country, is no reason why it is not adapted to conditions that exist in the Philippine Archipelago. Mr. Speaker, I reserve the balance of my time.

Mr. RUCKER. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. SULLIVAN. Mr. Speaker, I simply want the time in order to address one or two questions to the gentleman from Indiana, if he will answer them.

Mr. CRUMPACKER. Mr. Speaker, I shall be glad to answer any questions that I can.

Mr. SULLIVAN. As I read this bill, it imposes an obligation which may ultimately fall upon the United States to pay $5,000,000. That is to say, the amount of the contingent liability may not exceed $200,000 in any one year, and the guaranty shall not continue for a longer period than twenty-five years. Now, under this provision the United States Government would have, in the event of the failure of the bank to meet its expenses, to pay the expenses of the bank and then pay in addition a 4 per cent income upon this capital.

Mr. CRUMPACKER. Oh, no; the gentleman misinterprets the bill. In the first place, the Government of the United States assumes no kind of liability. In the next place, the revenues of the Philippine Islands yield over a million and a half of surplus, and the maximum liability is limited to $200,000 a year upon the part of the Philippine government. A few years' experience will demonstrate whether the bank will be a success or not; and the highest amount that the government can pay in any one year is $200,000, and that only in the way of guaranties of dividends. The government does not guarantee the solvency of the borrowers; it does not guarantee the collectibility of the loans; it simply guarantees when there is not profit enough to pay 4 per cent that it will see to it that the dividend of 4 per cent is paid—that is, the Philippine government guarantees that, not the Government of the United States. This Government assumes no kind of responsibility at all.

Mr. SULLIVAN. Well, that sounds to me more like a prediction than a statement of facts. Suppose, for example, the revenues of the islands are insufficient to maintain the guaranty fund, will not the balance have to be made up out of the Treasury of the United States?

Mr. CRUMPACKER. Most certainly not. There is no provision or feature of the bill that contingently or remotely or impliedly creates any liability, legal, moral, or speculative, on the part of the United States Government.

Mr. SULLIVAN. One more question. If this proposition is enacted, does the gentleman anticipate that it will be very long before the farmers in the United States will ask to have agricultural banks established, and that the National Government shall guarantee their income?

Mr. CRUMPACKER. It is possible the farmers——

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER. Mr. Speaker, I yield one more minute to the gentleman from Massachusetts.

Mr. SULLIVAN. I desire to ask the gentleman if we have not already heard in this country similar demands from the farmers' organizations?

Mr. CRUMPACKER. That may be; but that illustrates the proposition I laid down awhile ago, that if American standards shall be the criterion for legislation in the Philippine Islands, if we can not trust to the judgment and the integrity of our representatives there, our administration will be a sorry and a signal failure. We can not refuse to adopt a policy for those islands under existing conditions because it would not be suitable here. Does the gentleman stand for that general policy of administration and legislation for the archipelago?

Mr. SULLIVAN. No; but I anticipate that representatives of farming districts may cite this law as a precedent in making a demand upon this Congress for similar legislation here. The gentleman states that high rates of interest are charged upon loans now in the Philippine Islands. That seems to indicate that the banking business may be carried on profitably without any guaranty from the Philippine government.

Mr. CRUMPACKER. I did not get the gentleman's statement.

Mr. SULLIVAN. The gentleman's statement that loans are made at high rates of interest, sometimes at a hundred per cent, would seem to indicate that banking business might be carried on profitably in the Philippine Islands without any aid from the Government.

Mr. CRUMPACKER. These loans are small and are made in the interior—five, ten, and twenty-five dollar loans—and the securities are not as stable in the islands as they are here.

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER. Mr. Speaker, I yield five minutes to my colleague [Mr. ZENOR].

Mr. ZENOR. Mr. Speaker, I agree with much that has been said by my colleague from Indiana [Mr. CRUMPACKER] in regard to the necessity of some system of loaning to the people of the Philippine Islands money to conduct their agricultural operations. This bill, however, seems to me to be objectionable in most of its features. My friend the gentleman from Indiana suggests that it is founded upon the idea of what is known as "the Bank of Egypt," which he has well said has been very successful in its operations. It is true that we had a professor of Cornell University, Mr. Kemmerer, who visited Egypt under the instructions of the Philippine government, to make an examination of a similar system of banking of that country, with a view to establishing an agricultural bank in the Philippine Islands, but this bill possesses but very few, if any, of the vital features recommended by the professor of Cornell University, Mr. Kemmerer, based upon his observations of the working of this Egyptian agricultural bank. The system of banking in Egypt, under the provisions of the government, provides limitations and restrictions of the bank to the extent of fixing the capitalization of the bank, and to limit the interest upon the loans made to the agricultural people and a restriction of loans to those who were engaged exclusively and strictly in agricultural business.

That fixed the rate of interest at 10 per cent upon the loan. That bank fixed the maximum as well as the minimum loans to be made, as well as the maximum rates of interest to be paid and upon a gradual reduction thereof. It provided for a reduction of the interest whenever the profits of the bank exceed a certain per cent of the paid-up capital stock. Then, again, it is provided under certain regulations that the "Bank of Egypt" shall reduce the interest from 10 per cent to 9 and so on automatically down to 6 per cent as the profits of the bank should increase and its surplus accumulated. There is no provision in this bill by which this bank, if successful, shall at any time reduce the rate of interest to the people who borrow this money. It is fixed by the provisions of this bill at 10 per cent, and that is the limit authorized to be fixed by the Philippine Commission. In other words, this act simply authorizes the Philippine government to establish an agricultural bank in the Philippine Islands. It does not pretend to fix the capitalization; it leaves it absolutely in the discretion of the Philippine government. And what is the Philippine government? Of whom is it composed? It is the Philippine Commission, and the Philippine Commission has a majority of American citizens, and they would be legislating for the 8,000,000 people in the Philippine Islands. They absolutely will control the form of this bank. We have a substitute that we desired to offer. It is true that this whole business smacks somewhat of the characteristics of paternalism, but there seems to be a necessity by which the people over there should be furnished some money, that some suitable arrangement should be made by the Philippine government to enable the poorer people of those islands engaged in farming to secure loans at reasonable rates of interest. They pay enormous rates of interest. The usurer is abroad in the land, and, with that insatiable greed that always characterizes that class of men, they extort from the Philippine people, compel them to pay anywhere from 25 to 100 per cent. There are no interest laws in the Philippine Islands, and it is a mere matter of contract. This bill ought to provide for a reduction of the rate of interest in the event that the profits of this bank justify such a reduction. If it is meant to conform this proposed bank to the Egyptian bank—a system of providing loans to the Egyptian peasants—it should be made to include similar provisions to that bank and required to reduce the interest upon its loans as its surplus accumulates.

The Philippine government is not limited in the amount of capital at which this bank is to be established. It proposes to authorize a corporation or a company organized under the laws of the Philippine government without any restrictions upon it in these respects. It guarantees, and that is another offensive feature of this bill—the government of the Philippine Islands guarantees the payment of 4 per cent on the amount of cash paid-up capital. The original bill reported by the Committee on Insular Affairs provided that the guaranty of the government of 4 per cent should only apply to the amount of actual money invested in loans. I think that is a wise provision and ought to be incorporated as an amendment in this bill. Why? Simply because the government of the Philippine Islands guarantees the payment of 4 per cent upon the amount of the capital, and this guaranty as a safeguard to the government should be restricted to the amount of cash capital loaned rather than the amount of cash capital paid up. They might have a large amount of capital that is not loaned to the Philippine people. They might organize a company there and they, being secured in a 4 per cent dividend on the amount, might have a paid-up capital far in excess of the demands of borrowers and not loan it out to the people, and yet the government is compelled to pay 4 per cent as a guaranty to the stockholders. It is true

that this restricts the liability of the Philippine government to $200,000 annually. This may operate to limit the liability of the Philippine government in the amount of money upon which it shall pay this 4 per cent guaranty, but yet this limit may be far beyond the demands for loans and compel the government to pay interest upon a surplus idle capital.

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER. Mr. Speaker, how much time has the gentleman from Indiana remaining?

The SPEAKER. The gentleman from Indiana [Mr. CRUMPACKER] has twelve minutes, and the gentleman from Missouri has eleven minutes.

Mr. RUCKER. I yield three minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the principal argument that has been made in favor of this bill is that an agricultural bank established by the Government of Great Britain has been successful in Egypt. If we shall, as a precedent, establish a bank in the Philippine Islands upon the wrong principle, because a like bank has been successful in Egypt, how long will it be before we are asked to establish the same character of banks in this country and the precedent in the Philippine Islands pointed out to us?

The gentleman from Indiana [Mr. CRUMPACKER] in his report says that the plan is somewhat speculative. Why should we enter upon speculative plans like this with the certainty that we are creating a precedent which will come back to us? The gentleman further says that they charge a high rate of interest in the Philippine Islands. Well, they charge 3 per cent a month in this town. They charge 3 per cent a month in New York and in Chicago. And they charge 3 per cent a month in every Southern State and in every State in the Union when they loan small sums of money upon poor security. And if we would establish a bank in the Philippine Islands and guarantee the income because they charge a high rate of interest there, how can we say that we will not do the same thing for our own people here? I warn this side of the House that if this proposition be enacted into law, the first time hard times overtake the country we will be overwhelmed by the demands of the people here that they should be treated as well by the Government as the Filipinos are.

Mr. PARSONS. Will the gentleman yield for a question?

Mr. MANN. I will be very glad to.

Mr. PARSONS. Would the gentleman prefer the plan of the minority bill, which provides that the money shall be loaned by the Government direct?

Mr. MANN. Well, Mr. Speaker, I am not called to vote on the minority bill. But I am not sure that I would prefer to guarantee the interest on the money instead of loaning it direct. If the Government is to stand the loss, in case there be loss, why should they require the Filipinos to pay 10 per cent instead of 4? But as for me, I am in favor of neither project. The gentleman may be in favor of either, but I am unwilling to have the Government committed to such rash methods of financing.

Mr. PARSONS. Will the gentleman yield for another question?

Mr. MANN. I always yield to the gentleman.

Mr. PARSONS. Have we not a precedent for this guaranty in the guaranty that we allow on the railroads in the Philippine Islands?

Mr. MANN. Well, Mr. Speaker, there is a very instance. Because we guarantee on the railroads—a doubtful thing to begin with—therefore the gentleman wants to go another step, and when we go that other step the gentleman will want to take another long stride toward paternalism. It is time to stop when the project comes up.

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER. Will the gentleman from Indiana yield some of his time?

Mr. CRUMPACKER. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. SHERLEY] three minutes.

Mr. SHERLEY. Mr. Speaker, one proposition is apparent to every man's mind, and that is that what would be absolutely unjustifiable legislation for the United States may be proper legislation for the Philippine Islands. The conditions are in no sense analogous. What would be rank paternalism without justification here may be proper legislation there.

Now, as showing the sentiment of the committee having in charge this matter, I call the attention of the House, and particularly the gentlemen on my side, to the fact that the minority report is not a report against the paternalism involved in this scheme, but it is a report carrying that paternalism to a further extent than is proposed in the bill of the majority.

The proposition of the minority of the committee is that the Government shall establish and own the bank. I say there is less danger of paternalism, less danger of building up a political machine of the wrong sort, by fixing the extent that the Government shall interfere, as this bill does, than by creating a bank that from its inception would be likely to be political. The effect of this bill is simply to guarantee 4 per cent interest, and it requires, after 4 per cent of profits shall have been made by the bank, that whenever any more is earned it must be used in paying off the indebtedness to the Philippine government, if any exists, before any extra dividend is paid. Now, that is paternalistic, unquestionably; but the situation in the islands, known to men who have been there and those who heard the testimony before the committee, warrants us in taking this step. The minority in this matter have offered a proposition that does not strike at the principle involved, but simply carries that principle to a further extent, and, in my judgment, to a worse extent. We have signally neglected our duty to the Philippine Islands. The Filipinos are going to judge us not by words, but by deeds, and this Congress owes it to them to enact remedial legislation. This is the first opportunity we have had of passing a bill that would be of benefit to them that we know will become law. While I do not like everything in it, I believe in its main features and shall vote for the bill. And again, gentlemen on my side, if they vote against the bill, must vote against the principle rather than for anything that is said by the minority of the committee, because the minority of the committee in their report favor a more paternalistic plan. [Applause.]

Mr. CRUMPACKER. I yield one minute to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, I simply desire to put myself on record in favor of the passage of this bill. As the gentleman from Kentucky [Mr. SHERLEY] has said, this Congress has signally failed to do its plain duty to the Philippine people. We have adopted a policy treating them in many respects as American citizens, and in other respects denying them the privilege of American citizens. The Philippine tariff bill should be law to-day. As it is not law, let us give them one crumb of comfort. Let us pass this bill. [Applause.]

Mr. CRUMPACKER. I yield one minute to the gentleman from Connecticut [Mr. HILL].

Mr. HILL of Connecticut. Mr. Speaker, there is not a cent of liability assumed by the United States under the provisions of this bill. I can not in a minute give you my views on the subject. During the past week I spent an entire evening studying this bill and reading the testimony before the committee, and can confidently state that it only gives to the Philippine people, in effect, the same privileges which the State of Connecticut gives its people to organize mutual savings banks, except so far as the guarantee is concerned. But not one penny of liability will necessarily be placed on the Philippine government because of that guaranty. Their people will have an opportunity to put their savings into the capital of this bank, and, starting as it will on a small scale, the hope is that it will grow as like institutions have elsewhere, so that great benefit will come to the small farmers and relieve them from the exactions of the usurer and foreign traders who now control their crops. Why should we not allow them to help themselves in this way? There is no commercial feature in this bank. It is simply a farmer's proposition; nothing more nor less.

Mr. CRUMPACKER. I yield one minute to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I of course in a minute of time will not undertake to discuss the merits or demerits of the bill. My position is taken in this way: We have treated the Filipinos with more reprehensible wrongdoing than did the Spanish Government before us. That was a nation raised and bred in the belief of the Divine right of kings to oppress. We profess to be a Christian people, in favor of liberty. Men who understand this situation absolutely, and have been in touch with the whole Philippine question from the beginning, indorse this measure. If we pass this measure they will be held responsible for its operation; if we refuse to pass the measure we shall put ourselves in the attitude of being unwilling to do anything for the relief of the suffering people in the Philippine Islands. This is the first opportunity we have had, and I beg the House to stand by the proposition.

Mr. CRUMPACKER. I yield one minute to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, I can only say in that one minute I am heartily in favor of this bill. I believe that all the people who are interested want the bill, that it is necessary to meet their condition, and therefore I hope the bill will pass.

Mr. CRUMPACKER. I yield one minute to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, I should like it very much if it were possible to vote for the bill recommended by the

minority of this committee. I should like it very much if there were greater opportunity for consideration of the general subject. I am satisfied, however, that for the Filipino people some remedial legislation is practically a matter of life and death. There are a good many things about this bill which I do not like, but between this bill and nothing, viewing it, as I am trying to do, from the standpoint of the interest of the people of the Philippine Islands, I intend to vote for the bill. Those people are absolutely subject to our control, as things are. I wish they were not. I would gladly give them control of their own affairs, and entirely cut loose, but while we do assume and exercise control over them, certainly, in humanity, they are entitled to a chance to make a living, and a chance to get the means with which to make that living. I do not think there is any difference of opinion in the Philippine Islands—however much they divide up into classes and sects and sections with reference to other matters, and however widely apart they are upon some other questions, I do not believe there is a difference of opinion among the Filipinos as to the necessity of some legislation providing for an agricultural bank. [Applause.]

[Here the hammer fell.]

Mr. CRUMPACKER. I ask that the gentleman from Missouri [Mr. RUCKER] exhaust his time. I think there are four minutes left to this side.

Mr. RUCKER. Mr. Speaker, the only pretense of excuse for this un-Democratic, un-Republican, un-American legislation is the deplorable condition, gentlemen say, into which we have plunged the people of the Philippine Islands through our administration. If the testimony before the people may be relied upon, after nearly ten years of American administration there, the condition of the people has grown rapidly worse and worse, until to-day the representatives of the American people are asked to do that which, in my judgment, is a shock to the intelligence and patriotism of every Member of this House.

Mr. Speaker, I want to say that the minority of the Committee on Insular Affairs did not expect sympathy from all gentlemen on this side of the Chamber. We are conscious of the fact that one of the most powerful and influential individuals in the United States, a man of great persuasive powers, the Secretary of War, is behind this bill, and we anticipated that gentlemen who have heretofore accepted the hospitalities and courtesies of the Secretary of War would possibly be in sympathy with his wishes in this matter. [Applause on the Democratic side.]

Mr. PARSONS. Will the gentleman yield for a question?

Mr. RUCKER. I will yield for one short question, although I have no time.

Mr. PARSONS. I think the gentleman should explain to the House what he means by the hospitalities of the Secretary of War.

Mr. RUCKER. Oh, the gentleman accepted them and knows what I mean. He is too intelligent to have any doubt about it.

Mr. PARSONS. Will the gentleman yield for another question?

Mr. RUCKER. Well, now, I can not take up all my time—but once more.

Mr. PARSONS. Did not the Secretary of War urge Members of this House and of the Senate to go to the Philippine Islands, just so that they could intelligently legislate on these matters?

Mr. RUCKER. I want to say that, so far as I know, few knew anything about the trip. I am not going to talk about that. I want to say that while no Democrat advocated, as an original proposition, the minority views as expressed here, we do think they are decidedly better than the bill reported by the majority. We believe that if these people must be exploited it is better that it be done by their own people than by Americans clothed with authority by the United States Government. Not only that. In the views of the minority is expressed the hope of ultimate deliverance from that great incubus which to-day is bearing down the public of the United States. From year to year this legislation will haunt us and grow more odious in the estimation of all liberty-loving people.

Mr. Speaker, I shall, perhaps, extend my remarks in the RECORD, but will not consume more time, as I desire to yield now to the gentleman from Mississippi [Mr. WILLIAMS] the remainder of my time.

Mr. WILLIAMS. Mr. Speaker, the gentleman from Missouri [Mr. RUCKER] was exactly right when he said that this legislation is un-Democratic, un-Republican, and un-American. Mr. Speaker, it is but another illustration of the fact that it is impossible to bring into harmony the spirit of Americanism, which is republicanism, and a crown colonialistic system. Go on with this mad experiment in crown colonialism, denying and defying the very birth principle as well as the life principle of the Republic, and every now and then you will find yourselves seemingly forced to resort to schemes like this. The old Populist scheme of a subtreasury was an angel in white in comparison with this scheme. [Applause on the Democratic side.]

Here you are, going out to the Philippine Islands and guaranteeing a profit of 4 per cent to financiers who desire to engage in the banking business. These subtreasuryites never asked that; they merely asked that they be loaned the money at 2 per cent on the deposit of excellent security. You are proposing to pay bankers 4 per cent to guarantee them against loss in a business of their choice, to guarantee that they shall earn 4 per cent as an inducement for engaging in a private business that they can keep out of if they want to. One of two things is true—either this banking scheme is a profitable scheme, or it will be a losing one. If it is a profitable scheme, then the Filipino government ought to have nothing to do with it; its interference is unnecessary. These people can carry it on by themselves. If it be a losing scheme, there is no reason why the poor, destitute Filipino people, plowing with forked sticks, should be taxed in order to pay 4 per cent dividends to a lot of American capitalists who wish to financially assimilate them. [Applause.]

Why, Mr. Speaker, I do not know what the word "democracy" means if this is democracy. The gentleman from Kentucky says that this bill is better than the minority bill which was offered as a substitute. There never was any excuse for the minority bill except that it *was a* substitute. It was a choice between two evils, but, thank God, in the present parliamentary situation we are not reduced to the choice. We are placed where we can beat both evils, and beat both because they are poth paternalistic, highly crown colonialistic, highly un-American, and highly undemocratic. [Applause.]

The birth principle of Americanism was a protest against crown colonialism. But you say that you have got yourselves into a fix. You have fallen into crown colonialism and therefore you are bound to govern according to crown-colonialistic principles. In trying to get out of it you fall deeper into the mire. If you really want to get out of it, get out, and if you are going to stay there, for God's sake make the experiment of Americanism in the Orient and see how far it will go before you claim that it would end in failure.

Mr. Speaker, I will never vote at any time that any government for which I legislate, the American Government or the Filipino government, shall guarantee to self-seeking, profit-hunting capitalists 4 per cent upon their capital, provided they carry on a banking business which will bring perhaps incidental benefits to somebody, but certainly direct benefits and sought-for benefits to themselves. [Applause.]

Mr. SLAYDEN. Mr. Speaker, I would like to submit a request to the gentleman from Indiana [Mr. CRUMPACKER] who has charge of the bill, and through him to the House, that the debate on this matter be extended, by unanimous consent, for five minutes on a side.

Mr. MANN. Would the gentleman be willing to make it so as to give all of the Taft party a chance to speak? [Laughter.]

Mr. CRUMPACKER. Mr. Speaker, I now yield two minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, I wish every Member of the House had been in the Philippine Islands and seen the actual conditions there. If they had, there would be very few votes against this bill. [Applause.] I met a banker at Zamboanga who has a capital of $25,000, and he told me that he loaned his entire capital the year round at 3 per cent a month, and had the best of security, because he owned their crops and never lost a dollar. Now, how can you carry on farming at such a rate of interest?

The gentlemen talk about their establishing their own banks. Why, they have lived there for four hundred years and they have never put a dollar in the bank, and you could not get American capital to go in unless you guaranteed something to pay them for the investment. It is so in building railroads, and the Philippine government is to guarantee them 4 per cent on the capital stock put into these banks that we may reduce the rate of interest paid by these farmers to 10 per cent. If gentlemen could only see things as they are there, if they could hear the intelligent Filipino people, who to a man are in favor of this banking system and who believe it is the only hope for the farmer, they would not hesitate to vote for this bill. Two things these people have wanted. One was the tariff bill and the other was the banking bill; but they said, "For God's sake give us the banking bill anyway." That is the reason I am for it. I believe it will help those people. I believe it will help them to build up agriculture, and I believe it will aid in making them prosperous. I believe it will make our rule there a blessing to these people instead of a burden. [Applause.]

Mr. CRUMPACKER. Mr. Speaker, I yield the balance of my time to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, the Philippine government desires to incorporate an agricultural bank—a private bank—in the Philippines, restricting the rate of interest charged to 10 per cent and the loans to $5,000 as a maximum, and permitting them to be made only to people engaged in agriculture and for the purpose of encouraging agriculture. In consideration of these restrictions, and to encourage private capital to engage in the enterprise under these limitations, that government proposes to give its own guaranty to the amount of 4 per cent of the amount invested for twenty-five years. If the Philippine government stood by itself it would do this thing without asking our permission, but owing to the relation between that government and ours it can not act without the consent of Congress. So far as we are concerned, this bill, as wittily described by a writer in the New York Sun, amounts to nothing more than dropping a button into the contribution box. It costs us nothing. If we may judge from the experience of the Egyptian agricultural bank, it will cost the Philippine government nothing. But so far as the Filipinos are concerned, their government is asking us to push the necessary button to enable them to do the rest. The prosperity of the Philippines depends almost entirely upon the success of agriculture. Those people, in restocking their little farms with cattle, procuring the necessary implements, and buying seed, are in the clutches of the money sharks, who charge them anywhere from 25 to 100 per cent interest. I hope there is common sense enough and patriotism enough in this body to pass this bill. Give them the opportunity they desire to reduce the interest of the usurer and increase the interest of agriculture in the Philippines. [Applause.]

The SPEAKER. The question is on suspending the rules, agreeing to the amendment, and passing the bill.

Mr. RUCKER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 188, nays 69, answered "present" 5, not voting 115, as follows:

YEAS—188.

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|---|---|---|---|
| Aiken | Dickson, Ill. | Kline | Perkins |
| Alexander | Dixon, Mont. | Knapp | Pollard |
| Allen, Me. | Dovener | Knopf | Ransdell, La. |
| Allen, N. J. | Draper | Knowland | Reeder |
| Andrus | Driscoll | Lacey | Reyburn |
| Bankhead | Dunwell | Lafean | Reynolds |
| Bartholdt | Edwards | Landis, Chas. B. | Rodenberg |
| Bates | Ellis | Landis, Frederick | Ruppert |
| Bennet, N. Y. | Englebright | Law | Samuel |
| Birdsall | Esch | Lawrence | Schneebeli |
| Bonynge | Fassett | Legare | Shartel |
| Bradley | Fordney | Lilley, Conn. | Sherley |
| Brick | Foster, Vt. | Littauer | Sherman |
| Brownlow | Fowler | Littlefield | Sibley |
| Brumm | French | Longworth | Slemp |
| Buckman | Fulkerson | Lorimer | Small |
| Burke, S. Dak. | Gaines, W. Va. | Loud | Smith, Cal. |
| Burleigh | Gardner, Mass. | Loudenslager | Smith, Ill. |
| Burton, Del. | Gardner, Mich. | Lovering | Smith, Iowa |
| Burton, Ohio | Gardner, N. J. | Lowden | Smith, Mich. |
| Calder | Gilhams | McCall | Smith, Pa. |
| Calderhead | Graff | McCreary, Pa. | Smyser |
| Campbell, Kans. | Greene | McGavin | Snapp |
| Capron | Gronna | McKinley, Ill. | Southard |
| Cassel | Grosvenor | McKinney | Sperry |
| Chaney | Hale | McLachlan | Stafford |
| Chapman | Haskins | McMorran | Sterling |
| Cocks | Hayes | Mahon | Stevens, Minn. |
| Cole | Hedge | Martin | Sulloway |
| Conner | Henry, Conn. | Maynard | Tawney |
| Cooper, Pa. | Hepburn | Mondell | Taylor, Ala. |
| Cooper, Wis. | Higgins | Moore, Pa. | Taylor, Ohio |
| Coudrey | Hill, Conn. | Mouser | Thomas, Ohio |
| Cousins | Hinshaw | Mudd | Tirrell |
| Cromer | Holliday | Murdock | Townsend |
| Crumpacker | Howard | Needham | Volstead |
| Currier | Howell, N. J. | Nelson | Vreeland |
| Cushman | Howell, Utah | Nevin | Wachter |
| Dale | Hubbard | Olcott | Wadsworth |
| Dalzell | Hull | Olmsted | Wanger |
| Davidson | Humphrey, Wash. | Otjen | Washburn |
| Davis, Minn. | Jones, Wash. | Overstreet, Ind. | Watson |
| Dawes | Kahn | Padgett | Weeks |
| Dawson | Keifer | Parker | Weems |
| De Armond | Kennedy, Nebr. | Parsons | Wiley, Ala. |
| Deemer | Kennedy, Ohio | Payne | Wiley, N. J. |
| Denby | Kinkaid | Pearre | Wood |

NAYS—69.

| | | | |
|---|---|---|---|
| Adamson | Davey, La. | Hill, Miss. | Overstreet, Ga. |
| Bartlett | Dixon, Ind. | Houston | Patterson, S. C. |
| Beall, Tex. | Finley | Humphreys, Miss. | Pujo |
| Bell, Ga. | Fitzgerald | James | Rainey |
| Bowers | Flood | Keliher | Randell, Tex. |
| Brantley | Garrett | Lamb | Richardson, Ala. |
| Broussard | Gill | Lee | Riordan |
| Brundidge | Gillespie | Lever | Robinson, Ark. |
| Burleson | Glass | Lloyd | Rucker |
| Burnett | Granger | McNary | Russell |
| Clark, Mo. | Gregg | Mann | Ryan |
| Clayton | Hay | Meyer | Saunders |
| Darragh | Heflin | Moon, Tenn. | Shackleford |
| Sheppard | Southall | Thomas, N. C. | Williams |
| Sims | Stephens, Tex. | Trimble | Zenor |
| Slayden | Sullivan | Underwood | |
| Smith, Md. | Sulzer | Watkins | |
| Smith, Tex. | Talbott | Webb | |

ANSWERED "PRESENT"—5.

| | | | |
|---|---|---|---|
| Burgess | Hughes | Jenkins | Lilley, Pa. |
| Goulden | | | |

NOT VOTING—115.

| | | | |
|---|---|---|---|
| Acheson | Field | Kitchin, Wm. W. | Reid |
| Ames | Fletcher | Klepper | Rhinock |
| Babcock | Floyd | Lamar | Rhodes |
| Bannon | Foss | Le Fevre | Richardson, Ky. |
| Barchfeld | Foster, Ind. | Lewis | Rives |
| Bede | Fuller | Lindsay | Roberts |
| Beidler | Gaines, Tenn. | Livingston | Robertson, La. |
| Bennett, Ky. | Garber | McCarthy | Scott |
| Bingham | Garner | McCleary, Minn. | Scroggy |
| Bishop | Gilbert | McDermott | Smith, Ky. |
| Blackburn | Gillett | McKinlay, Cal. | Southwick |
| Boutell | Goebel | McLain | Sparkman |
| Bowersock | Goldfogle | Macon | Spight |
| Bowie | Graham | Madden | Stanley |
| Broocks, Tex. | Griggs | Marshall | Steenerson |
| Brooks, Colo. | Gudger | Michalek | Towne |
| Brown | Hamilton | Miller | Tyndall |
| Burke, Pa. | Hardwick | Minor | Van Duzer |
| Butler, Pa. | Haugen | Moon, Pa. | Van Winkle |
| Butler, Tenn. | Hearst | Moore, Tex. | Waldo |
| Byrd | Henry, Tex. | Morrell | Wallace |
| Campbell, Ohio | Hermann | Murphy | Webber |
| Candler | Hogg | Norris | Weisse |
| Clark, Fla. | Hopkins | Page | Welborn |
| Cockran | Huff | Palmer | Wharton |
| Davis, W. Va. | Hunt | Patterson, N. C. | Wilson |
| Dresser | Johnson | Pou | Woodyard |
| Dwight | Jones, Va. | Powers | Young |
| Ellerbe | Kitchin, Claude | Prince | |

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

For the vote:

Mr. HAMILTON with Mr. GOULDEN.

Mr. GRAHAM with Mr. SPARKMAN.

Mr. BEDE with Mr. LAMAR.

Until further notice:

Mr. PRINCE with Mr. SPIGHT.

Mr. BABCOCK with Mr. JONES of Virginia.

Mr. POWERS with Mr. GAINES of Tennessee.

Mr. ACHESON with Mr. BURGESS.

The result of the vote was announced as above recorded. [Applause.]

SUNDRY CIVIL APPROPRIATION BILL.

Mr. TAWNEY. Mr. Speaker, I desire to present a conference report on the sundry civil appropriation bill. I also submit a statement, and I ask unanimous consent that it be read in lieu of the report.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the statement.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

An act (H. R. 25672) to amend an act entitled "An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 23650) to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made and to dispose of the merchantable timber, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 25719. An act to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building;

H. R. 20490. An act for the relief of Frank J. Ladner;

H. R. 12623. An act granting a pension to Minnie C. O'Connor;

H. R. 3208. An act granting a pension to Isabel T. Borthwick;

H. R. 24655. An act to authorize the legislature of Oklahoma to dispose of a certain section of school land; and

H. R. 25889. An act to provide for sittings of the United States

circuit and district courts of the southern district of Ohio at the city of Dayton, in said district.

COAL LANDS IN ALASKA.

Mr. LACEY. Mr. Speaker, I ask the gentleman to yield to me long enough to put a bill in conference—the Alaska coal-land bill—if that can be done by unanimous consent. Otherwise I will not press it.

The SPEAKER. If there be no objection, the Chair lays before the House the following House bill with Senate amendment.

The Clerk read as follows:

A bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska.

The Senate amendments were read.

Mr. MANN. I ask to have the substitute read.

The Clerk began the reading of the substitute.

Mr. MANN. I withdraw my request.

The SPEAKER. The Chair hears no objection. The Chair announces the following conferees.

The Clerk read as follows:

Mr. LACEY, Mr. MONDELL, and Mr. BURNETT.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The Clerk will read the statement in regard to the sundry civil appropriation bill in lieu of the report.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 80, 82, 96, 97, and 98.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That the Secretary of the Treasury is hereby authorized, in his discretion, to expend not to exceed one hundred and twenty-eight thousand dollars, instead of seventy-five thousand dollars, authorized by act of June 30, 1906, for the purchase of additional land for a site for said United States subtreasury;" and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the matter stricken out by said amendment insert the following: "To enable the Secretary of the Treasury to have prepared plans, specifications, and estimate of cost for construction of a new building for the Bureau of Engraving and Printing, together with an estimate of the cost of a suitable site for said new building; and also plans, specifications, and estimate of cost of remodeling present buildings and construction of additional necessary building or buildings of land adjoining the present site of said Bureau, and an estimate of cost of acquiring necessary adjoining land for such additional building or buildings, five thousand dollars, or so much thereof as may be necessary;" and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one million four hundred and forty-five thousand and twenty dollars;" and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "eight hundred and forty-one thousand eight hundred and seventy-five dollars;" and the Senate agree to the same.

On amendments numbered 4, 12, 22, 68, 69, 87, 117, and 126 the committee of conference have been unable to agree.

J. A. TAWNEY,
WALTER I. SMITH,
GEORGE W. TAYLOR,
*Managers on the part of the House.*

W. B. ALLISON,
EUGENE HALE,
JAMES H. BERRY,
*Mangers on the part of the Senate.*

The statement was read, as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 25745) making appropriations for the sundry civil expenses of the Government for the fiscal year 1908, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying report, namely:

On amendment numbered 10: Increases the amount that may be expended for additional land for site for a subtreasury at San Francisco from $75,000 to $128,000.

On amendment numbered 11: Appropriates $5,000 to enable the Secretary of the Treasury to prepare plans and specifications and estimates of cost for a new building and site for the Bureau of Engraving and Printing, and also plans and specifications and estimates of cost for remodeling present building and for additional building or buildings for said Bureau, and estimate of cost of additional land for the same.

On amendments numbered 80, 82, and 83, relating to the Geological Survey: Strikes out the appropriation proposed by the Senate of $25,000 for investigation of the black sands and appropriates $300,000, as proposed by the House, instead of $350,000, as proposed by the Senate, for topographical surveys.

On amendments numbered 96, 97, 98, and 99: Appropriates $841,875, instead of $541,875, as proposed by the House, and $1,000,000, as proposed by the Senate, for buildings at military posts.

The committee on conference have been unable to agree upon the following amendments of the Senate, namely:

On amendment numbered 4, concerning public building at Denver, Colo.;

On amendment numbered 12, appropriating $3,000,000 for buildings for Departments of State, Justice, and Commerce and Labor;

On amendment numbered 22, appropriating $125,000 for transportation of silver coin;

On amendments numbered 68 and 69, striking out the provision of the House requiring the statistics as to women and child labor to be taken by the Census Office;

On amendment numbered 87, to establish a national park in Idaho;

On amendment numbered 117, relating to the Spanish Treaty Claims Commission; and

On amendment numbered 126, striking out the provision proposed by the House relating to the purchase of supplies for Executive Departments and inserting, by the Senate, appropriations for purchase of certain parks in the District of Columbia.

J. A. TAWNEY,
WALTER I. SMITH,
GEO. W. TAYLOR,
*Managers on the part of the House.*

Mr. TAWNEY. Mr. Speaker, I move the adoption of the report.

The SPEAKER. The gentleman from Minnesota moves the House agree to the conference report.

The question was taken; and the report was agreed to.

Mr. TAWNEY. Now, Mr. Speaker, I will call attention briefly to the few amendments that still remain in disagreement between the two Houses. The first is the one authorizing the construction of a public building in the city of Denver. Another is the amendment numbered 12, appropriating $3,000,000 for the purchase of three squares south of Pennsylvania avenue, upon which is to be constructed a great departmental building for the Departments of State, Commerce and Labor, and the Judiciary, and on that amendment the conferees on the part of the House thought they were justified, in view of the action taken upon this proposition in this Congress, to further resist its adoption. The next amendment in disagreement is amendment numbered 22, transportation of silver coin, and the amendment striking out the provision adopted by the House for the standardizing of miscellaneous supplies, giving a legislative definition to miscellaneous supplies, and providing for a uniform method of furnishing such supplies, and inserting, as the Senate did, a provision for the purchase of four tracts of land in the District of Columbia for park purposes, and appropriating $1,140,000. Those are the only amendments in disagreement, except the one in respect to the investigation of woman and child labor. That amendment is still in disagreement, and the Senate amendment in regard to a park in Idaho. The amendments that are agreed on are indicated in the statement which has been read to the House. All other amendments that were in disagreement, some ten or twelve, when the House agreed to the conference asked for by the Senate had been agreed to. The one in regard to the appropriation of money for barracks and quarters is agreed

to by increasing the amount appropriated for under the House provision about $200,000 and reducing the amount proposed on the part of the Senate about $150,000. The Senate amendment in regard to the San Francisco building is agreed to with an amendment fixing the limit of cost upon the site for the subtreasury at $128,000. The Senate recedes from its amendment numbered 80, authorizing a scientific investigation into the matter of black sand and an investigation of the processes for the electric smelting of iron ore.

Those are the principal amendments that have been agreed to. The ones I have mentioned are those still in disagreement. Now, Mr. Speaker, I move that the House further insist upon its disagreement to all of these amendments unless there is a demand for a separate vote.

The SPEAKER. The gentleman from Minnesota [Mr. TAWNEY] moves that the House do further insist upon its disagreement to the Senate amendments indicated and ask for a conference.

Mr. MANN. Mr. Speaker, I wish to have a separate vote on a certain proposition. I would like to have a separate vote on the amendment providing for the new Department building and for the last amendment.

The SPEAKER. Upon No. 12 and upon what other amendment?

Mr. MANN. The last amendment.

The SPEAKER. Is there any other amendment?

Mr. MANN. The last amendment is the park amendment.

Mr. WANGER. Mr. Speaker, I desire to have a separate vote upon amendment No. 87.

The SPEAKER. Is there any other?

Mr. BARTHOLDT. I would like an expression on the park proposition.

Mr. TAWNEY. That is already asked for.

Mr. WANGER. I ask that there may be a separate vote on amendment No. 22.

Mr. MANN. On the last amendment—the park amendment.

Mr. CLARK of Missouri. Mr. Speaker, I demand a separate vote on that child-labor business, whatever it is, on the question as to who shall make that investigation. They are amendments Nos. 68 and 69.

Mr. WANGER. Mr. Speaker, I ask for a separate vote on No. 22.

Mr. TAWNEY. No. 68 strikes out "Census Office" and No. 69 "under the Census Office."

The SPEAKER. The amendments on which a separate vote is demanded are Nos. 12, 22, 69, 87, and 126.

Mr. KEIFER. Mr. Speaker, I was not in at the moment this matter was taken up. I understand there was a disagreement on No. 22 as to the transportation of fractional silver coin.

The SPEAKER. A separate vote is asked on No. 22. There are only three amendments left. Without objection the House will insist upon its disagreement to the three remaining amendments, not specified. [After a pause.] The Chair hears no objection. The Clerk will report amendment No. 12.

The Clerk read as follows:

Buildings for the Departments of State, Justice, and Commerce and Labor: To enable the Secretary of the Treasury, in his discretion, to acquire, by purchase, condemnation, or otherwise, the whole of squares Nos. 226, 227, 228, 229, and 230, in the city of Washington, and toward the erection of one or two buildings thereon, $3,000,000. That part of C street, Ohio avenue, D street, and E street lying between the squares named herein is hereby made a part of the site authorized by this act. That should the Secretary of the Treasury decide to institute condemnation proceedings in order to secure any or all of the land herein authorized to be acquired, such proceedings shall be in accordance with the provisions of the act of Congress approved August 30, 1890, providing a site for the enlargement of the Government Printing Office (26 Stat. L., 837). That a commission, to be composed of the Secretary of State, the Secretary of the Treasury, the Attorney-General, the Secretary of Commerce and Labor, and the Superintendent of the Capitol Building and Grounds, which is hereby created, shall report to Congress preliminary plans and an estimate of cost for one or two buildings to be erected on said site, for the use of the Departments of State, Justice, and Commerce and Labor, and for other governmental purposes, said preliminary plans and estimate of cost to be paid for out of the appropriation herein made.

Mr. TAWNEY. Mr. Speaker, I move that the House further insist upon its disagreeing vote to the amendment just read.

Mr. MANN. Mr. Speaker, I ask for a separate vote on this, and I now ask the gentleman that if anybody in the House desires to favor the proposition that he yield time to him.

Mr. TAWNEY. Mr. Speaker, I do not care to discuss it. It has already been discussed at great length, but if there is any gentleman here who wishes to favor the proposition, I will yield him time for that purpose. If not, I will call for a vote. [Cries of "Vote!"]

The SPEAKER pro tempore (Mr. SHERMAN in the chair). The gentleman from Illinois [Mr. MANN] demands what?

Mr. MANN. I asked for a separate vote on this proposition.

The SPEAKER pro tempore. That is what is being taken. The question is on the motion of the gentleman from Minnesota [Mr. TAWNEY] in reference to amendment No. 12, to further insist upon the disagreement.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. MANN. I ask for a division, Mr. Speaker.

The House divided; and there were—ayes 111, noes 4.

So the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment, No. 22.

The Clerk read as follows:

On page 49 strike out:

"Transportation of fractional silver coin: For transportation of fractional silver coin, by registered mail or otherwise, $50,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, fractional silver coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation."

And insert in lieu thereof the following:

"Transportation of silver coin: For transportation of silver coin, including fractional silver coin by registered mail or otherwise, $125,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, silver coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation."

Mr. TAWNEY. Mr. Speaker, this matter was fully debated on yesterday, and the House by a very large majority voted in favor of adhering to our disagreement.

Mr. BURLESON. I will state to the gentleman from Minnesota [Mr. TAWNEY] that since then I have heard many gentlemen state that they voted under a misapprehension. I believe that if this were again submitted to the House and all understood exactly what was involved, they would vote for the amendment as originally proposed.

Mr. TAWNEY. If there is any Member who voted under misapprehension on yesterday, after all the debate we had on this subject, I do not believe that any further debate would remove that misapprehension.

Mr. BURLESON. The trouble was that a number of the gentlemen were in the cloakroom at the time the debate was going on, and they came out, and, without knowing all that had occurred, of course, voted to sustain the committee.

Mr. TAWNEY. I yield two minutes to the gentleman from Pennsylvania.

Mr. KEIFER. I desire to make a motion.

Mr. WANGER. Mr. Speaker, I have no desire to discuss this proposition. I want to move that the House recede from its disagreement to the Senate amendment with further amendments, to wit: In line 15 strike out the words "and twenty-five;" so that it will read "$100,000" instead of "$125,000;" and in line 17 strike out the words "and directed;" so that that will read "the Secretary of the Treasury is authorized to transport from the Treasury," etc.

The SPEAKER pro tempore. The Clerk will report the amendment of the gentleman from Pennsylvania.

The Clerk read as follows:

Amend the amendment, in the second line, by striking out the words "and twenty-five;" and in line 5 of the amendment strike out the words "and directed."

The SPEAKER pro tempore. The motion of the gentleman from Pennsylvania is to recede and concur with an amendment.

Mr. BURLESON. What would be the effect of leaving the words "and directed" out?

Mr. WANGER. Leaving it in the discretion of the Secretary of the Treasury to determine whether or not the requests are bona fide or whether they are part of a scheme to ship a lot of coin backward and forward.

Mr. BURLESON. In the interest of the express companies?

Mr. WANGER. Well, in the interest of anybody; I do not care who.

Mr. BURLESON. You do not mean in the interest of the people?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TAWNEY. I yield one minute to the gentleman from Ohio.

Mr. KEIFER. Mr. Speaker, I only wish to state, so that there may be no doubt about the present attitude of the matter, that I am in favor of the motion of the gentleman from Pennsylvania. It reduces the amount specified in the amendment from $125,000 to $100,000; the Secretary of the Treasury estimated it would require $125,000. And this strikes out the words "and directed." I am not sure that it makes any sub-

stantial change, but if it does, and the Secretary of the Treasury feels that it is necessary to discriminate, I see no objection to that. I hope the motion of the gentleman from Pennsylvania will prevail.

Mr. TAWNEY. Mr. Speaker, just one word. If we are to continue this service, $100,000 will be $20,000 less than the service will cost. We have been appropriating for this service for several years $100,000 a year, and this would simply result in creating a deficit in this appropriation. Now, the purpose of reducing it to $100,000 is to make it a little more popular than it was on yesterdey. I want the House to understand that if they vote in favor of the $100,000 proposition, that that amount will have to be supplemented at the next session of Congress with a deficiency appropriation of from twenty to thirty thousand dollars.

Mr. BURLESON. Now, right on that point. Would that be true? Would there be any necessity for that deficiency if the discretion was vested in the Secretary of the Treasury, and he should ascertain that some of these requests had been instigated by express companies, and turn them down?

Mr. TAWNEY. I do not think that the striking out of the words "and directed" will restrict the discretion that the Secretary of the Treasury now has or that it will result in the saving to the Government of a red cent in the transportation of silver dollars. I want the Members of the House to understand one thing, and that is that the House proposition provides amply for the transportation of fractional silver coin and other minor coin. This proposition is to continue paying $2.15 a thousand dollars for the transportation of silver dollars for the benefit of bankers, department stores, and express companies.

Mr. POWERS, Mr. CLARK of Missouri, and Mr. BURLESON rose.

Mr. TAWNEY. It has been suggested by my colleague on the conference committee, what are the House conferees to do if on one day the House supports their position in opposition to Senate amendments and then upon the following day recedes? What confidence can the conferees have in the House?

Mr. POWERS. I want to ask the gentleman a question and nothing more.

The SPEAKER pro tempore. To whom does the gentleman yield?

Mr. TAWNEY. I yield to the gentleman from Maine.

Mr. POWERS. I want to know if I am correct. Was there not one year ago a deficiency arising from the fact of this appropriation being exhausted, and this House refused to appropriate in the deficiency bill for that deficiency?

Mr. TAWNEY. It did; and subsequently the House appropriated for that deficiency.

Mr. POWERS. Not for that deficiency.

Mr. TAWNEY. For that deficiency, when the general deficiency appropriation bill passed at the end of the session. The next session of Congress continued the service, and after we continued the service it was necessary to make an appropriation, and it went in the general deficiency appropriation bill; we put into it the $10,000 which was omitted in the urgent deficiency bill at the beginning of the session.

Mr. POWERS. Now, one more question. Why should they continue to send it after the appropriation had been exhausted without any direction and when there was no law for it?

Mr. TAWNEY. Well, Mr. Speaker, they did continue to send it, and they were afterwards reimbursed, or the Treasury was reimbursed for the amount by the deficiency appropriation.

Mr. WANGER. And at that time the law required the Secretary of the Treasury to ship the coin.

Mr. CLARK of Missouri. I want to ask the chairman of the Appropriations Committee what has gone with that celebrated statute that you passed here a year or two ago making it a criminal offense for the Departments to create a deficiency?

Mr. TAWNEY. In respect to this deficiency, the antideficiency law which the gentleman refers to was not then upon the statute books.

Mr. CLARK of Missouri. I am not talking about what has happened. I am talking about what you say is going to happen.

Mr. TAWNEY. If the Secretary of the Treasury is authorized to make this expenditure, it is not one of the matters covered by the antideficiency law.

Mr. CLARK of Missouri. Why didn't you make that statute cover all of them?

Mr. TAWNEY. There are some that can not be covered. Where the law creates an obligation that must be met, and the amount appropriated is not sufficient to meet the obligation, that is a deficiency arising not because of any profligate expenditure of the public money, but because Congress failed to appropriate an amount equal to meet the obligation required by law.

Mr. CLARK of Missouri. The Secretary of the Treasury ought to have sense enough to quit when the $100,000 runs out.

Mr. TAWNEY. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Pennsylvania.

The question being taken, on a division (demanded by Mr. KEIFER) there were—ayes 25, noes 81.

Accordingly the motion was rejected.

The SPEAKER pro tempore. The question now recurs on the motion of the gentleman from Minnesota [Mr. TAWNEY].

The motion was agreed to.

The SPEAKER pro tempore. If there be no objection, amendments 68 and 69 will be considered as one. Is there objection?

There was no objection.

Mr. GROSVENOR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSVENOR. I should like to know how long it will be before Congress will be again compelled to vote on the question of transporting silver coin?

The SPEAKER pro tempore. The Chair is afraid it will be after the gentleman from Ohio has an opportunity to vote upon it. [Laughter.]

The Clerk read as follows:

Amendment No. 68: Page 92, line 5, strike out "Census Office."

Amendment No. 69: Page 92, lines 5 and 6, strike out "under the Census Office."

Mr. TAWNEY. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CLARK] five minutes.

Mr. CLARK of Missouri. I want to make a motion to recede and concur.

The SPEAKER pro tempore. The gentleman has a right to make that motion.

Mr. CLARK of Missouri. I do not want to make any remarks about it.

Mr. TAWNEY. That was also voted on yesterday, and I hope the motion will be voted down.

The question being taken, on a division (demanded by Mr. CLARK of Missouri) there were—ayes 25, noes 86.

Accordingly the motion was rejected.

Mr. TAWNEY. I now move to further insist on the disagreement.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 87:

"That the following subdivisions now embraced in the Coeur d'Alene Indian Reservation, in Idaho, to wit: Sections 1, 2, and 12, township 46 north, range 4 west, Boise meridian; sections 35 and 36, township 47 north, range 4 west, Boise meridian; all of those portions of sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, township 46 north, range 3 west, Boise meridian, lying south and west of the St. Joe River, in said township; all of those portions of sections 31 and 32, township 47 north, range 3 west, Boise meridian, lying south and west of the St. Joe River, in said township, is reserved and withdrawn from allotment and settlement and dedicated and set apart as a public park or pleasuring ground for the benefit and enjoyment of the people: *Provided*, That the Coeur d'Alene tribe of Indians shall be paid the appraised value of said lands, and all persons who locate or settle upon or occupy any part of the land thus set apart as a public park, except as provided in the following section, shall be considered trespassers and removed therefrom.

"SEC. 2. That such public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities or wonders within the park, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes, for terms not exceeding ten years, of small parcels of ground at such places in the park as may require the erection of buildings for the accommodation of visitors, all of the proceeds of such leases and all other revenues that may be derived from any source connected with the park to be expended under his direction in the management of the same and the construction of roads and bridle paths therein. He shall provide against the wanton destruction of the fish and game found within the park and against their capture and destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same to be removed therefrom; and, generally, is authorized to take all such measures as may be necessary or proper to fully carry out the objects and purposes of this section."

Mr. FRENCH. I move that the House recede, and concur in the Senate amendment.

The SPEAKER pro tempore. The gentleman from Idaho moves that the House recede, and concur in the Senate amendment.

Mr. FRENCH. Mr. Speaker, I want to say a few words on this proposition. It is for the purpose of creating a park in what is now the Coeur d'Alene Indian Reservation, in Idaho. The necessity for the immediate passage of this amendment to the bill lies in the fact that this Congress has already passed a bill providing for the opening of the Coeur d'Alene Indian Reservation. The bill was passed in the last Congress. The survey work is now practically completed. The work of allotting the land to the Indians should be completed within a few months,

and if so, the reservation will be opened to settlement possibly before the convening of another Congress. If that should occur, then under the provisions of the law this land will fall into the hands of private owners, and it will be impossible for the park to be created by legislation of Congress. In view of this, I urge that the Congress at this time pass this amendment.

Mr. MANN. Is the Government required to purchase any land?

Mr. FRENCH. I think there are something like 6,000 acres included within this proposed park. I would be glad, however, if the committee could see fit to concur in a smaller number of acres than that, although I think it would be well to concur in the amendment just as it is. There will be a nominal price put upon the land by the board of appraisers.

Mr. MANN. What does the gentleman mean by "a nominal price?"

Mr. FRENCH. The price will be fixed by a board appointed by the Department of the Interior for the purpose of classifying and appraising the value of the land.

Mr. MANN. Can the gentleman tell what price is put upon it?

Mr. FRENCH. No; I could not do that.

Mr. MANN. Does the gentleman expect us to embark upon a scheme to purchase land when he can not tell anything about the probable cost?

Mr. FRENCH. I think there is no question but that the amount involved will not be any large amount.

Mr. MANN. But I asked the gentleman what the land would cost, and the gentleman declines to state.

Mr. FRENCH. I could not give the probable value that may be placed upon the land.

Mr. MANN. Then how does the gentleman expect us to favor a *proposition which* might cost the Government a very great sum?

Mr. FRENCH. That could be taken care of later by Congress if it should develop that such was the case. This land is rugged land lying at the junction of the beautiful St. Jo River with Chatcolet Lake, a little lake near Lake Coeur d'Alene, one of the most beautiful spots in Idaho, and which would not have at this time, before the reservation shall be opened, any unreasonable value in a monetary sense, but would have a splendid value for park purposes, because it would be preserved as a beauty spot to which visitors could come from all the Northwest and, in fact, from our whole country.

Mr. BURKE of South Dakota. I would like to ask the gentleman a question.

Mr. FRENCH. I will yield to the gentleman.

Mr. BURKE of South Dakota. Is this on an Indian reservation?

Mr. FRENCH. It is, and it is authorized that it be opened to settlement.

Mr. BURKE of South Dakota. Is it proposed that the proceeds shall be paid to the Indians?

Mr. FRENCH. The proceeds of the sale would be paid to the Indians. The income from the park from leases or from the sale of timber that may be ripe and sold would be used for the purpose of building roads and maintaining the park in a beautiful condition.

Mr. BURKE of South Dakota. Did I understand the gentleman to say that the Interior Department would determine at what price the lands should be paid for?

Mr. FRENCH. Under the provision of the law that has passed it is provided that the land shall be classified and appraised by the Department.

Mr. MANN. What is the number of this amendment?

Mr. FRENCH. Eighty-seven. I would state further, as I have only a moment left, that this amendment has the approval of the Indian Department and the approval of the Secretary of the Interior. The question has been asked by the chairman of the committee why the State can not purchase the land. Under the law as it now is there is no provision whereby the State could purchase the land. It must go to the individual homesteader, who will enter upon the land as soon as it shall be opened to settlement. The only way the State can obtain it would be by buying land from the individual who would acquire title to it directly from the Government.

Mr. BURKE of South Dakota. Would this land be taken for homesteads?

Mr. FRENCH. Yes.

Mr. BURKE of South Dakota. It is of such a class of land that that is possible?

Mr. FRENCH. Yes; it is possible that it could be taken for homesteads. I believe that is all, Mr. Speaker, that I have time to say, and I trust my motion may prevail.

Mr. TAWNEY. Mr. Speaker, just one word. This simply means starting upon another national-park proposition. If the cost was only the initial cost to the Government the question might not be so serious, but when we once get one of these national parks we know from experience that it requires anywhere from $10,000 to $75,000 or $100,000 a year to maintain it and to improve it; and until Congress has had sufficient opportunity to investigate first the feasibility of converting this land into a park, the probable cost of improving and maintaining it when improved, I think that we ought not to authorize the segregation of this land for that purpose.

Mr. JONES of Washington. Mr. Speaker, I would like to ask the gentleman from Minnesota if it is not possible for the conferees to arrange a division by means of which this land might be reserved for such an investigation as that suggested here, so that if it is advisable it may be held for park purposes?

Mr. TAWNEY. Why, I suggest that we better let that matter come before the proper committees of the House, and then let the committees investigate. The conferees in the closing hours of a session have not time to investigate a proposition that involves a large future expenditure.

Mr. JONES of Washington. I desire to suggest to the gentleman that the difficulty about that is that this land, as I understand it, will be allotted possibly during the coming summer.

Mr. TAWNEY. Then why did they delay so long in bringing this in, when they knew, as they must have known long ago, that these lands were to be allotted?

Mr. JONES of Washington. The thing has been agitated all winter.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Idaho, to recede and concur in the Senate amendment.

The question was taken; and the motion was rejected.

Mr. TAWNEY. Mr. Speaker, I now move to further insist upon a disagreement.

The question was taken; and the motion was agreed to.

The SPEAKER pro tempore. The Clerk will read the next amendment.

The Clerk read as follows:

Strike out all of section 11 and insert the following:

"SEC. 11. For acquiring pieces or parcels of land for parks in the District of Columbia, as follows:

"For those pieces and parcels of land lying east of Massachusetts avenue extended, north of Rock Creek and west of Woodley Park, containing 99 acres, more or less, $375,000.

"For the several parcels of ground included between Euclid street, Columbia avenue or Fifteenth street, W street or Florida avenue, and Sixteenth street extended, containing 437,000 square feet, more or less, $475,000.

"For the several parcels of ground lying near the intersection of Branch avenue and Pennsylvania avenue SE., known as the Carpenter tract and the Pennsylvania Avenue Heights tract, containing 122 acres, more or less, $150,000.

"For the tract of land known as Montrose, lying immediately north of road of U street and east of Lovers Lane, on Georgetown Heights, containing 16 acres, more or less, $140,000: *Provided*, That one-half of the above-named sums, or so much thereof as may be expended, shall be reimbursed to the Treasury of the United States out of the revenues of the District of Columbia in four equal annual installments with interest, at the rate of 3 per cent per annum upon the deferred payments.

"And the Commissioners of the District of Columbia are hereby authorized and directed to acquire said park or parks by purchase at such sum or sums as they deem reasonable, not to exceed in any case the respective sums above provided for each park."

Mr. TAWNEY. Mr. Speaker, I move that the House further insist in its disagreement.

Mr. MANN. Mr. Speaker, I move to recede and concur, and I ask for two or three minutes.

Mr. TAWNEY. I yield to the gentleman.

Mr. MANN. Mr. Speaker, I make the motion to recede and concur for the purpose of testing the sense of the House. The House inserted in the bill a provision very much in the interest of economy in the Departments in the city of Washington. The Senate by amendment has stricken that out and inserted a provision for the purchase of four different pieces of ground at prices fixed in the amendment. While personally I am in favor of enlarging the park system in the city of Washington, while I do not believe that the city has parks enough, while those portions of the ground named in the bill with which I am familiar seem to me entirely suitable for park purposes, I do not believe for myself that this is the way to get at it, or that this is the method that should be pursued by us if we desire to purchase the parks. I hope that we may have an expression of the House on the subject.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Speaker, as a member of the Committee on Public Buildings and Grounds, which has had these propositions to establish parks in the city of Washington under consideration for several years, perhaps I am in a position to give some information to the Members of the House on this

subject. The proposition is to establish four parks, one of which is to be at Georgetown. The people of Georgetown have no park at all. Another park is to be established on the top of Sixteenth street, on beautiful Meridian Hill, which, in my judgment, should have been purchased by the Government ten years ago for whatever purposes it might be needed—a park, a botanic garden, an art museum, or a new White House. Whatever the purpose may be, the ground should have been purchased by the Government, in my judgment, long ago. Then there is to be a park in Anacostia, across the Eastern Branch of the Potomac, which would accommodate and satisfy the people east of the Capitol, who have been clamoring for park facilities for years, and then there is the proposition to enlarge Rock Creek Park by the purchase of 100 acres. I want to say that the prices for these different parcels have been fixed by the Commissioners of the District of Columbia, and the Senate in the original bills which they passed had seen fit to accept, whether with or without investigation I do not know, the price fixed by the District Commissioners. When these several bills came to the House the Committee on Public Buildings and Grounds instituted an investigation and found that possibly the price in each instance might be properly reduced, so that the Rock Creek Park proposition was reduced from $423,000 to $375,000, Meridian Hill was reduced from $550,000 to $475,000, the Anacostia proposition was reduced from $210,000 to $150,000, and the Georgetown park from $150,000 to $140,000. Since these reductions have been made by the Committee on Public Buildings and Grounds—and this is a matter that has had consideration by a proper committee, and a bill providing for the purchase of all these four parks is now pending on the Calendar—since, I say, the committee has made the reductions in price, none of the owners of these different parks has been seen or heard from, and consequently we had a right to infer that these reductions were satisfactory to the owners of these different parcels of land.

Mr. MANN. Will the gentleman yield?

Mr. BARTHOLDT. Yes.

Mr. MANN. If the reductions have been made by the Commissioners or the committee without the consent of the owners and the owners have not been heard from, and the bill provides only for purchase and not for condemnation, how does the gentleman know whether we will get the parks?

Mr. RODENBERG. If we do not get them, then there is no harm done.

Mr. BARTHOLDT. We were all against condemnation, because our experience in the city of Washington has been that when condemnation proceedings are instituted, the prices are usually higher than those that may be obtained by purchasing outright.

Mr. MANN. Would it not be easy to say condemnation, and then insert a provision that the price should not exceed a certain amount named in the bill?

Mr. BARTHOLDT. I would be perfectly satisfied to have an amendment of that kind. I want to say in conclusion that as to the necessity of more park facilities in the city of Washington, I believe there can be no doubt. They are needed for the health and comfort of the people, and the utility principle ought in this instance to give way to considerations of welfare of the present and future generations.

The old city of Washington is fairly provided with parks and circles and breathing spots, but the new city of Washington, the part of the city which has been built up on top of Meridian Hill and Mount Pleasant, is to-day without a park of any kind. In other words, the children will have no breathing spots to go to. All that ground has been carved up into lots, and unless Congress acts at the present time and secures these sites for park purposes no park can be had there in the future.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman a question.

Mr. BARTHOLDT. Yes, sir.

Mr. CLARK of Missouri. If you get these parks, are you going to let the children play in them or not?

Mr. BARTHOLDT. Yes, sir.

Mr. CLARK of Missouri. Well, they do not allow them to play in the rest of them.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, I desire to say a word here in reference to the matter now under consideration. It will be remembered by the House perhaps that during the last session of Congress a Commission was appointed, consisting of three Members of the House and three of the Senate, and this Commission was charged with the duty of inspecting and reporting upon the question of additional parks for the District of Columbia. That Commission met, it visited and inspected every piece of property included in this Senate amendment, and they unanimously agreed that all of these parks were necessary and should be purchased, and should be purchased now because they believed that the price was lower now than it would perhaps ever be again. The Committee on Public Buildings and Grounds considered this whole matter. They reported a bill including these four parks. That has been on the Calendar of the House for quite a while, and I might add perhaps, Mr. Speaker, that this bill passed the Senate after this Commission made their report, came over here, was referred to the Committee on Public Buildings and Grounds of the House, and in their deliberations they thought perhaps this property could be bought cheaper than the price named in the Senate bill; therefore it reduced very materially the prices that had been fixed by the Senate. Now, I want to say one more word, Mr. Speaker, in reference to this park question. I am totally indifferent, so far as I am concerned, as to the passage of this bill. It is a matter for the House to determine; but I do want to insist upon this one proposition, that if these parks are to be bought—any of them—then I hope that this House will insist that they all be included. Now, there is a large portion of the District of Columbia that is entirely without parks. Georgetown has none at all. The whole District of Columbia east of the Capitol has no parking privileges. There is where the people live, Mr. Speaker, who have no powerful influence behind them here to come and insist upon the purchase of these parks for their benefit.

My friend from Missouri [Mr. CLARK] asked the question if the children will be permitted to play in these parks. I certainly trust they will, and he well states the proposition when he says in these small parks here in the District of Columbia on every corner and every square you see a sign posted, "Keep off the grass." Now, what we want is for the children of the District, and the mothers in the District of Columbia when they find an opportunity to get out for the day with their children, to have the opportunity to go, and a convenient opportunity, where the children can be turned loose to roam over the hills and enjoy the day while they are out. [Applause.]

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask my friend a question. What assurance have we that they will not have this sign "Keep off the grass" posted on the others?

Mr. BANKHEAD. Well, Mr. Speaker, I do not know how we could give any assurance except we must rely sometimes upon the good sense and management and judgment of the parking system.

Mr. MANN. Will the gentleman yield for a question?

Mr. BANKHEAD. Certainly.

Mr. MANN. If they should accidentally leave off the sign "Keep off the grass," would there not be posted up everywhere a penalty even for touching a twig, as we find all through Rock Creek Park?

Mr. BANKHEAD. Well, perhaps so; but, Mr. Speaker, some regulations must be made. Of course you could not allow, and the people of the District of Columbia would not expect, to go upon the parks and break and carry away the flowers and the shrubs that are intended to beautify them, but these parks in Georgetown and Anacostia and Meridian Hill are large parks—not a square—but they are large and can accommodate——

The SPEAKER. The time of the gentleman has expired.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. CONNER].

Mr. CONNER. Mr. Speaker, I desire to be consistent as well as honest. I do not intend to take any position that can be construed as discourteous to the committee of which I am a member, the Committee on Public Buildings and Grounds, but I think when I favor standing by the conferees on this proposition I am consistent. This matter comes into the House in an extraordinary manner; not on the recommendation of a committee, but attached by the Senate to an appropriation bill. It is true that this proposition was before our committee, and we gave it extended consideration. First, it came up on a recommendation of a commission composed of members of the House and Senate that had been appointed to purchase the property and who reported in favor of its purchase at a certain price, and after some deliberation we concluded that we would make an investigation on the part of our committee, and a subcommittee was appointed to investigate the matter, and that subcommittee turned the proposition down at the price the commission recommended, and when final action was taken on the several propositions the price that our committee fixed on this property was $200,000 less than the commission recommended.

Now, it seems that the owners of the property are quite as

willing to sell for $200,000 less than they were when the commission made its report. The truth is that while our committee made the recommendation to purchase the property at the reduced price, it does not follow that all of the members of the committee were in favor of the proposition. My judgment is that this property can be purchased for a less amount if we have got to purchase it. I have not found any great demand on the part of the people of the city of Washington in favor of purchasing the property outside of a coterie of real estate people.

Mr. NORRIS. Will the gentleman permit a question?

Mr. CONNER. Yes.

Mr. NORRIS. I would like to ask the gentleman if the price in the conferees' agreement for these different pieces of property is higher or lower, or the same as agreed upon by our committee when we were deliberating upon the same subject?

Mr. CONNER. The price the Senate fixed, and which was reported in the sundry civil bill by the Senate, is the same as is fixed by our committee.

Mr. NORRIS. By our committee?

Mr. CONNER. Yes.

Mr. NORRIS. Are all the four propositions——

Mr. CONNER. The four propositions are in at the price fixed by the majority of our committee. Now I say, if for no other reason, I am against this proposition because there does not seem to be any demand for it.

Mr. BARTHOLDT. Will the gentleman permit an interruption here? As to the original price, is it not true that the commission consisting of three Senators and three Members of the House reported in favor of the price the District Commissioners recommended?

Mr. CONNER. I do not criticise the commission in any manner, because they followed the recommendations of the District Commissioners. Take this proposition in Anacostia. The people of Anacostia have not demanded it. This so-called park is a mile and a half from Anacostia, and the children of that city will never have an opportunity to play in this park, even if we should permit them to play there, as they could not get to it and back home the same day. And the objection that exists to the Anacostia proposition exists as to the others. I think if we will wait and bide our time we can buy this property much cheaper than it is proposed to buy it now; I know that some of the property is a good deal cheaper now than it was five or ten years ago. If we will wait, in my judgment, we will be able to buy it cheaper than the Senate bill provides the price shall be.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I have made comments on this proposition before which I am not going to repeat, but after the Committee on Public Buildings and Grounds have reported a bill to this House, embracing these lands, which must be considered in the Committee of the Whole, with opportunity to investigate and go to the bottom of it, with opportunity to amend, why is it brought in here in this fashion? Establish such a precedent as this, and we will have such a performance in every Congress. Washington is a city that has already more shade, more parks, than any other city in the United States, either in proportion to area or population, as I am informed. Now, through a new amendment it is proposed to dragoon this proposition through the House, at a cost that exceeds the value of almost any State capitol in the Union, without consideration.

Mr. BOWERS. Will the gentleman yield to a question?

Mr. SIMS. If the gentleman will be quick about it. I have only five minutes.

Mr. BOWERS. Did the gentleman examine a little before making the statement that this city has more park area than any other city in the United States in proportion to its population?

Mr. SIMS. Yes; or area.

Mr. BOWERS. Has the gentleman compared the park area of this city with that of the cities of Richmond, Va., and Louisville, Ky.?

Mr. SIMS. No; I have not.

Mr. BOWERS. Then I will inform the gentleman that they have more park area in proportion than this city has, and the expense is not only not borne by the State or the United States, but their own city.

Mr. SIMS. Then they have more than they need. I will inform the gentleman——

Mr. BOWERS. I am inclined to disagree with the gentleman.

Mr. SIMS. That one half of this appropriation is going to be paid by the taxpayers of the United States, of whom your constituents form a part.

Mr. BOWERS. They are willing to pay it.

Mr. SIMS. I will further inform the gentleman that for all time to come this money is to be paid one half by your constituents or mine and the other half by the District of Columbia; half of it to be paid by State taxpayers outside of this city. Confine your park expenses to the people who live here.

Mr. BOWERS. My constituents are willing to pay their part.

Mr. SIMS. I have never heard a more unjustifiable proposition in my life than to force upon the taxpayers of the United States, who are not consulted, to pay for and maintain parks here, where there are more parks than are used. Take the gentleman from Iowa, Mr. CONNER'S, statement. They want a park a mile and a half away from the people of Anacostia, where they can not use it. It smacks of jobbery very strong. What else? I am told, Mr. Speaker, that the population of Anacostia and that neighborhood are largely old-fashioned southern negroes, who prefer sunshine any day to shade, so much so that when they build a house in a forest the first thing they do is to cut down every tree around it. If we buy Meridian Hill, which is covered with houses, we will have to tear them down to plant the trees in order to have a breathing space out there. Who has lost his breath in this town for the want of breathing places? The people only work from 9 o'clock until 4, most of them. Who has lost his breath here for want of fresh air? [Laughter.] We are lobbied to death! There are real-estate agents behind all such stuff as this. This House should vote to sustain the conferees without a dissenting voice.

My friend from Alabama, General BANKHEAD, believes in improving and maintaining public roads at the national expense. Let him take half of the $1,140,000 and put it in good roads, if he believes in it, instead of free shade and free sunshine for people who are not asking it and who do not want it. This House will simply respond to an active and vigorous lobby that has been working for years and will continue to do so as long as there is an unsold foot of territory in the District of Columbia that can not be sold to a private party. The price, too, is going down. Even the committee reporting this reports that prices are going down. Why hurry to buy it? Are we afraid we will not be able to buy it before it gets too low? Is that good economy?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TAWNEY. I yield five minutes to the gentleman from Florida.

Mr. CLARK of Florida. Mr. Speaker, consulting my own feelings, I would not say anything on this question. But if two of these items do not smell to heaven of graft, there never was any graft in the District of Columbia. I have not investigated two of these items in this Senate amendment. I have investigated the two others. I will ask the Clerk to read a letter which I send to the desk, as I am suffering from an intense attack of neuralgia, but I do want these facts laid before the House.

The Clerk read as follows:

OFFICE OF THE ASSESSOR, DISTRICT OF COLUMBIA,
*Washington, February 16, 1907.*

Hon. FRANK CLARK,
*Committee on Claims, House of Representatives,*
*Washington, D. C.*

DEAR SIR: In response to your inquiry of the 15th instant, as to the assessed value of certain property included in Senate bills Nos. 54 and 6322, to provide for the purchase of certain land for public parks in the District of Columbia, I take great pleasure in sending you the following information:

The land contemplated in Senate bill 54, "to provide a public park on Georgetown Heights," contains 16 acres, which, for the triennial assessment of 1905–1908, is assessed at 8 cents per square foot, making a total assessed value of $55,756.80, or an approximate true value of $83,635.20. Under the new triennial assessment for 1908–1911, which is now in course of preparation, the assessed value of the land in question will be placed at $83,635.20. Under the rule of an assessed value of not less than two-thirds of the true value, the latter, in this case, would be $125,452.80.

The land contemplated in Senate bill 6322, providing for the purchase of a reservation for a public park in the District of Columbia, aggregates about 121 acres, which, for the triennial assessment of 1905–1908, is assessed at $100 per acre, making a total assessed value of $12,141, or an approximate true value of $18,211.50. Under the new triennial assessment for 1908–1911, the assessed value of the land in question will be placed at $300 per acre, or $36,423. Under the rule of an assessed value of not less than two-thirds of the true value, the latter, in this case, would be $54,634.50.

In response to your further inquiry of the 16th instant, as to the assessment for prior years against the land contemplated in Senate bill 6322, I would state that for the years 1903, 1904, and 1905, parcels 206/1 and 207/8 were assessed at $100 per acre, the same as the present rate, or $5,286 and $2,180, respectively. For the years 1900, 1901, and 1902 the rate was $70 per acre, or $3,700.20 and $1,526, respectively. For the years 1903, 1904, and 1905, and also for 1900, 1901, and 1902, parcels 207/9 and 206/2 were assessed at $70 per acre, or $1,012.90 and $2,259.60, respectively.

Complying with your request for a statement as to the date upon which William Andrew Clark and the United States Realty Company, of Washington, D. C., took title to parcels 206/1 and 207/8, I would state

that this property, which was formerly known as 74.66 acres, Naylor road, was conveyed by deed, dated August 6, 1903, recorded August 24, 1903, by William Andrew Clark and Arthur E. Randle to William A. Clark and the United States Realty Company, of Washington, D. C.

Kindly advise me if I can be of any further assistance to you in this matter.

Respectfully,

E. W. W. GRIFFIN,
*Assessor District of Columbia.*

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TAWNEY. Mr. Speaker, I desire to yield to the gentleman from Iowa, who desires to call up a matter, and I will yield to the gentleman from Florida later.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment joint resolution (H. J. Res. 253) relating to securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 8230. An act for the relief of Harold D. Childs.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HANSBROUGH, Mr. CARTER, and Mr. DUBOIS as the conferees on the part of the Senate.

The message also announced that the Vice-President had appointed Mr. PENROSE, Mr. CARTER, and Mr. CLAY members of the joint committee on the part of the Senate to make an investigation into the entire business system of the Post-Office Department and the postal service, as authorized in the post-office appropriation bill for the fiscal year ending June 30, 1908.

SIXTEEN-HOUR BILL.

Mr. HEPBURN. Mr. Speaker, I desire to call up a message from the Senate. The Senate has disagreed to the report of the conference committee on the bill (S. 5133) to promote the safety of employees and travelers on railroads by limiting the hours of service of employees thereon, and have asked for a conference. I move that the House adhere to its amendment to the Senate bill and ask for a conference.

The SPEAKER. The Clerk will report the title of the bill.

Mr. HULL. The gentleman moves to adhere. That will take the bill out of conference entirely. The gentleman really desires to further insist.

Mr. HEPBURN. To insist upon our amendment.

Mr. DAVEY of Louisiana. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

The SPEAKER. One moment. This conference report is rejected by the Senate; therefore it is no conference report. It is exactly in the same situation as the sundry civil bill is now in, I take it, up to this time. Possibly the sundry civil bill——

Mr. TAWNEY. It was not my intention to yield to the gentleman from Iowa to postpone the sundry civil bill for another conference report. I understood he just wanted to make a motion in regard to the matter.

The SPEAKER. The gentleman submits a motion for unanimous consent that the House do further insist upon its amendment and agree to the conference. Is there objection?

Mr. DAVEY of Louisiana. Mr. Speaker, I desire, at the proper time, to offer a motion to instruct.

The SPEAKER. But this is a request for unanimous consent, and if unanimous consent is given it will put the matter back into conference.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. Will the Speaker permit me to call his attention to the situation?

The SPEAKER. The Chair understands the situation exactly. Now, with the sundry civil bill pending exactly as this bill, the sixteen-hour bill, is pending, the gentleman from Minnesota [Mr. TAWNEY] yielding for that purpose, the gentleman from Iowa [Mr. HEPBURN] asks unanimous consent that the House do insist on its amendments and agree to the conference, and that the conferees be immediately appointed.

Mr. RYAN. Mr. Speaker, a parliamentary inquiry. If unanimous consent is granted, would it be in order then to offer a motion instructing the conferees——

The SPEAKER. No; not if unanimous consent is given.

Mr. UNDERWOOD. Then, Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Alabama demands the regular order. The gentleman from Minnesota is recognized to proceed with the consideration of the sundry civil appropriation bill.

SUNDRY CIVIL APPROPRIATION BILL.

Accordingly the House resumed consideration of the sundry civil appropriation bill.

Mr. TAWNEY. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. CLARK], and I give notice that at the conclusion of his remarks I shall endeavor to close the debate.

Mr. CLARK of Florida. Mr. Speaker, I ask for order. I am very weak and can not readily make myself heard.

If gentlemen will investigate, they will find that the 16-acre tract of land in Georgetown is estimated by the tax assessor to be worth the amount which he states in his letter, and that if you deduct his estimate of the real valuation from the sum named in the bill you will see that these parties are making a profit on this sale to the Government of $25,000 on 16 acres of land in Georgetown.

Mr. BARTHOLDT. Will the gentleman permit me?

Mr. CLARK of Florida. I have not time. I hope I may be permitted to finish my statement, and then if I have time I will yield.

If you will examine the figures with reference to the Anacostia tract, in which, by the way—and I am making no reflections or charges, although I do not believe in the Government trading with Government officials—if you will examine the title, you will find that a Senator of the United States owns one-half interest in the Anacostia property. The other half is owned by the United States Realty Company, which, as I understand it, makes a business of buying up all the worthless lands in the District of Columbia and unloading them upon Congress. When they can not find a purchaser anywhere else, they come to Congress and unload these old ditches and gullies.

If you will examine the figures now as to the Anacostia tract, which comprises 121 or 122 acres, you will find that the tax assessor gives his opinion of the real value, not the assessed value. Deducting that from the price named in the bill, this United States Senator and the United States Realty Company will make a profit of $147,000 on 121 acres of gullies in Anacostia.

Mr. TAWNEY. In justice to the gentleman to whom he refers I ought to say that it was stated this morning in the conference that the Senator referred to by the gentleman knew nothing about this proposition when it was originated and that he demanded that it go out on the very ground that the gentleman has stated in criticising the Senator.

Mr. CLARK of Florida. I think the Senator's wish ought to be complied with by this House, and that it ought to go out. [Applause.]

Mr. BANKHEAD. The gentleman has just stated that the profit in this transaction was $147,000. Now, the price of the whole property is only $150,000 in this bill.

Mr. CLARK of Florida. I beg the gentleman's pardon; it is $210,000.

Mr. BANKHEAD. Oh, no; it has been reduced to $150,000.

Mr. CLARK of Florida. If you reduce the Anacostia property to that figure, then they will still be making a profit of $90,000.

Mr. BANKHEAD. I do not see how you figure that out.

Mr. CLARK of Florida. I figure it out on the opinion of the tax assessor as to what it is worth. His opinion is stated in the letter which I have put in the RECORD. He gives the assessed valuation, and then he gives his opinion of its real value. Deducting that, after you have cut it down to $150,000—they started out at $210,000—there is still a profit of over $90,000 on these 121 acres.

I know nothing about the other two propositions, because I have not investigated them, but there is no need of hurry about this thing. As has been said, there are plenty of parks in Washington, and in the District of Columbia, and there is no necessity for hurry. I have been over to Anacostia, and I tell you there are some ditches there, if the correct land was pointed out to me, that you could put the Capitol into, and you could hardly see the Dome.

Mr. TAWNEY. I now yield two minutes to the gentleman from Maryland [Mr. MUDD].

Mr. MUDD. I only wish to say a word or two. I had never known until I heard the statement made a moment ago just who were the owners of this land. I have no feeling of interest whatever in the matter of the ownership of the land or the price

to be paid for it to any further extent than that the Government shall not pay too high a price. I arose, however, chiefly to correct the statement made by the gentleman from Tennessee [Mr. SIMS], who would not, I am sure, intentionally make an erroneous statement.

He is entirely wrong as to the character of the population of Anacostia. It is a small village of a very worthy and respectable population. It is not made up, as the gentleman states, of "old-fashioned colored people." It consists mostly of white people. For aught I know, they may be "old-fashioned southern white people," who are as much entitled to consideration in the way of provisions for parks as the new-fashioned people, or the "old-fashioned people" either, who make up the northwestern portions of this city.

Mr. SIMS. Then I have been misinformed.

Mr. MUDD. I feel sure of that. Now, Mr. Speaker, it is not the fact that this park is desired mainly for Anacostia. Anacostia is but a small settlement and is practically all built up, or very fairly built up, and, of course, you would not expect to buy land for park purposes just there. The land referred to in the bill is, so far as my information goes, the nearest vacant land suitable for the purposes in the portion of the District across the river bordering on Anacostia, and this land, I may say, is nearer to this Capitol than most of the land that is proposed to be utilized for parks in other sections of the city.

One other word. I, of course, want the Government to pay no more than a reasonable price for any land that is to be acquired for such purposes; but it is not right that this House should be "rattled," so to speak, with the cry of "lobby," as to the price, when it has just been stated here by a member of the committee that the price to be paid for the land has been fixed by the committee itself.

Now, as to the matter of assessment, which has been referred to by the gentleman from Florida.

The Members of the House who are familiar with the method of taxation in the District of Columbia understand that there is a decided difference in the manner of assessment of unproductive lands, sometimes referred to as agricultural lands, from that of land in the built-up sections of the city.

It is not the practice to tax unproductive lands at anything like their real value while they are so unproductive.

As to whether or not this is the proper time to provide parks for the city and District is for the House to say. I trust that it shall be considered fair that when we shall make general provision for parks, as provided in this amendment, we shall not pass by that section of the District in the east and southeast which has no parks at all.

Mr. TAWNEY. I yield two minutes to the gentleman from Mississippi [Mr. BOWERS].

Mr. BOWERS. Mr. Speaker, with reference to the area of parks in this city as compared with other cities in the Union, I want to further correct the statement of my friend from Tennessee [Mr. SIMS] by saying that in addition to the two cities I named when I interrogated him a few moments ago the city of Columbus, Ohio, and the city of Los Angeles, Cal., have a much larger park area in proportion to their population than this city has.

Mr. GROSVENOR. I want to say to the gentleman from Mississippi that the city of Cleveland has one park larger than all the parks of the city.

Mr. BOWERS. I thank the gentleman for the reminder, in which I concur.

Mr. SIMS. Let me ask the gentleman from Mississippi if the United States Government maintains any portion of these parks for anybody?

Mr. BOWERS. I do not see what figure that cuts in this matter. The parks have got to be maintained in some way, and if it is our duty to maintain the parks, I for one shall not shirk my duty.

There is another proposition in reference to the location of the Anacostia park. The statement has been made that it is a mile and a half from Anacostia. This proceeds upon the theory that the park is designed entirely for the use of the people of Anacostia and nobody else; while, as matter of fact, it is designed to furnish a large park for the great population here in east, northeast, and southeast Washington. It is nearer to them than it is to the people of Anacostia, and it is designed for their use and their convenience as well as for the use and convenience of the people of Anacostia.

My information is that is is admirably located, that the green cars that pass along Pennsylvania avenue will take you right into this particular park.

There is one other point I want to notice and then I am through. That is the matter of value. The desirability of these parks was investigated by a joint commission of the Committees on Buildings and Grounds of the Senate and of the House, and that joint commission reported unanimously in favor of it. The commission investigated the value of this property and, as I am informed, took the opinion of the Commissioners of the District of Columbia on that point, and that opinion was given in favor of the purchase of this land at the prices named. I have here in my hand, that I have not time to read, statements of sales, for years back and recently, of lands forming originally a part of these same tracts, and certainly contiguous to them, at prices which are as great or greater than the reduced prices provided for in the bill as reported from the House Committee on Buildings and Grounds.

The SPEAKER. The time of the gentleman has expired.

Mr. BOWERS. Mr. Speaker, I will ask the gentleman to give me one minute more.

Mr. TAWNEY. Mr. Speaker, I regret that I can not yield any further time. This bill must go back to conference. The Senate is now waiting for a conference on the general deficiency bill, and I desire to say one word only in concluding the debate.

Mr. THOMAS of North Carolina. Will the gentleman yield to me for a minute or two?

Mr. TAWNEY. No; I have not the time. This proposition is a proposed appropriation of $1,140,000. It comes to the House from the Senate as an amendment to a proposition passed by the House providing for the purchase of miscellaneous supplies in the several departments. It comes in such form that the Senate has taken our proposition out and substituted for it the park proposition; and therefore if we recede from our disagreeing vote to that amendment, we also lose our purchase proposition, or the proposition for the purchase of miscellaneous supplies. But there is a more serious objection to it than that. Much as I might desire to have the Government of the United States purchase these parks as proposed, if the land can be purchased at a reasonable price, much as I may desire to enlarge the park area of the city of Washington, I do not believe in the proposed method for obtaining it. This proposition comes from the Senate as a new proposition. It is not authorized by law. The Senate has no power to originate an appropriation of this kind; therefore the House should not consider it, regardless of its merits.

Mr. THOMAS of North Carolina. Will the gentleman allow me to ask him a question?

Mr. TAWNEY. Certainly.

Mr. THOMAS of North Carolina. If we sustain the conferees, will the effect of that be to permit the bill as reported from the House Committee on Public Buildings and Grounds to come up regularly?

Mr. TAWNEY. It will not prevent the bill from being considered in the House. The appropriation for the purchase of these parks or for anything else, for that matter, pertaining to the Government should originate in the House of Representatives.

Mr. THOMAS of North Carolina. I mean by that question to ask the gentleman if we sustain the conferees, would not that put an end to the park proposition?

Mr. TAWNEY. I think it will be ended; yes.

Mr. THOMAS of North Carolina. Not necessarily.

Mr. TAWNEY. Oh, not necessarily.

Mr. THOMAS of North Carolina. But it simply eliminates it from the sundry civil bill. Is that right?

Mr. TAWNEY. Certainly. Mr. Speaker, I call for a vote. I will remind the House that the question is on the motion of the gentleman from Illinois to recede and concur. I hope the motion will be voted down.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recede and concur.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 19, noes 145.

So the motion was rejected.

Mr. TAWNEY. Mr. Speaker, I now move that the House further insist on its disagreement to this amendment.

The SPEAKER. The question is on the motion of the gentleman from Minnesota to further insist.

The question was taken; and the motion was agreed to.

The SPEAKER announced the following conferees on the part of the House: Mr. TAWNEY, Mr. SMITH of Iowa, and Mr. TAYLOR of Alabama.

SIXTEEN-HOUR BILL.

Mr. HEPBURN. Mr. Speaker, I call up the conference report on the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, and for other purposes, with House amendments thereto, and I move that the House do further insist on its amendment to the Senate, and agree to the conference asked.

The SPEAKER. The question is on the motion of the gentle-

man from Iowa, that the House do further insist on its amendment and agree to a conference.

Mr. DAVEY of Louisiana. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DAVEY of Louisiana. I desire to know at what time I can offer instructions to the conferees.

The SPEAKER. After the conference is agreed to and before the conferees are appointed.

The motion was agreed to.

Mr. DAVEY of Louisiana. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Louisiana offers the following resolution, which the Clerk will report.

The Clerk read as follows:

That the conferees on the part of the House be instructed to insist on the insertion in Senate bill 5733 the following provision:

"*Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four hour period on not exceeding three days in any week."

Mr. HEPBURN. I would like to ask my colleague if this is the language of the House amendment?

Mr. DAVEY of Louisiana. This is virtually the House amendment, with the word "consecutive" stricken out where it occurs.

Mr. HEPBURN. I would say, then, Mr. Speaker, I do not care to enter into any discussion about the subject, but the information of the conferees and the information of the committee, so far as we have any information, is that under the provisions of these instructions it will be utterly impossible to secure within the limits of the United States the necessary telegraphers. That is the information that comes to us. I have no ability to controvert the fact. I am told by those who assume to know that it will require the addition of 30,000 to the telegraphers' force; that not that number or any number approaching it can be had in the country; that there is a scarcity of this kind of labor; that there is a provision in the constitution of the unions that prohibits them from teaching their art to students or apprentices, and therefore there is a limited number, and that they to-day are in the employ of the railroad companies. That is the information that comes to me. Whether it is truthful or not I do not know, but it is made by respectable gentlemen upon their authority as truthful men.

Mr. UNDERWOOD. Will the gentleman from Iowa allow me to ask him a question?

Mr. HEPBURN. Certainly.

Mr. UNDERWOOD. Is it not a fact that it only requires a few months' work on the part of a young man to learn to be a telegrapher?

Mr. HEPBURN. Mr. Speaker, one of the objections to the present method and one of the things that demand this legislation is that the companies are said to employ men before they are fitted for the proper discharge of their duties, and we have heard the complaint that disaster results because insufficiently skilled boys are frequently employed. I do not know whether that is true or not, but I know the newspapers are full of statements of that kind, and I know that the proponents of this particular legislation have repeated it over and over again.

Mr. UNDERWOOD. Now will the gentleman allow me to ask him another question?

Mr. HEPBURN. Certainly.

Mr. UNDERWOOD. Is not that due to the fact that telegraphers are not paid sufficient salaries to insure the employment at all times of full-grown, responsible men?

Mr. HEPBURN. I am not able to state that; I do not know. I know that the information that came to us is to the effect that the lowest wages that are paid—this is by the Pennsylvania Company—are $44 a month, and from that up to $165 a month. What the actual facts are, I do not know.

Mr. MURPHY. That was east of Pittsburg.

Mr. HEPBURN. Yes, sir; east of Pittsburg, and that is the only information on the subject——

Mr. MURPHY. And the $163 was only to two men who were train dispatchers.

Mr. HEPBURN. I think that is true.

Mr. STERLING. I notice from the reports of the conferees that the limitation of one year was made in regard to prosecutions.

Mr. HEPBURN. Yes, sir.

Mr. SHERLEY. What was the purpose of the conference committee in changing that?

Mr. HEPBURN. Simply there was no one I know of who objected to it, and it was thought that under the peculiar circumstances of this kind of employment and the possibilities that surrounded the situation that one year was ample time to institute a prosecution. It is a matter I care very little about myself, whether it is one or three.

Mr. RICHARDSON of Alabama. Will my colleague allow me to ask him a question? The gentleman has one hour of time allowed, and how much of it will he give to our side?

Mr. HEPBURN. I will yield to the gentleman.

Mr. RICHARDSON of Alabama. I ask it in order to answer the argument the gentleman is making.

Mr. HEPBURN. Does the gentleman want ten minutes?

Mr. RICHARDSON of Alabama. You have sixty minutes.

Mr. HEPBURN. I will divide it with the gentleman and make it thirty minutes on a side.

Mr. DAVEY of Louisiana. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. The instructions asked by my colleague from Louisiana [Mr. DAVEY] is the position that the minority will not recede from, which reads as follows:

*Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week.

We would rather see the bill defeated, if such will be its fate in the Senate, than to fail to get those instructions carried out by the conferees. This bill, Mr. Speaker, has a singular and interesting history on the floor of this House. I am not allowed, as I understood from a suggestion made on the floor the other day, to state how it was that this paragraph relating to telegraphers came into the original bill while the bill was under consideration before the Commerce Committee. I will repeat that, as I understood the other day, it was suggested that a member of a committee was not allowed to make reference to what occurred upon a call of the vote or a record vote in the committee. I shall not be persuaded to infringe on any rule or custom of this House, let it be what it may, but I can not understand, Mr. Speaker, why a record should be made in the committee and no reference be allowed to it on the floor of the House. What good does a record vote do on any matter or subject?

Mr. Speaker, we are contending for the instructions asked by my colleague, because if there is anything of vital importance in this bill, if there is anything that the public welfare is concerned in, it is to adopt such safe and reasonable legislation as will prevent telegraphers and train dispatchers from being overworked. The grave and vital importance to the safety of the public depends more on telegraphers and train dispatchers than on engineers and other trainmen connected with the movements of trains. The instructions asked remove the misleading classification that would permit a telegrapher to be kept on duty more than twelve hours. But my distinguished friend from Iowa [Mr. HEPBURN] indulged in some humor a few days ago when this subject was before the House, Mr. Speaker, when speaking of the minority members of the Interstate and Foreign Commerce Committee. He said (RECORD, February 23):

When they devote themselves to the game of politics, however, they sometimes blunder, and have recently done that, and have induced their colleagues—the minority of this Chamber—to follow them in that blunder.

And in connection with his remarks he said to our distinguished leader [Mr. WILLIAMS], who merely concurred with the minority members of the Interstate and Foreign Commerce Committee in this matter, who had nothing to do with shaping it in any way or form, and a leader that we are willing, so far as I know, to follow under all conditions and circumstances—said the distinguished gentleman from Iowa [Mr. HEPBURN]:

Again the bill reads:

"In all prosecutions under this act the common carrier shall be deemed to have due knowledge of all the acts of its duly authorized agents."

Did he know that that was in the bill?

How puerile his objections now seem to be *when the attention of the House is called to the provisions of the bill.* I called special attention to what I said was a dangerous provision still left in the bill as reported by the conferees of the House on the 23d of the month, and that was the words in the above paragraph, which the gentleman from Iowa [Mr. HEPBURN] called attention to, that the common carriers were only responsible "for all the acts of its duly authorized agents." I

said then that these words were obstacles and impediments in the way of enforcing the law.

And yet I pick up the conference report, with the name of the gentleman from Iowa [Mr. HEPBURN] signed to it, and notwithstanding the fact that he said that our objections at best were "puerile," he has stricken out the very language that the minority contended would be an obstacle in the enforcement of this law, when it said that the railroad or the common carrier alone would be responsible for the acts "of its authorized agents." I notice that the gentleman from Iowa [Mr. HEPBURN] has stricken out the words "authorized agents," and it stands to-day, as the minority of the Interstate and Foreign Commerce Committee has contended from the beginning of this legislation in December, merely that the common carrier is responsible for all the acts of its agents and its officers.

And, Mr. Speaker, I go a little further. We have struggled in the Interstate and Foreign Commerce Committee, earnestly desiring to procure legislation that would protect the public and the lives of the employees of the common carriers, and not to allow them to be worked more than sixteen hours.

But the gentleman from Iowa says that the minority while playing politics have blundered. The record shows affirmatively that the Republicans have been driven from every position they contended for in this legislation. Is this "playing politics?" If so, why the vital concessions made to us by the Republicans? No, Mr. Speaker; the minority of the Interstate and Foreign Commerce Committee and this side of the Chamber have stubbornly refused to consent to the sham and evasive legislation that the Republicans sought to foist on the country in this important and grave question involving the lives of the people who travel on railroads. If that is "playing politics," for one I accept the gentle impeachment.

The fact is, we have caught the Republicans slyly "playing politics" and we have unearthed them, and the public understands their attitude on this subject.

Now we present instructions to the conferees to stand unalterably by the paragraph relating to telegraphers and train dispatchers and all who transmit, receive, or issue telegraph orders. This is the vital feature of the bill. Without this the public would find but little security in this legislation. We assume our responsibility without hesitancy, and say rather than have the telegraphers, as embraced by our instruction, left out of the bill we would rather see the bill defeated. We believe we are right, and we declare this to be our ultimatum. We are ready to go to the country on this issue.

Mr. HEPBURN. I do not desire to interrupt the gentleman in the middle of a sentence, but I would like to ask him a question.

Mr. RICHARDSON of Alabama. I am perfectly willing to answer the question.

The SPEAKER. The gentleman's time has expired.

Mr. RICHARDSON of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Alabama [Mr. RICHARDSON] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DAVEY of Louisiana. Mr. Speaker, I yield to the gentleman from Georgia [Mr. BARTLETT] five minutes.

Mr. BARTLETT. Mr. Speaker, it is to be hoped that in the consideration of this conference report in the House, and that in expressing the desire that this important legislation on this subject may be evolved before this Congress adjourns, there may be put upon the statute book not only a requirement that will amply protect the telegraph operators engaged by the railroads in transmitting their orders and operating it, but protect the lives of the public as well, which, at last, is its chief object.

I have not the time, if I had I could read from the statistics and the accounts of railroad accidents which I hold in my hand, furnished not only by the newspapers, but by the official bulletins from the Interstate Commerce Commission, that accident after accident has occurred, horror after horror has shocked the people by reason of the fact that the men who handle the telegraph orders governing the movement of trains have not been able, by reason of overwork, to attend to that duty as they should. Now, we have passed this bill and sent it to the Senate, and the conferees have undertaken to do what? They have said in the amendment which they agreed to, and which the Senate has rejected, what employees shall only work eight hours—the train dispatcher and other like employees. He does what? He issues the orders pertaining to and affecting train movements. A train dispatcher can only work eight hours. The man who gives the orders to the train dispatcher can only work eight hours.

The man whose intelligence and experience is taxed to properly transmit these orders from the train dispatcher is permitted and can be permitted to work twelve hours. It seems to me that the men who are permitted and required to work, if anyone is, twelve hours ought to be the men who issue the orders; and if there is anyone who should not be permitted to work over eight hours, it should be the men who have to work the telegraph wires, use the key, and whose intelligence and alertness are required for the safety of the transportation of the people traveling on these great roads. Therefore we have thought it proper to offer these instructions to these conferees. This House has been flooded, I apprehend, in a way it has seldom been done in the past, with the requests and the demands of these railroad telegraph operators—the telegraph operators and not the train dispatchers—asking us to give them a nine-hour day of work. For myself, I have answered these requests with the statement, "I would vote for a nine-hour day in the case of the telegraph operators," and for one I propose to keep that promise and give to these people a nine-hour day, and no longer, and give to the people who travel and the employees who are engaged in this great transportation business protection from men who are overworked as telegraph operators.

Mr. HEPBURN. Will my colleague permit me to ask him a question?

Mr. BARTLETT. Certainly.

Mr. HEPBURN. Do you know of any authenticated case in the last five years when any railroad accident has occurred because of the overwork of an operator?

Mr. WANGER. One is said to have resulted in the death of President Spencer.

Mr. HEPBURN. Oh, not at all. I have ascertained that that man had been on duty but six hours.

Mr. BARTLETT. What was the question?

Mr. HEPBURN. Do you know of any properly authenticated case where a railroad disaster has been traced directly to the overwork of any operator?

Mr. BARTLETT. I do not know of my own knowledge of any case, but I have the bulletins of the Interstate Commerce Commission, and I have newspaper accounts of the one which occurred at Lawyers, on the Southern Railroad, and one that occurred at Tacoma Park in December.

Mr. HEPBURN. Do you say that either one of those is imputed to the overwork of an operator?

Mr. BARTLETT. I do. I do not mean to say I know it. I say I have here the accounts that state that to be the fact. That is all I know. I am looking at them. Here is the last article published in the last Ridgway, and I have here one of the bulletins of accidents which I would read if I had the time.

Mr. HEPBURN. I have endeavored to find out, and I have not yet found one authenticated case.

Mr. BARTLETT. Well, I have a statement of authenticated cases made by the Interstate Commerce Commission. Of course I was not present and do not know it and can not testify as a witness, but these bulletins, called "accident bulletins, contain a number of cases of railroad accidents in which it is stated that the casualties were occasioned by the negligence of men who had been worked flagrantly long hours.

Mr. DAVEY of Louisiana. Mr. Speaker, I yield to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I am in favor of the adoption of the instruction to the committee on conference proposed by Mr. DAVEY for the reason that a failure to instruct is an indorsement of the bill as reported by the House conferees and is a backward step from that taken by this House the other day, when by an almost unanimous vote they decided that telegraph operators engaged in handling train orders might not work more than nine hours a day. This conference report is very ingeniously drawn. It says that the man who issues the orders pertaining to or affecting train movements—that is, the train dispatcher—shall not work more than eight hours per day. Mr. Speaker, no train dispatcher in this country works more than eight hours a day now. Further, this report says that all tower men and all operators who, by use of telephone or telegraph, transmit, receive, or deliver orders affecting train movements shall be permitted to work twelve hours a day. This increases the number of hours per day that this class of employees may work and is an indorsement of a twelve-hour workday, and I am opposed to it.

Mr. Speaker, in view of the fact that accidents are of daily occurrence in this country, some of them undoubtedly caused by the carelessness of telegraph operators or by the inefficiency which comes from too long hours of service, is there a man on the floor of the House who is willing to legalize a twelve-hour workday in these lines of duty? If there is, I am not that man. [Applause.] I believe in saying in this bill, in language that no one can mistake, just exactly what we mean, and I believe

the majority of the Members of this House are in favor of a short workday for men engaged in receiving, transmitting, or delivering train orders. It has been said by the chairman of the committee, the gentleman from Iowa [Mr. HEPBURN], that if this provision is placed in the bill, a sufficient number of operators can not be obtained; that there are not enough of them in the country. Why, sir, this bill does not go into effect for twelve months. Thousands of men can be taught the business in that time; and if a demand for any class of labor is created in this country, that class of labor will be supplied.

Mr. STERLING. I should like to ask the gentleman a question. Is it not true that there are schools of telegraphy all over the United States, teaching young men telegraphy all the time?

Mr. RYAN. Undoubtedly.

Mr. STERLING. Who are seeking places?

Mr. RYAN. Undoubtedly; and more schools would start if it were necessary. Mr. Speaker, if the railroads of this country will pay proper wages and require only reasonable hours of work, they can secure the services of all the men they want. Why, sir, this House yesterday by a very decisive majority decided in favor of a 3-cent car fare on the street car lines in the District of Columbia. Why? One reason, because sufficient cars have not been provided and some have had to stand up once in a while in the cars. Is the inconvenience of the people of the District of greater importance than the lives of the traveling public and employees of the railroads in this country? I do not think so, and I do not believe the House thinks so, and I believe that the House will adopt the instructions proposed by the gentleman from Louisiana [Mr. DAVEY]. I hope the House will stand by its former action; that it will stand firmly for a shorter workday for men engaged in such occupations. If they do otherwise, they will do what I believe to be wrong. [Applause.]

Mr. DAVEY of Louisiana. Mr. Speaker, I yield five minutes to my colleague, the gentleman from Pennsylvania [Mr. WANGER].

Mr. WANGER. Mr. Speaker, a few days ago, when this measure was before the House, the gentleman from Ohio [Mr. GROSVENOR] forcefully pointed out that the most important provision of the bill was that relating to telegraph operators receiving and transmitting train orders, and he taunted gentlemen on the other side because they were willing to support a bill without any provision with respect to those same operators, and therein claimed superior virtue for this side of the House for having formulated the proposition which we sent to the Senate.

Now, we have an opportunity to decide whether that was an idle boast or whether it was done with sincerity and upon the merits of the proposition. [Applause.]

Mr. Speaker, it has been said that this measure has been demanded by certain labor organizations that are desirous of increasing the pay of their members and at the same time shortening their hours of labor. I know nothing about that. I know that before any proposition was introduced into this House touching telegraphers I received a communication from an esteemed constituent, who is one of the operators at a junction station on one of the great trunk lines between this city and New York, saying that the operators work twelve hours per day, there being only two shifts. Now, there is not an hour of any day or night probably in which several swift trains do not rush by that station at highest speed, some of them being switched to the right and some to the left. We expect the men who are held at their post twelve hours on each of the seven days in the week to protect our lives and limbs and those of all travelers by their consistent and persistent attention to their duty.

I say it is beyond the reasonable capacity of ordinary men to expect that. [Applause.] I say that it is our own lives and limbs and those of our fellow-travelers on railways, no less than those of railway employees, and the compensation and health of the latter, that are involved in this proposition.

It is said that the railroad companies can not get telegraph operators for three shifts per day in all-day-and-all-night offices. What is there so difficult in the art of telegraphy that it can not be learned by intelligent Americans? It only requires sufficient money inducement to get the men, and to get the very best men that can be had for the places, men of experience as well as capacity, and then with such men you will not have so large a number of catastrophies as the list which I published in the RECORD a few days ago, resulting either from the inexperience or the overwork of telegraph operators, contains. Why, recall that catastrophe in Colorado a little more than a year ago, when an express train went rushing by a station where the operator was asleep after too many hours of duty voluntarily undertaken by himself. It does not do to leave this question of how many hours a telegraph operator shall work either to himself or to the railway company. [Applause.]

It is said that the following telegram has been sent each member of another legislative body:

CHICAGO, ILL., *February 26, 1907.*

_____,

*United States Senator, Washington, D. C.:*

House amendment to sixteen-hour bill restricting telegraph operators who transmit or receive messages affecting train movements to nine hours' service would impose great hardship on railway companies, requiring three men at local stations instead of two. The work is not hard, and the supply of operators is insufficient to furnish three for each telegraph station. Labor unions undoubtedly secured insertion of amendment in order to create demand for operators, with view to higher wages. Train dispatchers, who direct movement of trains, work only eight hours, and if amendment is to be adhered to it should be limited to dispatchers.

GARDINER LATHROP,
*General Solicitor, the A., T. and S. F. Rwy. Co.*

My brief recitals, I hope, refute every one of Mr. Lathrop's material assertions. The latter part of his message shows how inadequate is the provision recommended by the conferees.

Mr. SMITH of Kentucky. Mr. Speaker, I want to say to the gentleman——

The SPEAKER pro tempore (Mr. LITTLEFIELD). The time of the gentleman from Pennsylvania has expired.

Mr. HEPBURN. I will yield to the gentleman two minutes more.

Mr. WANGER. I thank my colleague from Iowa for his courtesy.

Mr. SMITH of Kentucky. I want to say by way of confirmation of what the gentleman from Pennsylvania has said, that the operator in Colorado to whom he refers was a constituent of mine, and I learned from his family that he had been on continuous duty for nineteen hours.

Mr. WANGER. I thank the gentleman from Kentucky. His statement confirms the report of the frightful catastrophe as given in Accident Bulletin No. 19, being case No. 29. Thirty-four men and women were killed, twenty-four injured, and the damage to engines, cars, and roadway was $51,249. The report says:

Collision No. 29, causing the death of thirty-one passengers and a money loss (besides the damages paid on account of deaths and personal injuries) of over $50,000, was due to the nondelivery of a meeting order sent by the train dispatcher. The collision occurred about 2 a. m., and a blinding snowstorm prevailed at the time. Immediately after the collision the wreck took fire, and eight cars—passenger, mail, and baggage—were burned up. A portion of the deaths were caused by the fire. The west-bound train ran past the meeting point which had been fixed by the dispatcher, for the reason, as before stated, that the meeting order was not delivered. The west-bound train, running from A to G, had been ordered to meet the east-bound at E, but it was found that the east-bound train was gaining time over the west-bound, and it was decided to change the meeting point to D, and an order to this effect was sent to the east-bound train at F and to the west bound at C. The nondelivery of the order was due to the fact that the telegraph operator at C accepted it from the dispatcher after the train had passed. The dispatcher, depending on the station operators for knowledge as to the whereabouts of all trains, inquired of the operator at C if the west-bound train (No. 3) had passed. The operator replied that it had not, and the dispatcher at once instructed him to display his stop signal. But it turned out that the train had passed while the operator had been asleep, and the information given by him to the dispatcher after he awoke was, therefore, false. This operator had been on duty all day the day before and then served at night in place of the regular night operator—nineteen hours in all, except for the time occupied at meals. It is estimated that he had been asleep only about one minute. He had worked an excessive length of time to accommodate his fellow-operator and without the permission or knowledge of his superintendent. He had been in service at C one week, for this company two months, and for other companies nearly two years. He is reported as being proficient and habitually attentive to duty.

Mr. Speaker, a correspondent writes me:

Your amendment to the Esch bill, if passed and becomes a law, will release a great many thousand men who are slaving their lives away for the railroad companies for a mere living.

A majority of the train dispatchers are now only working eight hours in the twenty-four, but the men who hold the next responsible position on a railroad, which are the operators out on the road, compelled to work twelve and occasionally as many as twenty-four hours receiving telegraphic train orders by dots and dashes over possibly a poor wire, and probably one mistake of a letter or figure means loss of lives, "and for this responsible position they pay us the magnificent sum of from 13 to 16 cents per hour of twelve-hour shifts, Sundays included, and often months without a relief day." These same companies pay the engine driver 45 and 50 cents per hour for his services, and actually these men are under our guidance continually. We receive their orders by wire. The intense nervous strain which is caused by the long hours and great responsibility soon impairs a man's constitution so that he is not capable of rendering the least of service for the companies.

You and every gentleman in the two Houses must fully concur that it is not the laborious work, but the nerve strain that counts in any kind of business. We are, as a rule, quite an intelligent class of men and compelled to look neat while on duty. I presume the argument the railroad companies will put forth will be they are already short of operators, but that has little foundation; it is simply a case that thousands of good operators have been driven out of the business on account of low wages and poor conditions. There is a sufficient supply of operators to man every office if the inducements are put out by the companies. There is possibly forty or forty-five thousand railroad operators in the United States to-day, and it would be safe to say they enjoy less freedom from duty than any class of railroad employees and hold some of the most responsible positions.

Now, let the railways pay anything like the wages that they pay the engine driver and they will have capable and experienced telegraphers, and that within a very brief period.

[Applause.]

Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks permission to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DAVEY of Louisiana. I now yield three minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I am in favor of this entire bill. There is no civilized nation on the globe except ours that does not regulate the hours of labor of the railroad employees on the trains and the railroad telegraphers. The result is shown that that legislation is effective, because in all of these countries where the hours of labor are regulated within reasonable limits the number of accidents that occur are greatly less than we have in this country. There is no question but that this class of legislation can be put into effect and can be carried out by the railroad companies if they are forced to do so. It has been effective in other countries, and it will prove as efficacious here. But what I do say, Mr. Speaker, is that this legislation is necessary to protect human life, to protect people who are traveling on these trains every day, and it is a question that this Congress can not afford to compromise with.

In a great deal of the legislation that passes Congress we recognize that we must reach compromises in order to pass the legislation. But, so far as this bill is concerned, it is a bill to protect the traveling public of our country, and I am in favor of no compromise. I say it is the duty of this House to pass this instruction, send the conferees back to the Senate with instructions that they must agree on this bill in an effective way, and let them know if that kind of a bill is not passed we will not pass any. [Applause.] Let them know that we will wait until the next Congress to do what is right. They might as well recognize that and have it understood that if we can not get effective legislation to protect the public of the United States, then do not let us have any at all and stop right here. [Applause.]

Mr. DAVEY of Louisiana. I now yield three minutes to the gentleman from Illinois [Mr. STERLING].

Mr. STERLING. Mr. Speaker, the provisions of the bill as it went from the House to the conference committee provided, in relation to telegraph operators, that in offices operating day and night the operators should be limited to nine hours' labor, and in offices that are operated only in the daytime they should be limited to thirteen hours' labor. This report of the conferees limits the hours of labor in offices operated only in the daytime, and in the daytime and nighttime, both to twelve hours, leaving the situation, as I understand it, substantially as it is all over the country at the present time, so far as railroad telegraph operators are concerned. It does limit the day for train dispatchers and telegraph operators in the offices of train dispatchers to eight hours, and that is the situation throughout the United States as it is at the present time, so that the entire provision of this proposition as it comes from conference committees leaves it just as the railroad companies have already fixed it throughout the entire country. It affords no relief to anyone.

Mr. Speaker, I desire to call the attention of the House to another provision in the report of the conference committee. By means of changes which the committee has made in the hours of labor for railroad trainmen it provides that no employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty. Let me illustrate. Suppose at the end of the twenty-third hour the eight hours' rest has expired, then the railroad operator, the engineer, the conductor, the fireman, after one hour's labor is compelled again to take eight hours of rest, making two periods of rest of eight hours, which, with only one hour of labor between them, is a hardship both on the railroad company and on the railroad men, and that provision certainly ought to be changed and the bill put in its original form. Mr. Speaker, I now send to the Clerk's desk a letter from Mr. Fuller, a representative of railway trainmen, which I ask to have read in my time.

The Clerk proceeded with the reading of the letter.

During the reading,

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. STERLING. Mr. Speaker, I would like to have the letter completed. May I have one minute? I will ask the gentleman from Iowa that the letter may be read in one minute of his time.

Mr. HEPBURN. I have no objection to that.

The SPEAKER pro tempore. The gentleman from Iowa yields one minute. The Clerk will proceed.

The Clerk again proceeded with the reading of the letter.

During the reading,

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STERLING. Mr. Speaker, may I ask if the letter is completed now?

The SPEAKER pro tempore. No; it is about half done.

Mr. STERLING. Mr. Speaker, I ask unanimous consent to insert the rest of the letter in the RECORD and to extend my remarks.

The SPEAKER pro tempore. Is there objection?

Mr. HEPBURN. I object.

So much of the letter as the Clerk read is as follows:

WASHINGTON, D. C., *March 2, 1907.*

Hon. J. A. STERLING, M. C.

DEAR SIR: I respectfully submit to you the following criticisms of the bill limiting the hours of service of railroad employees (S. 5133) as reported by the conference committee, and on behalf of the railroad employees who are seeking this legislation to express the hope that it will be returned to conference with the view of remedying these defects.

The provision relative to aggregate time in section two, as reported by the conferees, arbitrarily requires an employee to take eight consecutive hours off duty immediately after the twenty-four-hour period, notwithstanding the fact that he had already had eight hours off duty within such twenty-four-hour period, and possibly there may have been only one hour's service between the two eight-hour-rest periods. Thus, to force an arbitrary eight-hour-rest period after only one hour's service would not only cause great inconvenience to the employees and unnecessarily keep them away from their homes, but it would also impede the movement of traffic where the immediate service of these employees was desired.

The proviso in section 2 which permits a carrier to work a telegraph operator twelve hours would specifically countenance by law the working of twelve hours a class of men a great number of whom are now only working eight hours. We fear that this would encourage carriers to increase rather than decrease the number of hours of telegraphers. Then, too, the fact that Congress had by law specifically recognized a twelve-hour day for this class of men would, we fear, put into the hands of the carriers a weapon, or at least an argument, to combat the present efforts of telegraph operators and other classes of railroad employees to decrease their hours of service by contract.

The provision in section 3 which reduces to one year the time within which suit can be brought is, in our minds, made without good cause. If individuals can not plead the statute of limitation in less than three years, we do not believe a corporation should be permitted to plead it in one year. The only argument so far advanced for making the period one year is that it is necessary in order to prevent the blackmail of railroad officers by railroad employees. This is a reflection on the railroad employees as a class. Out of nearly one thousand actions which have been brought against the carriers for violations of the safety-appliance law there has not been one case where a railroad employee has been accused of blackmail. All criminal law can be used as a means of blackmail; therefore there is no good reason why a discrimination should be made in a law of this character.

Mr. HEPBURN. Mr. Speaker, I do not think that my colleague on the committee from Alabama [Mr. RICHARDSON] ought to reprobate me in the serious manner that he does for the offense that I have committed. According to his own statement, my offense is that I now agree with him. I submit that it may make me liable to serious charge, but it ought not to come from the gentleman. [Laughter.]

Mr. Speaker, I want to call the attention of the House to the present situation of this proposed legislation. A bill came to us from the Senate. It did not contain one word with regard to telegraph operators. That bill without that provision in it has received the indorsement of the Democratic side of this House. Later it was shown to their satisfaction that its limitations were such and that it applied to such an inconsiderable number of employees—only those that were connected with a train that was carrying foreign or interstate freight or passengers, and none others—that they became convinced that it was not wise, although they had so heartily indorsed the measure, to continue to give it their favor.

I want to call attention to the further fact that no proposition, so far as I know, has been introduced to this House with regard to the class of employees that gentlemen are now so solicitous about—the telegraphers—until the 19th day of last January, and that the bill that was afterwards insisted upon and from which my friend from Pennsylvania has derived his inspiration was not introduced until the 28th day of January. I want to call attention further to the fact that no man, no society, no organization has by petition or otherwise asked for this legislation. I want to call attention further to the fact that when the gentleman who introduced the two bills that embodied this legislation distinctly appeared before the committee he utterly disclaimed that he represented anybody else than himself. He disclaimed speaking for anyone but himself. Mr. Speaker, isn't it singular that this matter should so suddenly have grown into one of such intense importance? This general legislation embodied in the Senate bill that we have amended has been pending before this Congress during the greater part of both of its sessions. The legislation proposed by the House has been con-

sidered month after month, meeting after meeting, and until within the last few days, less than a fortnight, no gentleman, so far as I now recall, has sought the legislation that our Democratic brethren are now so intent upon.

The bill that they gave their adhesion to, the bill that they reprobated us, the majority of the committee and the majority of this House, for not accepting did not contain one word upon this all-important subject. Why is it that there was such dereliction of duty? Why is it that there was such forgetfulness of this transcendent interest for all these weeks and months, and that now at last these gentlemen have become so intensely solicitous?

Mr. RICHARDSON of Alabama. Will the gentleman permit an interruption?

Mr. HEPBURN. I yield for a question.

Mr. RICHARDSON of Alabama. The gentleman read, I know, the minority report, and we accepted in that minority report the La Follette bill with certain amendments. We thought we could perfect the La Follette bill. I tell the gentleman this, that it meant the telegraphers' feature.

Mr. LITTLEFIELD. That did not say so.

Mr. HEPBURN. It is possible that that is what the gentleman meant.

Mr. RICHARDSON of Alabama. And we say that we accepted it.

Mr. HEPBURN. Much of what the gentleman says is open to infinite interpretation, and he may have said that; but, Mr. Chairman, that report did not propose an amendment to broaden and widen the scope of the main purpose of the bill, so as to take in any other employees engaged in the management of trains except those that "were engaged in the management of a train carrying interstate or foreign passengers or freights." They are content with that. That is all they asked. They proposed to go before the country on that and make the issue. We have saved them. We have saved them from the humiliation of pretending to give bread and offering only a stone, and my friend reprobates me because I have agreed with him upon some minor matters of inconsiderable difference, that I have agreed to in order to secure some kind of legislation. I have not seen a bill yet that entirely meets my approval, but I recognize the fact that in legislation we have to give and take. I can not expect to have my views as I would express them spread upon the statute books. I must modify my views so as to meet and conserve the wishes of other gentlemen. That is always the manner in which important legislation is secured—concession, compromise.

Now, Mr. Speaker, I again say that during all of this controversy, during all of the talk and argument pro and con, during all of the admission of proof that shows this legislation to be necessary, no man yet has presented an authenticated case where one human being upon a train of cars has lost his life because of the overworking of a telegrapher, and when I have challenged gentlemen to bring forward an instance upon this floor they are as dumb as though they never had the gift of speech.

Mr. RYAN. Will the gentleman permit a question?

Mr. HEPBURN. Certainly.

Mr. RYAN. Does the gentleman from Iowa believe that if that condition he suggests was so, that we ought to wait until a serious wreck occurred before we closed that door?

Mr. HEPBURN. Mr. Speaker, I do not believe it is wise and proper to inaugurate any legislation that may seriously disturb the great transportation industries of this country without there is some proof that that legislation is necessary. I do not believe in attempting to remedy an evil until we have some proof that the evil exists. As long as it is confined to the imaginations of men, as long as it exists only in the necessity of certain gentlemen under the stress and pressure of political exigency to get up a political issue, I am not going to respond to that until I know that the remedy that they seek is the righting of a wrong that is known to exist. Now, Mr. Speaker, the proposition of the conferees is to prohibit any dispatcher or his assistant or a person who issues orders for the management of trains continuing to labor for a longer period than eight hours. The proposition of the gentlemen in opposition extends that to nine hours. That is seemingly an extension only, because they work in three shifts, and eight hours will be the maximum. Those are the men charged with grave responsibilities; those are the men who suffer from the anxiety of having great responsibilities resting upon them. They are the men who are liable to make mistakes. Here is a train sheet involving the movement perhaps of fifty trains. They have to know the location and retain in their memories the location of each one of those trains. It is a great mental strain. The responsibility is great. The conference committee have subserved the interests of the public by seeing to it that these men do not labor for a longer period than eight hours.

Mr. MARTIN. Will the gentleman yield for a question?

Mr. HEPBURN. Certainly.

Mr. MARTIN. In practical operation, now, does any train dispatcher who issues orders work over eight hours?

Mr. HEPBURN. I think not.

Mr. MARTIN. Then we are not legislating on any real evil in that respect?

Mr. HEPBURN. We are not. We are simply enacting into law that which is to-day merely usage.

Mr. MARTIN. Is it not a fact in some of these instances which have been cited upon the floor the accidents have resulted from telegraph operators in some inferior position working overtime?

Mr. HEPBURN. I do not know of a single authenticated one; does the gentleman?

Mr. MARTIN. I understood the gentleman from Pennsylvania [Mr. WANGER] to cite a Colorado case, where a man was asleep at his post after working over eight hours.

Mr. WANGER. That was on the Denver and Rio Grande Railroad, a little over a year ago.

Mr. MARTIN. I understand, also, that the gentleman from Pennsylvania stated once upon the floor that he published a list of the accidents in connection with his remarks the other day, where the telegraph operators were working overtime.

Mr. HEPBURN. I have never yet, gentlemen, seen one authenticated case. The gentlemen take newspaper statements. They take the loose statements of agitators upon this subject. There is a great difference, it seems to me, between that kind of proof and the kind we ought to have when we are proposing to legislate. We ought to know something about its character.

Mr. MARTIN. Will the gentleman yield for another question?

Mr. HEPBURN. If it is in connection with this matter. If it is simply to gratify the gentleman's curiosity, I do not care to do so.

Mr. MARTIN. It is not my curiosity, but it is a desire upon my part—and I think it is quite common among the Members—to know the precise state of facts. Do I understand the position of the gentleman from Iowa, the chairman of this committee, to be that there is no danger of men in the position of telegraph operator working overtime, and no real difficulty for us to meet?

Mr. HEPBURN. There is no difficulty, in my judgment, that has been proven in any formal way, that I could cite. I know of no such cases. If the gentleman knows of one, I would like to have him testify now.

Mr. MARTIN. Mr. Speaker, the gentleman refers to me. I am not on that committee, and I have not been investigating these facts, but I supposed it was quite common knowledge.

Mr. HEPBURN. No knowledge of that kind has come to the committee.

Mr. MARTIN. I will say that while I have not knowledge to give I have opinions on the subject. I do not think any man who is required as part of his duties to pass dispatches for the control of trains, whether he originates or transmits these orders, ought to work over eight hours a day.

Mr. HEPBURN. Mr. Speaker, I do not know of any way by which we can legislate against the negligence and carelessness of the human agencies that must be used in these great transportation movements. We can not compel men to be diligent. We can not compel men to cease to be negligent. And I want to say here, Mr. Speaker, that I am not prepared to say, from the experiences that we have had, that legislation does produce the result that all of us desire to have produced. At last you have to rely upon the individual. It is not the corporations that are guilty of negligence; it is the servitor, it is the employee, that is always guilty of the negligence.

Mr. GAINES of Tennessee. Mr. Speaker——

Mr. HEPBURN. Mr. Speaker, I can not yield now.

We have engaged in much of legislation looking to the safety of the traveling public and of the employees through statutes that require the application of safety appliances to railways. I believe that that legislation was wise. I believe it ought to have resulted in benefit; and yet if gentlemen will investigate the reports they will find that the accidents, notwithstanding all of these safety appliances, increase from year to year in a more rapid ratio than does the increase in the business. It seems as if every effort made by the statutes to give men a greater measure of security relaxes their own watchfulness and makes them less and less diligent and careful. Whether that is an impulse incident to human nature I submit to you. But I state it as a fact, and the reports will bear me out in that statement.

After all, Mr. Speaker, we must rely upon the man himself and upon diligence, upon his idea of responsibility to his employer, to his business, to society. It is useless to legislate without we can invoke that spirit, and if it is true that under certain systems there is a constant relaxation of the feeling of responsibility, if the individual man is dying out under our systems, if he is less and less an individual, relying less upon himself and more and more a factor or a part of a social organization and relying upon it for his sustenance, his support, the maintenance of his position, I submit that those are questions worthy of consideration and for your consideration. I want to say further, Mr. Speaker, that under the provision as reported by the committee you will find this recommendation in addition to what I have read:

That no employee who by the use of a telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements, excepting those who issue train orders, or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period.

Now, that includes all of those men who are engaged at the important stations, where there are many trains passing, where there are many orders being received and transmitted. A great majority, the large majority, nearly all of those who are intrusted with the transmission of important orders are within the provisions of the bill. Then there is another class, not provided for in the bill as recommended by the conferees, but is included in the proposition of instruction. That is all of those men who are at the little stations where trains infrequently stop, or on the feeder roads, small roads, where they are but infrequently called upon to perform duties. There are in the county in which I live eleven of those stations. It so happens that in a great majority of them there is an early train and a late train—6 o'clock in the morning and 9 o'clock at night. There is but one man there. Yet he is not employed five hours a day, although he is required to be there. On some of those roads, at some of those stations, there are usually but two or three freight trains and two or three passenger trains pass the station each way in each twenty-four hours. Is it wise to compel the people to pay—for they pay in the end—for an extra man there? These men are never oppressed by labor; they never become incompetent because of excessive hours, and yet the proposition would require that there shall be a second man to help that man perform five hours of duty in each twenty-four. I ask for a vote.

Mr. DAVEY of Louisiana. I yield to my colleague on the committee [Mr. ADAMSON].

Mr. ADAMSON. The essential difference between us is as to the classification of the train dispatchers and operators in their treatment as proposed in this legislation. The conference report fixes eight hours for the train dispatcher and those in his office and twelve hours for the men at the stations along the line. That is ridiculous folly. These officers are responsive to one another; their duties are reciprocal. For the train dispatcher and his operator to be asked to send messages along the line to men who are overworked and asleep and can neither receive nor answer messages is a consummation of folly.

I admit, Mr. Speaker, that it is not cross-ties, iron, nor charters of corporations that are wrong, but human nature that must be controlled. Avarice operates upon workmen just as on stockholders and bondholders, and the way to protect the safety and lives of travelers is to put the strong arm of the law upon the corporation in the form of taking away some of the profit accruing to the human nature that owns the stocks and bonds through the wrongs the corporations are permitted to do. If you limit the hours at all, it should apply alike to the train dispatchers and the operators all along the line of traffic—the men who handle the messages which control the trains and the safety of passengers and of the operatives. In that way, and in that way only, can we secure effective legislation, and that is what we are trying to secure and not prevent.

Mr. DAVEY of Louisiana. I yield to the gentleman from Missouri.

Mr. MURPHY. Mr. Speaker, the gentleman from Iowa says that no society or organization has asked for or demanded this legislation. I want to ask him if, as Representatives of the people, we are to wait for them to send us an invitation on a silver platter asking for the legislation that the people of this country ought to have? Look at the accident reports. The last of the bulletins of the Interstate Commerce Commission that have been issued, officers of this Government, show that 179 people have been killed and 782 have been injured as the mistakes of telegraph operators. Then tell me that the Congress of the United States ought not to sit up and take notice! Yet the gentleman says there is no record of any operator having worked overtime and caused a wreck by having worked overtime. Why have we not any records? It is because the railroad companies have failed or refused to give the number of hours to the Interstate Commerce Commission that an operator works. Let me call your attention to the fact that the last accident in the last bulletin issued by the Interstate Commerce Commission shows that seventeen were killed and fifty-six injured by "confusion of orders, mistake of a telegraph operator." Let me tell you, sir, as I was coming on here to Congress, at 3.40 a. m. I went into a telegraph office in Missouri. The operator had two train orders lying upon his table. As he sat there the engineer gave four blasts of his whistle from a train approaching the station to attract the attention of the operator, as required. The engineer must see the semaphore move from an angle of 45° to an angle of 15° or see the red light change to a clear light. He gives four blasts of the whistle and the operator manipulates the signal. The operator was sitting in his chair. I did not notice that he was asleep. He jumped and pulled in the signal and I went and threw it out myself, having had eight years experience as an operator and knew what it meant.

Mr. HEPBURN. Permit me to ask the gentleman if he was on duty at the time?

Mr. MURPHY. He was on duty. He had been for eight months, from 7 o'clock at night until 2 o'clock in the morning. When that train came in he delivered one of those orders and left the other one on the table. I called his attention to the fact, and he gave them the other order, and went out on the platform, loaded his baggage and express, and then hallooed at the conductor and said: "I have got two orders in there for you." He did not know that he had delivered the orders to him. And he is an honest, upright, sober man, 23 or 24 years of age.

Mr. HEPBURN. And he had been on duty eight hours?

Mr. MURPHY. He had been on duty twelve hours every night for eight long months. Let me tell you of my own experience as an operator. I was at a place handling forty or fifty orders each night. Along in the morning about 4 o'clock, overcome by weariness, I let a passenger train out without delivering two orders for that train, when the orders lay upon my table. There would have been a collision except for the fact that without notifying the dispatcher I called up the next station and stopped the train, and then told the dispatcher about it. An operator working under me, while manager of an office, on duty twelve hours a night, let out a passenger train going west out of Springfield, Mo., at 5 o'clock in the morning, having been on duty since 7 at night, causing a collision between the passenger train and a freight train.

[Here the hammer fell.]

The SPEAKER. The question is on agreeing to the motion of the gentleman from Louisiana [Mr. DAVEY].

The question being taken, the motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. HEPBURN, Mr. WANGER, and Mr. ADAMSON.

### ANNUAL REPORT OF THE DIRECTOR OF THE MINT.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 257, authorizing the Secretary of the Treasury to print 1,000 additional copies of the annual reports of the Director of the Mint.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to have printed 1,000 additional copies of the Annual Report of the Director of the Mint on the operations of the mint and assay offices for the fiscal year ended June 30, 1906, with appendices, and 1,000 additional copies of the Annual Report of the Director of the Mint on the production of precious metals for the calendar year 1905, with appendices, and that hereafter there may be printed, in the discretion of the Secretary of the Treasury, for distribution by the Treasury Department, 2,000 copies of said reports instead of 1,000 copies as heretofore.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

### SESSION LAWS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 256, authorizing the Attorney-General to print 850 copies of the session laws.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Attorney-General be, and he is hereby, authorized to have printed, for distribution by the Department of Justice, 850 copies of the Session Laws, and of the Statutes at Large, in lieu of 500 copies of each as now provided by law.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

ANNUAL REPORT OF COMPTROLLER OF THE CURRENCY.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 219, providing for an increase in the number of copies to be printed of the Annual Report of the Comptroller of the Currency.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 73 of an act "Providing for the public printing and binding, and the distribution of public documents," approved January 12, 1895, be, and the same is hereby, so amended as to authorize the printing annually hereafter of 10,000 copies of the Annual Report of the Comptroller of the Currency, for distribution by the Comptroller of the Currency, instead of 7,000 copies as heretofore.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

SECOND-CLASS MAIL MATTER.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution No. 255, providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be printed and bound in paper covers 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session, relating to second-class mail matter, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for distribution by the Post-Office Department.

Mr. MANN. Mr. Speaker, reserving the right to object, I should like to ask the gentleman what this is?

Mr. CHARLES B. LANDIS. I yield to the gentleman from Indiana [Mr. OVERSTREET].

Mr. OVERSTREET of Indiana. Mr. Speaker, this proposes the printing of additional copies of the report compiled under authority of Congress of the weighing which occurred during the six months ending December 31, when the second-class mail matter was weighed. It is a very important tabulation and it is demanded by the public throughout the country.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 16235. An act authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.

The message also announced that the Senate had passed joint resolution and bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 98. Joint resolution granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany;

S. 1796. An act granting an increase of pension to Edith Burt Trout;

S. 6175. An act granting an increase of pension to Neoline H. Ash; and

S. 7845. An act granting a pension to Lola B. Hendershott and Louise Hendershott.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 8189) granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single-track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, Upper White River, Arkansas; and

S. 6249. To provide for the establishment of an agricultural bank in the Philippine Islands.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 24043. An act to authorize the sale of timber on certain of the land reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin.

DISEASES OF HORSES.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 229, to provide for the printing of 250,000 copies of the special report on the diseases of horses.

The Clerk read the joint resolution, as follows:

*Resolved, etc.*, That there be printed and bound in cloth 250,000 copies of the special report on diseases of horses, with accompanying illustrations, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture, 175,000 for the use of the House of Representatives, 60,000 for the use of the Senate, and 15,000 for the use of the Department of Agriculture.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

BOUNDARIES OF NAVAL RESERVE, PORTO RICO.

Mr. DAWSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8119) to readjust the boundaries of naval reserves in Porto Rico, established in pursuance of the act of July 1, 1902.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the President be, and he is hereby, authorized and empowered, by proclamation giving specific description thereof by metes and bounds or otherwise, to cede, transfer, and convey to the government of Porto Rico, to be held and disposed of for the use and benefit of the people of said island, such portions as are not needed for naval purposes of the tract of 80 acres of public land lying along the Caguas road, city of San Juan, P. R., heretofore, by paragraph marked 1 of the Executive proclamation of June 26, 1903, reserved for the use of the United States in pursuance of the provisions of the act of July 1, 1902: *Provided*, That before such cession shall be made the government of Porto Rico shall, by proper authority, cede, convey, release, and transfer to the United States the following tracts of land, together with all buildings and improvements thereon: That tract or parcel of land, containing about 11 acres, extending east from the new wireless station, between the north line of the survey heretofore made by the Navy Department and the south line of the military reservation, to the tract of 4.59 acres belonging to and reserved by the insular government for jail or penitentiary purposes; also, that triangular tract or parcel of land containing 0.7 of an acre, lying to the northward of the western portion of the present naval hospital reservation, extending to the Army reservation line, also, all public lands of Porto Rico south of the scarp wall on the Barrio de la Puntilla.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. DAWSON, a motion to reconsider the last vote was laid on the table.

PENSION APPROPRIATION BILL.

Mr. GARDNER of Michigan. Mr. Speaker, I call up the conference report on the pension appropriation bill.

The SPEAKER. The gentleman from Michigan calls up the conference report on the pension appropriation bill. The Clerk will read the report.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate with a further amendment as follows: After the word "dollars," on page 4, line 6 of the bill, insert the following:

"*Provided*, That the Secretary of the Interior shall make inquiry and report to Congress at the beginning of its next regular session the effect of a reduction of the present pension agencies to one such agency upon the economic execution of the pension laws, the prompt and efficient payment of pensioners, and the inconvenience to pensioners, if any, which would result from such reduction.

"This provision shall not be construed as interfering with or limiting the right or power of the President under existing law

in respect to reduction or consolidation of existing pension agencies."

And the Senate agree to the same.

P. J. MCCUMBER,
N. B. SCOTT,
JAS. P. TALIAFERRO,
*Managers on the part of the Senate.*

WASHINGTON GARDNER,
W. P. BROWNLOW,
JOHN A. SULLIVAN (dissenting),
*Managers on the part of the House.*

Mr. GARDNER of Michigan. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on the motion of the gentleman from Michigan that the conference report be agreed to.

Mr. MANN. Mr. Speaker, will the gentleman tell us what the report is, whether the House backs down or not?

Mr. GARDNER of Michigan. Mr. Speaker, the report involves a number of amendments, most of which grew out of the enactment of the so-called "McCumber law." There was an addition made because of that law of $8,000,000, making the sum total $145,000,000, to which the conferees of the House assented. Another amendment resulting from that law was the reduction of $100,000 from the appropriation to pay pension examining surgeons, as it was believed that the enactment of the law named would result in a very material decrease in the number of pensioners receiving medical examination for increase. Another very important amendment to the pension appropriation bill, which was overlooked by the author of the McCumber law, makes pensionable under the provisions of that law certain classes of persons who would otherwise be ruled out—for instance, men who served in the Confederate army and subsequently served for ninety days or more in the Union army, enlisting before the 1st of January, 1865. Another was that men who served in the Mexican war and subsequently in the Confederate army should be beneficiaries under the McCumber law; another, relating to certain militia in the State of Missouri and the State of Arkansas who were not pensionable under the original law pensioning Mexican war veterans who did not serve in Mexico neither with the Army nor with the Navy, nor were en route to Mexico, but who were sent to the frontier and served there during a portion of that war and by such service released regulars who did go to Mexico because of the service of this militia, and these are given a pensionable status under this law by an amendment.

Mr. WANGER. Is that the same as the law has been under the act of 1890 as amended?

Mr. GARDNER of Michigan. Yes; another was the Missouri State Militia, never mustered into the United States Army, but who did good service during the civil war as militia and who served ninety days or more in the Union Army.

Mr. STERLING. May I ask the gentleman a question?

Mr. GARDNER of Michigan. Certainly.

Mr. STERLING. Why is that limited to the militia of Missouri? There were militia in a number of States that served, I have no doubt, just as faithfully, and I see no reason for the distinction between the militia of Missouri and any other State.

Mr. GARDNER of Michigan. The only reason I can allege is this: That this militia named from Missouri are all pensionable under laws that are now upon the statute books, and are simply transferred, or rather made eligible, as beneficiaries of the so-called "McCumber law."

Mr. MANN. The gentleman does not want to state that all Missouri militia were provided for under the existing pension laws?

Mr. GARDNER of Michigan. Militia that has already been recognized and that are now receiving pensions under laws previously enacted in this House.

Mr. MANN. A large portion of them have never been recognized in that way. Does this extend the law to them?

Mr. GARDNER of Michigan. Oh, no.

Mr. KEIFER. I wish to suggest that the militia that is recognized as pensionable in the State of Missouri does not include all of the militia of the State of Missouri, but only such as performed service in the field and within the limits of the theater of war and for the period of time mentioned.

Mr. STERLING. Were there any militia in other States that did active service?

Mr. KEIFER. Oh, Ohio, Pennsylvania, and everywhere.

Mr. STERLING. Did actual service in the field?

Mr. KEIFER. Well, we had what we called the Morgan raid militia and all that in Ohio, but they did not come within the rule. They were called out for a particular occasion. They did not come within the same rule that has been applied all along to these Missouri militia. They were entitled to have been mustered in, and in a certain way, but it was neglected, and they went into the field and performed their service like other volunteer soldiers. We have been making the distinction right along with reference to those and, I think, some from Arkansas who performed similar service.

Mr. LACEY. Will the gentleman from Michigan yield to a suggestion in that connection? There were three kinds of Missouri militia—the Provisional Missouri Militia, the Enrolled Missouri Militia, and the Missouri State Militia. The service of the Missouri State Militia was practically the same as the service of any volunteer soldier in the field, and that particular class has been always recognized the same as the Michigan volunteers or the Ohio volunteers.

Mr. KEIFER. The other militia of that State does not come in under this?

Mr. LACEY. No; there were a few others who had temporary service and paid through the Hawkins Taylor Commission, and where they were paid by the Government through the Hawkins Taylor Commission more than ninety days they came under the act of June, 1890.

Mr. KEIFER. In that special case; but they were not in the general militia called out.

Mr. BURLESON. Did I understand the gentleman from Michigan to say under the provisions of this appropriation bill that a class of soldiers that have not heretofore had a pensionable status are given a pensionable status?

Mr. GARDNER of Michigan. No, sir; it does not give any soldiers or bring them within the possibility of being pensioned who are not now on the pension roll or may be if they apply.

Mr. CAMPBELL of Kansas. May I ask the gentleman from Michigan a question? What was done with the matter of the consolidation of the pension agencies?

Mr. GARDNER of Michigan. I am coming to that.

Mr. KEIFER. You have spoken of Arkansas.

Mr. GARDNER of Michigan. Arkansas was covered in with the Missouri troops. Mr. Speaker, the only point of serious difference between the conferees of the two Houses, and over which we had a number of protracted conferences, was upon the consolidation of the pension agencies. It will be remembered by gentlemen of the House that for the greater part of two legislative days that matter was quite thoroughly discussed and that finally by a very large majority this House decided to reduce the agencies to one, but did not, I may say in passing, decide that that one agency should be located in the city of Washington, as has been alleged elsewhere. That is an inference that might possibly be made from the discussion or from some things said by Members on the floor of the House; but there was no statement in this bill as passed as to where that agency should be located. One of the objections on the part of the conferees of the coordinate body was against consolidating Federal business in this city where it could be avoided. We owe it to the House to make this word of explanation. The contention of the conferees on the part of the House was purely in line with the discussion here and with the action of the House, basing that upon the fundamental principle, first, it appeared to us that consolidation could be made without seriously impairing the efficiency of the service; that while the pensioners might, in the process of readjustment and in receiving their first payment, suffer a little delay, that after the first payment they would get their pensions as regularly and as promptly in the intervals of time as they do now.

The second affirmative contention on the part of the House was that this consolidation would result in a material saving in the administration of the pension agencies, reasoning that if in the largest agency we have—namely, at Topeka, Kans.—it cost but little more than half as much to pay the pensioners in that agency as it does to pay them at Augusta, Me., the smallest agency, that therefore if you consolidate all the agencies in one you can pay the whole from a central agency cheaper than you could pay them from eighteen different agencies.

Mr. KEIFER rose.

Mr. GARDNER of Michigan. Allow me to make my statement and then I will hear you. We based our contention upon hearings with the Pension Commissioner, who is plainly in evidence that there would be an annual saving in the neighborhood of $200,000 by this consolidation. The conferees of the other body put up the negative contention, first, that it would materially inconvenience the pensioner, particularly those who made an error in executing their vouchers, and delay in sending the vouchers to the central agency, wherever it might be located, and in returning them corrected, and for that reason it was not advisable, from the standpoint of convenience to the pensioners, to consolidate the agencies. The next negative contention was that it would

not result in a material saving. Indeed, it was asserted it would not result in any saving at all by a portion of the conferees, and they based that upon this declaration, that the cost of the clerical force in the city of Washington would be so much greater than the cost of the clerical force in the smaller cities of the country that the difference in the payment of these clerks would more than make up the difference in the saving from having but one agency.

And there we rest, so far as those two are concerned.

Now, there was another element which entered into the discussions of the conferees. Because of the passage of the so-called "McCumber law" on the 7th of February, having had consideraton and passage in this House after the passage of the pension appropriation bill, it was contended on the part of the conferees of the other body that that law injected a new element into the discussion since we had our hearings in the House and that it would not only very materially increase the work of the Pension Bureau, but that it would very materially increase the work at the several agencies. In support of that, the number of applicants coming in under that law, I am credibly informed, runs from 10,000 to 20,000 per day. More than a hundred thousand are lodged here now. On newspaper authority I make the statement that there are at this time 60,000 unopened letters down at the Pension Bureau. What is the effect of that upon the pension agents? That is the first consideration in this discussion. All the pension agents have to do is to change the amount on the pensioner's record from what he receives now to twelve or fifteen or twenty per month, as the case may be. A reasonably industrious clerk could make the change in a thousand of those names in a single day. It was contended that the law of February 7, 1907, would materially increase the aggregate number of pensioners. Yesterday the Pension Commissioner said that so far as they had now received applications under that law the increase would be very small; that the per cent would probably not go beyond 3. That is, it shows that what is called the "unknown army" of nonpensioned soldiers is at this time very small. These were the material points in dispute. The House conferees maintained that it would not greatly increase the work at the agencies, while it was granted it would materially increase the work at the Bureau, which had nothing to do with that at the agencies.

Mr. KEIFER. I want only a minute or two.

Mr. GARDNER of Michigan. I have not gotten through yet. Now, we harmonize the points of difference by this amendment, namely, that the Secretary of the Interior should between now and the first session of the next Congress present a carefully prepared statement as to the probable, if any, saving by the consolidation of the agencies into one. Secondly, a carefully prepared statement as to the probable inconvenience to the pensioners, so that we will have the economy of administration and the convenience or inconvenience of the pensioners presented officially by the Secretary of the Interior under the amendment insisted upon by the House conferees and accepted by the conferees of the other body. That, gentlemen, is substantially the report of the House.

Mr. KEIFER. I wanted a minute or two.

Mr. GARDNER of Michigan. And I may say, pending that report from the Secretary of the Interior the agencies will remain as they are now.

Mr. KEIFER. The gentleman has stated the fact that is all important at the last. It is not in this conference report, as I understand it.

Mr. GARDNER of Michigan. How much time does the gentleman want?

Mr. KEIFER. Two or three minutes, and not more.

The gentleman has stated they propose to restore the agencies. There is nothing in the conference report of that kind, as I understand, except that we appropriate the money to pay the eighteen agencies as before—the President having the right now to reduce the number if he chooses—leaving it as it is. This House, in one of its peculiar ebullitions, when it was not satisfied with the report of the Committee on Appropriations which proposed to report an appropriation of $36,000 for nine instead of eighteen agencies—some gentlemen in the House wanted to save their agencies—voted to appropriate only for one, and that is all we did, and we did not mean to do that, for we were not in favor of it at the time, as everybody well remembers. And I congratulate the conference committee in doing what they have done, and which should have been done, perhaps, in the first place.

Mr. GARDNER of Michigan. Mr. Speaker, I yield time to the gentleman from Massachusetts [Mr. SULLIVAN], the minority member of the committee of conference.

The SPEAKER. How much time does the gentleman yield?

Mr. GARDNER of Michigan. Such time as he may choose up to a half hour.

Mr. SULLIVAN. Mr. Speaker, I desire, on behalf of some Members of this body who are constitutionally opposed to plunder and graft, to record my protest against the adoption of this conference report. The conference report, if it be adopted by the House, will not change the present situation. It will add no powers to those already possessed by the President for the consolidation or reduction of these agencies; neither will it take from him any power which he now possesses. It simply clothes the Secretary of the Interior with authority to make inquiry and to report the facts of the situation to Congress for its action at its next session. But the folly of the legislation, it seems to me, consists in this: That we are to investigate a subject upon which we know the facts now. We know that they have been given to us by the highest authority in the country, by the Government expert who is at the head of the Bureau charged with the duty of executing the law. The Secretary of the Interior is the Commissioner of Pensions for the purpose of ascertaining the facts and reporting them to Congress. No one believes that the Secretary of the Interior will make an independent investigation apart from the Pension Commissioner, and all must concede that the Pension Commissioner will ascertain and report the facts to the Secretary of the Interior, who in turn will report these facts to the Congress.

Now, the facts have been ascertained. They have been submitted by the Pension Commissioner, and his conclusions upon those facts have been submitted to Congress in two successive years. In order that this House may get a full view of the foul and loathsome figure of graft which is brought into this body in the shape of this conference report, I will ask the House to bear patiently with me while I read the recorded statements of the Pension Commissioner upon this question.

In the first place, one year ago, on the 19th of January, 1906, the Pension Commissioner appeared before the Committee on Appropriations and was asked by the chairman of the subcommittee this question:

Mr. GARDNER. I would like to ask, Mr. Commissioner, what is the necessity of having eighteen pension agencies?

Mr. WARNER (the Commissioner). None whatever; they ought to be reduced to six. That could be done by an Executive order.

Again, the question was asked:

What is the necessity of having two agencies in the State of Pennsylvania, two in the State of New York, when these two pay less than a single agency in Ohio, and much less than a single agency at Topeka, Kans.?

The COMMISSIONER. If I had the power I would decrease the number of agencies in the United States to six.

Again, in answer to another question, the Commissioner said:

The Chicago agency could take the place of five or six agencies out there in the West.

Then Mr. GARDNER of Michigan made this contribution:

Take for instance the pension agencies. Here Boston, Mass., disburses $7,000,000; Augusta, Me., $2,000,000.

Then, asked Mr. GARDNER of Michigan, who submits this conference report to-day—

What is the use of paying a man $4,000 in Augusta to pay out $2,000,000, when the Boston man could do it just as well?

There is no need of a pension agency at Augusta.

Mr. WARNER. No; about twelve of them ought to be knocked out.

Again, Mr. LIVINGSTON, of the committee, asked that a footnote be appended to the record that the agencies should be reduced to six.

Mr. Warner replied:

Six is not too big a cut.

Then a motion was made at this juncture to reduce these agencies by act of Congress, and the suggestion was made that it would be better to confer with the President, inasmuch as he had the power to effect a consolidation without the aid of Congress. That suggestion was acted upon. The President was consulted; the Congress adjourned, and the President failed to consolidate these agencies.

Now, that is the record of last year. A year passed by and the Commissioner of Pensions came again before the Committee on Appropriations. The chairman of the committee [Mr. GARDNER], in his opening question, said:

I would like to have any general statement as to the work and condition of the Bureau, or any suggestions you may have to make concerning the work of your Bureau, and what you would like to have brought before Congress, if anything.

Mark you, gentlemen, this is one year after the Commissioner had stated solemnly that these agencies might be reduced to six without impairing the efficiency of the service or taking from the convenience of the soldier.

The Commissioner answered:

I have not anything to say with reference to the work of the Bureau. It has been very satisfactory during the last year. We are getting the work up to date; everything is going along smoothly. I have no complaint to make of the organization or laws or anything else, so far as that is concerned. *There is only one point; that is the question of the agencies for the payment of pensions throughout the United States.*

This was the single suggestion of paramount importance made by the responsible officer of the Government to the committee having the power to appropriate in the premises. He goes on to say:

That is within the control of the President as to the number of them. There are now eighteen, and I think it would be good policy to reduce the number to nine anyway.

Mr. GARDNER. Yes; we had that matter under advisement a year ago. Have you any recommendation to make in that respect?

Now I ask the House to pay attention to the answer of the Commissioner, because it is a very illuminating one. Perhaps it discloses the reason for the surrender of principle upon this question by the Congress of the United States:

Mr. WARNER. It is entirely within the control of the President. I would recommend that the number be reduced from eighteen to nine, but of course it is an embarrassing proposition. There are eighteen agents, at $4,000 salary each, scattered around over the United States, and Senators and Representatives are interested in them, etc. *You do not have to tell a Member of Congress what that means.* I think it would be economy in policy to reduce the number to nine. It could be reduced to six.

There, gentlemen, you have in two successive years the grave assertion by the Commissioner that these agencies could be reduced to six. So much for the question of economy.

Now I come to the second important consideration—that of efficiency. Mr. BROWNLOW, a member of the committee, asked concerning the proposed reduction:

Do you think that would improve the efficiency of the service?

Mr. WARNER. I think it would *benefit the efficiency of the service*, because you can do business better with *one man than with three*, and you can do business better with *nine than eighteen agencies. You can enforce policies better with nine than with eighteen.* You do not have so many people to communicate with. The checks and vouchers would be made all the same then. As it is now, we have separate checks for each agency with the agent's name printed in them, and a separate voucher for each agency. That is eighteen. If there were nine we would only have to have nine different forms. If there was *only one* we would *only have one form*, and save expense in printing and in every way.

Now, the answers of the Commissioner have made clear two things upon which the action of Congress should depend. First, the economy; second, the efficiency under the plan of reduction. I now come to the third consideration, which is the final and ought to be the controlling one. The Commissioner was asked by Mr. KEIFER, a veteran of two wars, always extremely solicitous for the welfare of the old soldier, this question:

How about the question of convenience to the pensioners?

Mr. WARNER. It would make very little difference. The first payment would be delayed probably in some cases. The pensioners are paid every three months. I estimate a saving of at least $100,000 a year if you consolidate them into nine agencies. They could be consolidated into six, but nine would probably be low enough.

Mr. KEIFER asked the further question, because he is deeply solicitous for the convenience of the old soldier:

How would you change the date of paying the pensions? Is not that provided for in the service?

Mr. Warner meets this objection in this way:

We would fix the localities so that the agency would pay them at the same time as they are paid now.

Then he goes on to explain the manner, and in a letter which he was invited to submit to the committee, he unfolded a scheme of consolidation which would reduce the number to nine. In that letter he reiterates his former statement. I will read briefly:

It is believed that the number of pension agencies could be reduced one-half anyway.

So much, gentlemen, for the record of the answers of the responsible Republican official who is charged with the duty of executing this law so as to promote the convenience of the soldiers and save the money of the taxpayers of the United States. They disclose complete evidence that the reduction would make for economy and efficiency without inconvenience to the pensioners.

Now, because of the answers of that official, the Appropriations Committee recommended a reduction of nine agencies. It would have made an attempt to consolidate all into one if it had felt sufficient faith in the House to warrant it in engaging in that enterprise, but it felt it would encounter the opposition of Representatives from the States where these agencies were located, and that the opposition would be diminished if some of the agencies were permitted to stand. But the committee was mistaken in its strategy. It discovered on the floor that many Members who were unwilling to have any economy effected would prefer, rather than lose their own agencies, to strike down the remaining agencies, so that all would stand on the same plane and none be discriminated against. And so the House almost unanimously voted to consolidate these agencies into one.

Now, what happened to change the verdict of this House, founded upon two days of careful deliberation and full discussion and upon the record of two years' hearings containing the statements of an official whose integrity and ability and knowledge in the premises have never before been successfully impeached? The bill left this Chamber, it went to the Senate Committee on Pensions, and they stated to us in conference that the Pension Commissioner did not appear before them. There is not a single line of printing which discloses any hearing before that Pension Committee. The Pension Committee of the Senate reported the bill to the Senate without one word of debate, and these agencies which we proposed to strike out were placed back in the bill, and the Senatorial patronage was preserved to that honorable body. [Applause.]

Now, then, I say that no argument was addressed to the House conferees. Excuses were made, but they could not be dignified by calling them arguments. The reflect no credit upon the intellectual integrity of the gentlemen who stooped to utter them and sought to have them prevail as arguments addressed to the intelligence of honest men. The excuse advanced was that the McCumber pension bill would add new pensions to the list, and that we ought not to inconvenience and delay the old soldiers by consolidating these agencies at this time. It was pointed out to the Senators that they were confused as to the duties of the Pension Bureau and the pension agency, but instead of acknowledging their error when it was made manifest they clung to the subterfuge that it would cause delay and inconvenience to the old soldiers.

But if we take their argument at its face value—that new men would be put upon the list—it would follow from that only that new clerks would have to be provided; it would not follow that they would have to be placed in eighteen separate agencies, but it would follow that they could do that work in Washington in a single agency. It is not the pension agent who performs the clerical work which will be added by reason of the extension of the list under the service-pension law; it is the clerk who will perform that work. And, mark in that connection an answer by the Pension Commissioner before the Appropriations Committee where he says that it would make for efficiency, that you could do the work better and more promptly in one agency than you could do it in eighteen.

Now, if we attached any value to the argument that the old soldier would be delayed if seventeen agencies were abolished, it would seem that in the interest of economy some suggestion would proceed from the gentlemen on the other side of the Capitol to cut down some of the agencies—that we would leave them standing at nine at most—because no man can assert that even with the additional work nine agencies could not perform the whole of it successfully. But not one single suggestion of compromise in the direction of economy proceeded from that side of the conference. How does it happen, Mr. Speaker, that the very principles upon which this Government must depend if it is to endure, the principles of economy and efficiency in the public service, are disregarded so lightly by men who sit at the other end of this Capitol? I think I know the reason. There are eighteen agencies in question, and seventeen are sought to be abolished. They are located in sixteen States of the Union. These States are represented by thirty-two Members—that is, more than one-third of the total representation and more than one-half of the number who voted upon the proposition—and it was because of the large proportion of that body that was interested in preserving the integrity of their political machines at home that the vote of the House was disregarded in the Senate without one jot or tittle of debate.

Now, Mr. Speaker, appropriation bills leave this House and they go to the Senate where, with scanty or no debate, millions are added upon the ipse dixit of this man or that man who sits in that Chamber, and the House is continually compelled to submit and acknowledge in shame and humility its inferiority to the other branch of the legislature.

Without violating any secret of the conference committee, I must say candidly that the House was treated with contumely from the beginning; that the statement was boldly made that there would be no recession, that we must take the Senatorial mandate, and thus has this House had forced upon its unwilling

membership the stern decree of a compact body that determined at all hazards to preserve its patronage.

Now, in the light of these events, how can reform in the public service ever be accomplished if the House will continue supinely to submit to the mandate of the gentlemen who sit at the other end of the Capitol? I maintain that no question has been submitted in this Congress in which so plainly an economy was shown to be possible as in this particular case.

The House committee proposed something which would save to this Government $259,000 a year if we abolished seventeen of these agencies. It would save $104,000 a year if we abolished only nine of them. Yet we are compelled, as representatives of the people, charged under the Constitution with the duty of conserving the money of the taxpayers of the nation—compelled by another body, without debate or deliberation, to violate our oaths of office and squander the money of the people in order that honorable gentlemen at the other end of the Capitol may maintain the loathsome carcass of Federal patronage through the destruction of every decent principle of honesty and efficiency upon which the edifice of this Government was reared and in the observance of which only this Government can be maintained. [Applause.]

Mr. Speaker, I have made this address, which, I suppose—such is my faith in the desire of certain Members here to preserve the Senatorial patronage undiminished—will be regarded as purely academic.

I am sorry for the taxpayers of the nation that while there is yet power to save $250,000 an honest, sober argument of a man who is in earnest must, perforce, be treated as an academic discussion, but I will give at least to some conscientious Members of this body an opportunity to record their protest against the most infamous grab at the public funds which has been attempted during the sessions of the Fifty-ninth Congress, and to that end I call upon those who are still faithful to the great majority out of whom the taxes are collected, who do not believe that government should find its origin and its end in the obedience to the wishes of a few Federal officials who desire to retain their salaries, to stand up to-day for honesty and good conscience, to vote down this conference report, to ask for a new conference, and let the House then give proper instructions to its conferees asserting its dignity and its power once more for the purpose of preserving the principles of honest government. [Prolonged applause.]

I append hereto a copy of a letter from Commissioner Warner to the gentleman from Michigan [Mr. GARDNER]:

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
*Washington, January 18, 1907.*

Hon. WASHINGTON GARDNER,
*Chairman Subcommittee on Appropriations,*
*House of Representatives.*

MY DEAR MR. GARDNER: Replying to your request for a statement relative to the annual cost of paying pensions under the present system of eighteen agencies, and whether the number of agencies may be reduced, and what economy would result from said reduction, I have the honor to advise you as follows:

The total annual cost of paying pensions under the present system of eighteen agencies is as follows:

| | |
|---|---|
| Salaries 18 agents, at $4,000 each | $72,000 |
| Clerk hire | 435,000 |
| Rent | 4,500 |
| Contingent expenses | 30,000 |
| Vouchers, roll books, and other incidental expenses | 20,000 |
| Total | 561,500 |

Under the present system the average annual cost of payment is about 53 cents per pensioner. This cost varies in accordance with the number of pensioners paid at each agency. At the Topeka agency—which is the largest in the United States—the annual cost is about 40 cents per pensioner, while at the Concord agency—which is the smallest—the cost is 74 cents per pensioner. The number of clerks required at the Topeka agency is 39, or an average of one clerk to every 2,900 pensioners, while at the Augusta agency the proportion is one clerk to every 1,477 pensioners. Payments are made as promptly at the larger as at the smaller agencies. During quarterly payment, on an average, 14,000 pensioners are paid each day at the larger agencies, such as Topeka.

It is believed that the number of pension agencies could be reduced one-half without any inconvenience to any pensioner or prejudice to the service in any way. This reduction might be brought about by abolishing the following agencies: Augusta, Concord, Des Moines, Detroit, Knoxville, Louisville, Milwaukee, New York City, and Pittsbrug.

By this arrangement the Augusta and Concord agencies are consolidated with the Boston agency, and all pensioners paid at Boston; the Buffalo and New York City agencies are consolidated and all pensioners paid at Buffalo; the Des Moines and Topeka agencies are consolidated and all pensioners paid at Topeka; the Detroit and Indianapolis agencies are consolidated and all pensioners paid at Indianapolis; the Knoxville, Louisville, and Washington agencies are consolidated and all pensioners paid at Washington; the Milwaukee and Chicago agencies are consolidated and all pensioners paid at Chicago, and the Pittsburg and Philadelphia agencies are consolidated and all pensioners paid at Philadelphia. Under this plan the northern counties of New Jersey, which are now paid by the New York City agency, would be transferred to the Philadelphia agency, and all Navy pensioners in the State of Kentucky, who are now paid by the Chicago agency, would be transferred to the Washington agency.

Under this consolidation there would be the following agencies, districts to be paid, and number of pensioners paid:

| Agency. | District. | Number of pensioners. |
|---|---|---|
| Boston | Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont. | 94,229 |
| Buffalo | New York, Porto Rico | 101,500 |
| Chicago | Illinois, Minnesota, North Dakota, South Dakota, Wisconsin, and all Navy pensioners in Columbus, Indianapolis, and Topeka districts. | 126,107 |
| Columbus | Ohio (all Navy pensioners paid at Chicago) | 98,068 |
| Indianapolis | Indiana, Michigan (all Navy pensioners paid at Chicago). | 103,856 |
| Philadelphia | Pennsylvania, New Jersey | 105,182 |
| San Francisco | California, Idaho, Montana, Nevada, Oregon, Utah Washington, Wyoming, Alaska, Arizona, Hawaii, Philippines, Guam, and Samoan Islands. | 42,514 |
| Topeka | Colorado, Kansas, Missouri, Iowa, Nebraska, New Mexico, Indian Territory, and Oklahoma (all Navy pensioners paid at Chicago). | 167,548 |
| Washington | Delaware, Maryland, Virginia, West Virginia, District of Columbia, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Kentucky, and all foreign pensioners. | 146,967 |

It is shown by experience that the larger the agency the more economical the administration. By this consolidation there would be the following saving:

| | |
|---|---|
| Rent | $4,500 |
| Salaries 9 pension agents | 36,000 |
| Clerk hire, stationery, printing, and other incidental expenses (estimated) | 64,000 |
| Total | 104,500 |

This estimate is based upon the pension laws as they now exist.

The proposed reduction is believed to be in the interest of economy and efficiency.

Very respectfully, V. WARNER, *Commissioner.*

Mr. GARDNER of Michigan. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, I voted for this amendment to abolish these pension agencies. As a matter of legislation I have not changed my mind. I am still in favor of the abolition of these agencies. I never have allowed myself in anything I have said in the House to refer to the Senate as the higher body, as did the gentleman from Massachusetts [Mr. SULLIVAN], nor to refer to the House as the lower body. We are the equal coordinate branch of the Legislature of the nation, and I have always tried to maintain that, and I have been instrumental in sending back, with the nearly unanimous concurrence of the House, some legislation in which the Senate was attempting to infringe upon the prerogatives of the House. But it has been a wise rule of the House of Representatives, as of the Senate, that an appropriation bill is no vehicle, no proper vehicle, for general legislation. True, the practice of either House has been to put such legislation upon bills, but we have the rules of the House, rules which have been enforced whenever invoked, preventing the putting of legislation upon appropriation bills, and they are wise rules. There are other committees organized for the purpose of considering legislation in detail, and when bills come involving legislation they are sent, not to the Committee on Appropriations, but to the committee having charge of that particular branch of legislation.

And so it has come about and has been the recognized rule from time immemorial that whenever one House proposes legislation upon an appropriation bill and the other House refuses to concede, however much effort might be made in conference, however much effort might be made by amendment between the two Houses by voting up or down the proposition, that in the last analysis the House which proposes the legislation shall in the end concede to the other House, because the legislation is improperly upon an appropriation bill. So in this case, you have sent over your conferees, and after repeated conferences in which they have stood up for the legislation which the House has sought to ingraft upon this bill, and with which I am in entire sympathy, we have come to this point where in order to obey the time-honored rules as to conferences between the two Houses, one or the other House must back down. Now, it is in order for the House asking the legislation—because it requires legislation to abolish a pension agency already authorized by law—that the House asking this legislation must yield to the other House; and we may sit here until 12 o'clock to-morrow and that will be the result, and the House that proposes the legislation must yield to the other. Therefore, Mr. Speaker, I hope that the House will sustain the committee in its report in this matter and close up this pension appropriation bill; and in the next Congress we may look into the subject, refer it to an appropriate committee, and, I hope and trust, secure this legislation which will abolish the pension agencies. [Applause.]

Mr. SOUTHARD. Will the gentleman yield for a question?

Mr. PAYNE. Certainly.

Mr. SOUTHARD. That is not a rule with the Senate, that the House should not legislate upon an appropriation bill.

Mr. PAYNE. Oh, the gentleman has been here long enough and knows what the rule is as to a conference on appropriation bills; and he has seen, as I have seen, year after year and time after time, when either House has sought to ingraft legislation upon appropriation bills, if the other House resists the House proposing it always has finally to yield, as in this case.

Mr. GARDNER of Michigan. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has ten minutes remaining.

Mr. GARDNER of Michigan. I yield two minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I have been in sympathy with the idea of a reduction of the number of these pension agencies. I thought and I think now that in the long run at the proper time the whole business will be transacted in the city of Washington, but I do not believe that the time has come when we can have intelligent action upon this question. We have just made a change in our pension laws. We have taken in, by the report of this conference committee, a large number of new cases, all of which are proper and right, and it seems to me that under the circumstances it would be far better to let the matter of the reduction of the pension agencies go over for another year, and give the Department an opportunity to make a report that they will be compelled to make based upon the facts in the case. It seems to me, therefore, that the position of our conferees is the proper one, and we ought to stand by them.

Mr. GARDNER of Michigan. Mr. Speaker, in the closing hours of this Congress I desire to testify to the fidelity, the patriotic purpose, and the splendid ability of my honored conferee representing the minority on the committee, and Republican as I am, and partisan as I do not deny, I hope his voluntary retirement from this body will be only temporary. [Applause.] I shall rejoice because of the pride I have in this great legislative assembly when he comes back again and dedicates his splendid intellectuality and lofty devotion to duty, as he sees it, to the service of his country in the Congress of the United States. But there are some things in the gentleman's statement to which I would like to call attention. I do not deny that as Republicans we like patronage. A lucrative office is desired on the part of Republicans. An appropriation from the Treasury of the United States is usually appreciated by the Republicans. I have been in this House eight years, and for the life of me I can not see the difference between a Democrat and a Republican in these respects. [Applause.] The only observable differences are that our friends on the other side are out and want to get in and possess the patronage that is now ours by virtue of our being in the majority.

Does not the gentleman know that when the last President of the United States representing the Democratic party was in office, he issued an Executive order, which he had the right to do, to consolidate these eighteen agencies into nine, but that he made the date when that order was to take effect to come after his retirement from office? I tell you, a political plum that has annually $4,000 of financial remuneration in it is loved by the Democrats quite as well as by the Republicans.

Mr. JAMES. Will the gentleman allow me a question?

Mr. GARDNER of Michigan. Certainly.

Mr. JAMES. Still that is no good argument why the taxpayers should be looted by continuing it. [Applause on the Democratic side.]

Mr. GARDNER of Michigan. I am not speaking of it now as an argument; it is simply a "deadly parallel," that is all, and to remind the gentleman from Massachusetts that in this respect both parties are alike. Now, to the point in issue, the gentleman is right in the statement of facts in nearly every proposition he puts forth, but granting, as he alleges, that the conferees of the other body had not had hearings, in a sense, that is a reason why they should be permitted to have an investigation made. They were reluctant to accept this amendment. Time after time we met and finally against their express will and purpose they accepted the amendment proposed by the House conferees. And what does it mean? It means between now and the beginning of the next Congress that the Secretary of the Interior, who officially has charge of the administration, among other things, of the whole Pension Bureau and agencies in all their ramifications, shall make a careful and thorough investigation from an economical standpoint as to whether under consolidation the pensioners can not be paid at less expense than now.

Secondly, will such consolidation work to the material inconvenience of the pensioner? Gentlemen, the whole argument turns upon those two propositions. The amendment of the House conferees will bring from the highest possible authority a complete statement of the whole situation and enable both the Senate and the House to act intelligently.

Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The gentleman from Michigan moves the adoption of the conference report.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. SULLIVAN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 82, answered "present" 6, not voting 145, as follows:

YEAS—144.

| | | | |
|---|---|---|---|
| Alexander | Crumpacker | Hamilton | Mudd |
| Allen, Me. | Currier | Hayes | Murdock |
| Allen, N. J. | Dale | Hedge | Murphy |
| Andrus | Dalzell | Henry, Conn. | Needham |
| Babcock | Darragh | Higgins | Nelson |
| Barchfeld | Davidson | Hill, Conn. | Nevin |
| Bartholdt | Davis, Minn. | Hinshaw | Olcott |
| Bates | Dawes | Holliday | Olmsted |
| Bede | Dawson | Howell, N. J. | Otjen |
| Bennet, N. Y. | Deemer | Hubbard | Parker |
| Birdsall | Denby | Hull | Parsons |
| Bishop | Dickson, Ill. | Kahn | Payne |
| Bonynge | Dixon, Mont. | Keifer | Pollard |
| Bradley | Dovener | Kennedy, Ohio | Powers |
| Brick | Draper | Kline | Reeder |
| Brooks, Colo. | Driscoll | Knowland | Reyburn |
| Brownlow | Dunwell | Lacey | Reynolds |
| Brumm | Edwards | Lafean | Samuel |
| Buckman | Englebright | Landis, Chas. B. | Sibley |
| Burke, S. Dak. | Esch | Law | Smith, Cal. |
| Burleigh | Fletcher | Lawrence | Smith, Mich. |
| Burton, Del. | Foss | Littauer | Smyser |
| Calderhead | Fowler | Littlefield | Southard |
| Campbell, Kans. | French | Lorimer | Stafford |
| Capron | Gaines, W. Va. | Loud | Steenerson |
| Cassel | Gardner, Mich. | Loudenslager | Sterling |
| Chaney | Gardner, N. J. | Lovering | Sulloway |
| Chapman | Gilhams | Lowden | Tawney |
| Cocks | Gillett | McCreary, Pa. | Taylor, Ohio |
| Cole | Goulden | McGavin | Townsend |
| Conner | Graff | McKinley, Ill. | Volstead |
| Cooper, Pa. | Graham | McKinney | Vreeland |
| Cooper, Wis. | Greene | McMorran | Waldo |
| Coudrey | Gronna | Mann | Watson |
| Cousins | Grosvenor | Martin | Wiley, N. J. |
| Cromer | Hale | Miller | Wood |

NAYS—82.

| | | | |
|---|---|---|---|
| Aiken | Garrett | Livingston | Sims |
| Bankhead | Gill | Lloyd | Slayden |
| Bartlett | Gillespie | McCall | Smith, Ky. |
| Beall, Tex. | Glass | McNary | Smith, Md. |
| Bell, Ga. | Granger | Meyer | Southall |
| Bowers | Gregg | Moon, Tenn. | Stephens, Tex. |
| Brundidge | Hay | Overstreet, Ga. | Sullivan |
| Burleson | Heflin | Padgett | Sulzer |
| Burnett | Hill, Miss. | Rainey | Talbott |
| Burton, Ohio | Houston | Randell, Tex. | Thomas, N. C. |
| Clark, Mo. | Howard | Ransdell, La. | Trimble |
| Clayton | Humphreys, Miss. | Richardson, Ala. | Underwood |
| Cushman | Hunt | Riordan | Watkins |
| Davis, W. Va. | James | Robinson, Ark. | Webb |
| De Armond | Jones, Wash. | Rucker | Weeks |
| Dixon, Ind. | Kelliher | Russell | Wiley, Ala. |
| Ellerbe | Lamb | Ryan | Williams |
| Finley | Lee | Saunders | Wilson |
| Fitzgerald | Legare | Shackleford | Zenor |
| Flood | Lever | Sheppard | |
| Gaines, Tenn. | Lewis | Sherley | |

ANSWERED "PRESENT"—6.

| | | | |
|---|---|---|---|
| Burgess | Jenkins | Ruppert | Small |
| Fassett | Lilley, Conn. | | |

NOT VOTING—145.

| | | | |
|---|---|---|---|
| Acheson | Field | Johnson | Mondell |
| Adamson | Floyd | Jones, Va. | Moon, Pa. |
| Ames | Fordney | Kennedy, Nebr. | Moore, Pa. |
| Bannon | Foster, Ind. | Kinkaid | Moore, Tex. |
| Beidler | Foster, Vt. | Kitchin, Claude | Morrell |
| Bennett, Ky. | Fulkerson | Kitchin, Wm. W. | Mouser |
| Bingham | Fuller | Klepper | Norris |
| Blackburn | Garber | Knapp | Overstreet, Ind. |
| Boutell | Gardner, Mass. | Knopf | Page |
| Bowersock | Garner | Lamar | Palmer |
| Bowie | Gilbert | Landis, Frederick | Patterson, N. C. |
| Brantley | Goebel | Le Fevre | Patterson, S. C. |
| Broocks, Tex. | Goldfogle | Lilley, Pa. | Pearre |
| Broussard | Griggs | Lindsay | Perkins |
| Brown | Gudger | Longworth | Pou |
| Burke, Pa. | Hardwick | McCarthy | Prince |
| Butler, Pa. | Haskins | McCleary, Minn. | Pujo |
| Butler, Tenn. | Haugen | McDermott | Reid |
| Byrd | Hearst | McKinlay, Cal. | Rhinock |
| Calder | Henry, Tex. | McLachlan | Rhodes |
| Campbell, Ohio | Hepburn | McLain | Richardson, Ky. |
| Candler | Hermann | Macon | Rives |
| Clark, Fla. | Hogg | Madden | Roberts |
| Cockran | Hopkins | Mahon | Robertson, La. |
| Davey, La. | Howell, Utah | Marshall | Rodenberg |
| Dresser | Huff | Maynard | Schneebe |
| Dwight | Hughes | Michalek | Scott |
| Ellis | Humphrey, Wash. | Minor | Scroggy |

| | | | |
|---|---|---|---|
| Shartel | Sparkman | Tyndall | Weems |
| Sherman | Sperry | Van Duzer | Weisse |
| Slemp | Spight | Van Winkle | Welborn |
| Smith, Ill. | Stanley | Wachter | Wharton |
| Smith, Iowa | Stevens, Minn. | Wadsworth | Woodyard |
| Smith, Pa. | Taylor, Ala. | Wallace | Young |
| Smith, Tex. | Thomas, Ohio | Wanger | |
| Snapp | Tirrell | Washburn | |
| Southwick | Towne | Webber | |

So the conference report was agreed to.

The Clerk announced the following additional pairs:

For the session:

Mr. SHERMAN with Mr. RUPPERT.

Mr. WANGER with Mr. ADAMSON.

Until further notice:

Mr. MAHON with Mr. SMITH of Texas.

Mr. FORDNEY with Mr. PUJO.

Mr. PEARRE with Mr. JOHNSON.

Mr. LILLEY of Connecticut with Mr. SPARKMAN.

Mr. WACHTER with Mr. SMALL.

Mr. SNAPP with Mr. JONES of Virginia.

Mr. CALDER with Mr. RHINOCK.

Mr. ROBERTS with Mr. PATTERSON of South Carolina.

Mr. BURKE of Pennsylvania with Mr. BRANTLEY.

Mr. HASKINS with Mr. CANDLER.

Mr. HOWELL of Utah with Mr. MAYNARD.

Mr. MARSHALL with Mr. PAGE.

Mr. RODENBERG with Mr. PATTERSON of North Carolina.

Mr. SCOTT with Mr. LAMAR.

Mr. STEVENS of Minnesota with Mr. WALLACE.

For the vote:

Mr. GARDNER of Massachusetts (in favor of pension agencies) with Mr. FASSETT (against pension agencies).

Mr. SMITH of Iowa with Mr. GUDGER.

Mr. HEPBURN with Mr. DAVEY of Louisiana.

Mr. KNAPP with Mr. TOWNE.

Mr. SMITH of Illinois with Mr. MACON.

The result of the vote was announced as above recorded.

On motion of Mr. GARDNER of Michigan, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

VALLEY FORGE PARK.

The SPEAKER laid before the House the bill (H. R. 25812) to authorize the Secretary of War to loan and deliver certain brass pieces to the Valley Forge Park Commission of the State of Pennsylvania, with the following Senate amendments, which were read, as follows:

Line 6, strike out "ten" and insert "twenty-five."
Line 6, after "pieces," insert "with their carriages and equipments."

Mr. PARKER. Mr. Speaker, I notice that strikes out "ten" and inserts "twenty-five." The committee has made no such report as that. Is that Valley Forge?

The SPEAKER. It is.

Mr. OLMSTED. Mr. Speaker, I move to concur in the Senate amendments.

Mr. PARKER. I move to disagree to the Senate amendments and ask for a conference. We have settled that in committee.

The SPEAKER. The motion to concur takes precedence.

Mr. PARKER. I hope it will be voted down, because the committee settled that these cannons were worth $200 apiece. We gave ten of them. We generally give two.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. PARKER. Division!

The House divided; and there were—ayes 76, noes 14.

So the Senate amendments were agreed to.

On motion of Mr. OLMSTED, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

REFUND OF SALARY.

Mr. POLLARD. Mr. Speaker, I would like to ask unanimous consent for a reprint of Report No. 8064, to accompany the bill (H. R. 25771) to authorize the Treasurer of the United States to receive $1,861.84 from ERNEST M. POLLARD, a Member of Congress from Nebraska, for salary paid him without authority of law.

The SPEAKER. The gentleman asks unanimous consent for a reprint of the report mentioned. Is there objection? [After a pause.] The Chair hears none.

REFUND OF CERTAIN MONEYS TO HAWAII.

Mr. McGAVIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 10103.

The Clerk read as follows:

A bill (H. R. 10103) to refund to the Territory of Hawaii the amount expended in maintaining light-house service on its coasts from the time of the organization of the Territory until said light-house service was taken over by the Federal Government.

*Be it enacted, etc.*, That the sum of $23,393.69 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to the Territory of Hawaii to reimburse said Territory for money paid, laid out, and expended by said Territory in maintaining light-houses, bell buoys, and light-house service on its coasts from the time said Territory became territory of the United States until said light-houses, bell buoys, and light-house service were transferred to and taken under the management and control of the Light-House Board.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Reserving the right to object——

Mr. LIVINGSTON. Reserving the right to object, I want to know where that comes from.

Mr. McGAVIN. Our committee reported the bill here. The bill was originally passed upon by the Committee on Claims, and it was taken up for consideration at the last claims day in the House. It was objected to by my colleague from Illinois [Mr. MANN], who has since looked over the bill, and it has met with his approval, as well as the approval of the Secretary of Commerce and Labor, and also of Commissioner Eustice, who went there.

Mr. LIVINGSTON. Was it a unanimous report from the Committee on Claims?

Mr. McGAVIN. Yes, sir.

Mr. WILLIAMS. How did this bill get to the Committee on Claims?

Mr. McGAVIN. By reference of the Speaker. It is a claims bill transferred from the Private Calendar to the House Calendar.

The SPEAKER. To the Union Calendar.

Mr. WILLIAMS. Mr. Speaker, I understand this involves a claim.

Mr. McGAVIN. A claim for money expended by the Territory of Hawaii from June 14, 1900, until January 1, 1904. While we were collecting the revenues from the island we were compelling them to maintain——

Mr. PAYNE. It is not a private claim; it is a claim from the Territory of Hawaii and went to the Union Calendar.

Mr. WILLIAMS. I understand that. Nor is the captured and abandoned property bill a private claim. It is the claim of a whole community and a whole class—more than this one. Now, what is the character of this legislation?

Mr. McGAVIN. The character of the claim is simply this: That from the time we acquired the Hawaiian Islands until the light-houses and bell buoys were taken over to the Light-House Board the Territory of Hawaii was forced to expend money for the maintenance of their own light-houses and bell buoys. A report of the itemized accounts was kept that they were compelled to expend, and the names of the parties to whom the money was paid.

Mr. LIVINGSTON. Does the gentleman not think that ought to go on one of the appropriation bills?

Mr. McGAVIN. I think not.

Mr. LIVINGSTON. My recollection is that we have considered that matter.

Mr. McGAVIN. I think not.

Mr. MANN. If the gentleman will yield to me for a moment, I wish to say for the benefit of the gentleman from Mississippi that this bill originally was put on the Private Calendar, but was taken off the Private Calendar and put on the Union Calendar because it was not a private bill. Now, these are the facts in the case. The Government of the United States ordinarily maintains the light-houses, and works in connection with the light-houses established, out of the general Treasury. When we acquired the Hawaiian Islands there was no order issued immediately by the President transferring the light-house establishment in the Hawaiian Islands to the Light-House Board. The Territorial government continued to maintain the light-house establishment in the Hawaiian Islands, paying the expense out of the Territorial treasury. After that these light-houses and buoys were turned over to the Light-House Board. They are now being maintained out of the general Treasury. Whatever the merits of this proposition, it is simply to repay to the Territorial government the money which ought in the first place to have been paid out of the general Treasury.

Mr. WILLIAMS. Mr. Speaker, whatever may be the merits or demerits of this claim, they are no higher than the merits of a trust fund in the United States Treasury, declared by the Supreme Court to be a trust fund, and not the property of the United States; and until some consideration can be obtained for the repayment of that trust fund to the people to whom it

belongs, when the bills of lading are right there showing from whom the property was taken, I shall object to the consideration of any bill in the form of a claim. I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. STEVENS of Minnesota, for the remainder of the session, on account of a death in his family.

To Mr. HAUGEN, for the remainder of the session, on account of illness.

LEAVE TO EXTEND REMARKS.

By unanimous consent, leave was granted to Mr. SHEPPARD to extend his remarks in the RECORD.

JAMESTOWN EXPOSITION.

The SPEAKER announced as the committee to attend the opening of the Jamestown Exposition Mr. SHERMAN, Mr. HOWELL of Utah, Mr. WOODYARD, Mr. POLLARD, Mr. MCKINNEY, Mr. TAWNEY, Mr. WATSON, Mr. TAYLOR of Ohio, Mr. LEGARE, Mr. GOLDFOGLE, Mr. KLINE, Mr. LLOYD, and Mr. HARDWICK.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 9.30 o'clock this evening.

The motion was agreed to.

Accordingly (at 6 o'clock and 5 minutes p. m.) the House took a recess until 9.30 o'clock p. m.

## EVENING SESSION.

The recess having expired, the House at 9.30 p. m. resumed its session.

OX BOW POWER COMPANY, OF SOUTH DAKOTA.

The SPEAKER laid before the House the bill (H. R. 25672) to amend an act entitled "An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River, with a Senate amendment thereto.

Mr. BURKE of South Dakota. I move to concur in the Senate amendment.

The motion was agreed to.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. LITTAUER. Mr. Speaker, I present a conference report on the general deficiency appropriation bill, a complete agreement, and ask unanimous consent that the statement be read in lieu of report.

The SPEAKER. Is there objection to the request of the gentleman from New York, that the statement be read in lieu of the report?

There was no objection.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25851) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 6, 8, 11, 12, 19, 20, 21, 25, 61, 64, 65, and 74.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 7, 9, 10, 13, 14, 15, 16, 17, 18, 22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 60, 62, 63, 66, 68, 69, 70, 71, 72, 73, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, and 129, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$5000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: After the matter inserted by said amendment insert, as a separate paragraph, the following:

"That the accounting officers of the Treasury be, and they are hereby, authorized and directed to relieve John W. McHarg from a charge of $622.68, which was made against him while he was serving as acting commissary of subsistence in Cuba in 1899 and 1900, and which was due to the embezzlement of one Gomez, a Cuban interpreter."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: Add after the word "dollars," at the end of said amendment, the following: "; and the salaries of said clerks are fixed at $4,000 per annum each, and for such increased salaries there is appropriated for the fiscal year 1908 $1,000 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To pay William B. Turner for preparing an index to the report of the French Venezuelan Claims Commission, $200."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$6,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and on page 62, in line 4, of the bill, after the word "fifty-six," insert: ", and in Senate Document Numbered Three hundred and sixty-nine;" and the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
HENRY M. TELLER,
*Managers on the part of the Senate.*

LUCIUS N. LITTAUER,
JAMES A. TAWNEY,
STEPHEN BRUNDIDGE, Jr.,
*Managers on the part of the House.*

The statement was read as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25851) making appropriations to supply deficiencies, submit the following written statement in explanation of the effect of the action agreed upon and submitted in the accompanying conference report on said amendments, namely:

The bill as finally agreed upon appropriates $10,528,535.36, being $733,840 less than as it passed the Senate and $609,836.62 more than as it passed the House.

The principal items inserted by the Senate which it has been agreed by the conference committee shall be excluded from the bill are as follows:

| | |
|---|---|
| Additional amount for constitutional convention in Oklahoma | $135,240 |
| Additional amount proposed by the Senate for regular supplies of the Quartermaster's Department | 500,000 |
| For printing and binding for the Interior Department | 48,000 |
| Printing and binding for the Census Office | 10,000 |

Among the chief items inserted by the Senate which have been agreed to are the following:

| | |
|---|---|
| For International Maritime Exposition at Bordeaux, France | $15,000 |
| For digest of international law | 8,000 |
| To pay claims for property taken from Confederate officers and soldiers as authorized by law | 40,000 |
| For expenses of United States troops at the Jamestown Exposition | 10,000 |
| Care of the insane of Alaska | 23,000 |
| Additional district judges for Alabama, Ohio, and Nebraska | 24,000 |
| Expenses of the Joint Committee on Printing | 12,000 |
| For contingent expenses of the Senate | 60,000 |
| For expenses of inquiries ordered by the Senate | 60,000 |

The remaining sums added by the Senate and agreed to by the House are legitimate deficiencies, judgments of the courts,

and audited claims certified to Congress since the passage of the bill by the House.

LUCIUS N. LITTAUER,
JAMES A. TAWNEY,
*Managers on the part of the House.*

Mr. LITTAUER. Mr. Speaker, I move the adoption of the conference report.

Mr. WILLIAMS. What is the motion?

Mr. LITTAUER. To adopt the conference report on the general deficiency appropriation bill—a complete agreement.

The question being taken, the motion was agreed to.

MENOMINEE TRIBE OF INDIANS.

The SPEAKER laid before the House the bill (H. R. 24043) to authorize the sale of timber on certain land reserved for the Menominee tribe of Indians, with a Senate amendment thereto.

Mr. NELSON. Mr. Speaker, I am not familiar with this bill——

The SPEAKER. The Chair will state to the House that if anybody in the House may be considered as responsible for the paternity of this bill it is the gentleman from Wisconsin [Mr. BROWN], who has gone home. It is proper for the Chair to state that the Chair examined this bill a short time ago. On this reservation there is a township or two of timber that was badly damaged by a cyclone, and this is to authorize the disposition of the damaged timber. If the gentleman from Wisconsin [Mr. NELSON] will move to concur, the gentleman from South Dakota [Mr. BURKE] can perhaps answer questions in reference to it.

Mr. NELSON. I move that the House concur in the Senate amendments.

Mr. BURKE of South Dakota. I think the gentleman from Wisconsin [Mr. ESCH] is more familiar with the matter than I am, especially as to these amendments. If the Speaker will let it go over for a little while, I will have a chance to inquire into it.

Mr. MANN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MANN. It was impossible to hear the reading of the amendment, and whether it is an amendment that ought to go to the Committee of the Whole, entirely changing the scope of the bill, I do not know.

Mr. BURKE of South Dakota. I ask that the matter be passed over temporarily.

Mr. MANN. Without prejudice?

Mr. BURKE of South Dakota. Without prejudice.

Mr. PRINCE. I desire to say, Mr. Speaker, that I understand the Speaker has examined it; that it is remedial in its effect.

The SPEAKER. The Chair did examine it in its passage through the House. The Chair recollects taking it up with the gentleman from Wisconsin [Mr. BROWN].

Mr. PRINCE. I move that the House concur in the Senate amendment.

Mr. BURKE of South Dakota. I shall object to that.

The SPEAKER. The gentleman from South Dakota asks that it be passed without prejudice. Is there objection?

There was no objection.

MONUMENT TO THE MEMORY OF AMERICAN SOLDIERS AT CHALMETTE, LA.

Mr. MEYER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8292) providing for the completion by the Secretary of War of a monument to the memory of American soldiers who fell in the battle of New Orleans, at Chalmette, La., and making necessary appropriation therefor.

The Clerk read the bill.

The SPEAKER. Will the gentleman from Louisiana state where the Senate bill is?

Mr. MEYER. I think it is on the Speaker's desk.

The SPEAKER. It is not on the Speaker's desk, and the bill will be passed without prejudice until the gentleman can secure the Senate bill.

MEMORIAL TO THE MEMORY OF CHRISTOPHER COLUMBUS.

Mr. GOULDEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13304) to provide a suitable memorial to the memory of Christopher Columbus.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That there shall be erected in the city of Washington, in the District of Columbia, a suitable memorial to the memory of Christopher Columbus.

SEC. 2. That for the purpose of carrying out the provisions of this act a commission, consisting of the chairman of the Senate Committee on the Library of the Fifty-ninth Congress, the chairman of the Committee on the Library of the House of Representatives of the Fifty-ninth Congress, the Secretary of State, the Secretary of War, and the Supreme Knight of the Order of the Knights of Columbus, shall be created, with full authority to select a site and a suitable design, and to contract for and superintend the construction of said memorial.

SEC. 3. That for the purpose of carrying out the provisions of this act the sum of $100,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I wish to say this: I did object to one and did propose to object to all of these monument propositions. Under this resolution the commission can locate the monument at any place it sees fit. We are now in a condition where the Grant Memorial Commission proposes to locate the Grant memorial in the Botanic Garden, evidently with a view of having a line of monuments by the roadway to be constructed through the Mall at some future time. While I shall make no objection to resolutions to-night, I want the commission to understand that, as far as I am concerned, unless I feel assured that these monuments will not be erected in that place, I shall make objection.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOULDEN, a motion to reconsider the last vote was laid on the table.

STATUE OF COMMODORE JOHN B. SLOAT.

Mr. SMITH of California. Mr. Speaker, in the absence of my colleague [Mr. NEEDHAM], I ask unanimous consent for the present consideration of the bill (S. 1032) to aid in the erection of a statue to Commodore John B. Sloat, United States Navy, at Monterey, Cal.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the sum of $10,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to aid in the erection and completion of a statue of the late Commodore John D. Sloat, United States Navy, together with a pedestal and foundation for the same, and for the preparation of the site for said statue, selected under authority of the War Department on the military reservation at Monterey, Cal., which sum shall be expended under direction of the Secretary of War: *Provided*, That the money hereby appropriated shall be drawn from time to time only as may be required during the progress of the work and upon the requisition of the Secretary of War: *And provided further*, That no part of the money hereby appropriated shall be expended until the design for said statue and pedestal shall be approved by the Secretary of War.

The Clerk read the following amendments, recommended by the committee:

Amend the title so as to read: "An act to aid in the completion of a monument at Monterey, Cal., to commemorate the taking possession of the Pacific coast by Commodore John D. Sloat, United States Navy."

Page 1, line 6, strike out the words "erection and."

Page 1, line 6, strike out the words "statue of" and insert in lieu thereof the words "monument to commemorate the taking possession of the Pacific coast by."

Page 1, lines 7 and 8, strike out the words "together with a pedestal and foundation for the same."

Page 1, line 9, strike out the word "statue" and insert in lieu thereof the word "monument."

Page 2, line 2, strike out the words "statue and pedestal" and insert in lieu thereof the word "monument."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended.

On motion of Mr. SMITH of California, a motion to reconsider the last vote was laid on the table.

STEPHENSON GRAND ARMY MEMORIAL.

The SPEAKER. The Chair will recognize the gentleman from Pennsylvania, Mr. MOORE.

Mr. MANN. Mr. Speaker, the gentleman from Pennsylvania, [Mr. MOORE] had a monument bill similar to those we have passed, for the erection of a monument to the enlisted men of the Grand Army. I told him that I would object to its consideration, but as I have withdrawn the objection to the others, I shall not object to this. I therefore ask unanimous consent for the present consideration of the Senate joint resolution No. 29, authorizing the selection of a site and the erection of a pedestal for the Stephenson Grand Army memorial, in Washington, D. C., which is the bill I refer to, and which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the chairman of the Committee on the Library of the Senate, the chairman of the Committee on the Library of the House of Representatives, the Secretary of War, and the secretary and the treasurer of the Stephenson memorial committee of the Grand Army of the Republic are hereby created a commission and authorized to select a site upon the property belonging to the United State in the city of Washington, other than the

Capitol and Library grounds, for the erection of the Stephenson Grand Army memorial, to be presented by the Grand Army of the Republic to the people of the United States.

SEC. 2. That for the preparation of the site so selected and the erection of a pedestal upon which to place the said memorial, under the direction of the Commission hereby created, the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That any part of this sum not required for the site and pedestal may be used and expended for the completion of the memorial.

SEC. 3. That the joint resolution "granting permission for the erection of a monument or statue in Washington City, D. C. in honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic," approved May 3, 1902, is hereby repealed.

With the following amendment:

Page 2, section 2, strike out the proviso.

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would ask the gentleman from Illinois what the effect is of repealing that previous act mentioned in the joint resolution.

Mr. MANN. Mr. Speaker, the original act was for the erection of a monument to Stephenson, who was the originator of the Grand Army of the Republic. This is to erect a monument to the enlisted men of the Grand Army of the Republic by the Stephenson Association.

Mr. FINLEY. It will be erected by the members of the association and not by the United States?

Mr. MANN. There are $10,000 contributed for the pedestal. The rest is to be paid for by the association.

The SPEAKER. The Chair hears no objection. The question is on agreeing to the amendment.

The amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

MENOMINEE TRIBE OF INDIANS.

Mr. BURKE of South Dakota. Mr. Speaker, I now ask unanimous consent to take from the Speaker's table the bill H. R. 24043, with Senate amendments thereto, and disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to take from the Speaker's table the bill referred to, the Senate amendments to which have been read, and to disagree to the same and ask for a conference. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees on the part of the House: Mr. LACEY, Mr. BURKE of South Dakota, and Mr. ZENOR.

ROSANNA A. MAY.

Mr. CHANEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8568) granting an increase of pension to Rosanna A. May, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosanna A. May, widow of John T. May, late of Company A, Second Battalion District of Columbia Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

The SPEAKER. Without objection, the Chair will have the Calendar as to those bills which were passed without prejudice and covered by the special order known as the "Dalzell order"——

Mr. MANN. The Chair said "without objection." Well, is it in order?

The SPEAKER. It is in order to move it. The Clerk will report the first bill passed without prejudice.

GRANTING LAND TO UNIVERSITY OF OKLAHOMA.

The Clerk read as follows:

A bill (H. R. 17431) granting to the regents of the University of Oklahoma section No. 36, township No. 9 north, of range No. 3 west, of the Indian meridian, in Cleveland County, Okla.

Mr. MANN. Mr. Speaker, a similar bill to that has been passed. We passed a bill conveying that land.

The SPEAKER. The Clerk will report the next bill.

DONATING LANDS IN OKLAHOMA FOR EDUCATIONAL PURPOSES.

The Clerk read as follows:

A bill (H. R. 18850) donating lands in Oklahoma Territory for educational purposes.

The SPEAKER. This bill has already been read.

Mr. LACEY. I understand the bill was put on the Indian appropriation bill. I think that bill is already a law.

The SPEAKER. Without objection, the bill will be passed by without prejudice.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

ESTATE OF WILLIAM B. TODD, DECEASED.

The Clerk read as follows:

A bill (S. 2138) for the relief of the estate of William B. Todd, deceased.

Mr. MANN. Mr. Speaker, we had that bill read before, and I object.

Mr. PAYNE. I will object, Mr. Speaker.

Mr. SULZER. And I object.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

HAROLD D. CHILDS.

The Clerk read as follows:

A bill (H. R. 22027) to place Harold D. Childs on the retired list of the United States Navy.

The amendment, in the nature of a substitute, was read, as follows:

*Be it enacted, etc.*, That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Harold D. Childs, late midshipman, an ensign in the United States Navy, and to place him upon the retired list as such, with three-fourths the pay of his grade.

Mr. MANN. I raise the point of order, Mr. Speaker, on the bill, under the rule.

The SPEAKER. What is the point of order?

Mr. MANN. The point of order is the bill has already been objected to under the rule.

Mr. FOSTER of Vermont. Mr. Speaker, it was passed, as I understand, without prejudice. I had no chance to present an explanation of it. I ought to have my day in court and a chance to explain the purpose of the bill.

The SPEAKER. The Chair is under the impression——

Mr. MANN. As far as that bill is concerned I have no objection to the gentleman making his explanation, but I wish to reserve the point of order as to the right to call up these bills a second time under the rule.

The SPEAKER. The gentleman from Illinois does not object, at least, to an explanation of the bill?

Mr. MANN. I do not.

Mr. FOSTER of Vermont. Mr. Speaker, this bill, I will say in explanation, is for the purpose of placing Harold D. Childs, late a midshipman at Annapolis, upon the retired list at three-quarters pay. The facts of the case are these: He was a strong, healthy young man when he entered the academy. He was a strong, healthy young man at the end of the four years. He then took the two years' cruise and broke down under the strain of those two years of hard work and exposure. The bill was drafted by the Navy Department. It has the unanimous support of the Committee on Naval Affairs of the House. I want to read the letter of the Navy Department with reference to the matter. They say this:

NAVY DEPARTMENT,
*Washington, January 14, 1907.*

SIR: I have the honor to acknowledge the receipt of your letter of the 7th instant, inclosing, with request for the views and recommendations of the Department thereon, a bill (H. R. 22027) to place Harold D. Childs on the retired list of the United States Navy.

Mr. Childs entered the Navy September 12, 1898, as a naval cadet, which title was subsequently changed by law to midshipman. After the usual four years' course of study at the Naval Academy he was sent to sea, serving on the *Olympia*, *Biddle*, and *Raleigh*. In September, 1903, while on the last-named vessel, he was found to have acute pulmonary consumption. There is good evidence that this disease originated in the line of duty from exposure incident to the service. He was treated for it at the naval hospitals at Yokohama, Japan, and Mare Island, Cal., and at the Army General Hospital, Fort Bayard, N. Mex.

In February, 1905, soon after discharge from the Fort Bayard hospital, Mr. Childs was examined at the Naval Academy preliminarily to final graduation and consequent promotion to the grade of ensign. His physical condition proving unsatisfactory, he was granted sick leave for six months. Further medical examinations were held in September and October, 1905, as a result of which Mr. Childs was reported to be physically disqualified for appointment as ensign by reason of chronic tuberculosis of the lungs. He was then allowed to resign from the service, his resignation being accepted to take effect January 1, 1906. For the more particular information of the committee there is inclosed a statement of the record of service of Mr. Childs, including his medical record.

The Department is of opinion that midshipmen who become disabled in line of duty while serving as officers at sea should have the benefit of the retirement laws in the same manner as other officers of the Navy, and accordingly it looks with favor upon the passage of a measure for Mr. Child's relief. The pending bill, however, is regarded as objectionable in point of form in that in directing the appointment of a particular person to a position on the retired list it appears to trench upon the prerogatives of the executive branch of the Government. There is inclosed a draft of a measure which is suggested as a substitute for the pending bill. This measure authorizes the President to appoint Mr. Childs an ensign in the Navy, after nomination to and confirmation by the Senate, and to retire him as such on three-fourths pay. The provision for three-fourths pay is deemed advisable, as in

the absence of it the beneficiary would probably be held entitled to but one-half the pay of his grade.

Very respectfully, V. H. METCALF, *Secretary.*

Hon. GEORGE EDMUND FOSS,
*Chairman Committee on Naval Affairs,*
*House of Representatives.*

This young man's father was a distinguished officer in the civil war. The family is a patriotic family. This boy, the patriotic son of a patriotic father, devoted four years to preparing for his work in the Navy of his country, and then he went upon this cruise of two years, during which he lost his health. It seems to me that it is a case that is worthy of the favorable consideration of this House.

Mr. MANN. Mr. Speaker, I ask unanimous consent for two minutes.

The SPEAKER. The Chair recognizes the gentleman.

Mr. MANN. Mr. Speaker, the fact is that this young man was educated at the expense of the Government. He was taken ill; he has consumption, as a great many other people have consumption who have not been educated at the expense of the Government. If he were subject to retirement at all under the law, he would be given half pay. This bill proposes, in addition to giving him the right to retirement, to give him three-fourths pay. It is simply an enlargement of the retirement list, with no special reason in this case whatever over any other person who is taken with consumption.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. Is there another objection?

Mr. FOSTER of Vermont. Mr. Speaker, I ask for a vote.

The SPEAKER. It requires three objections.

Mr. FOSTER of Vermont. I ask that the Senate bill be substituted for the House bill.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. FOSTER of Vermont. Then I ask for a vote on the House bill.

The SPEAKER. The question is on agreeing to the amendment to the House bill.

The question was taken; and the amendment was agreed to.

Mr. MANN. Mr. Speaker, I withdraw my objection to the substitution of the Senate bill for the House bill.

The SPEAKER. The question is on agreeing to the Senate bill as amended.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FOSTER of Vermont, a motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was ordered to lie on the table.

LANDS GRANTED TO BEAVER LODGE, I. O. O. F., OF EKALAKA, MONT.

The next business upon the Private Calendar was the bill (S. 6165) granting to Beaver Lodge, Independent Order of Odd Fellows, of Ekalaka, Mont., certain land for public cemetery purposes.

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to ask the gentleman in charge of this bill if the House did not pass a bill the other day that granted substantially the same thing?

Mr. LACEY. Mr. Speaker, we passed a general bill a few days ago which will cover the purpose of this bill fully.

The SPEAKER. Without objection, this bill will be passed over.

There was no objection.

PETER H. BRODIE, ALIAS PATRICK TORBETT.

The next bill on the Private Calendar was the bill (S. 2400) to correct the naval record of Peter H. Brodie, alias Patrick Torbett.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, are we not entitled to have an explanation of the bill?

The SPEAKER. The gentleman who has charge of the bill not being present, without objection, the bill will be passed without prejudice.

There was no objection.

ASST. SURG. GEORGE R. PLUMMER, U. S. A.

The next business on the Private Calendar was the bill (S. 6447) entitled "An act to authorize the appointment of Acting Asst. Surg. George R. Plummer, United States Navy, as an assistant surgeon in the United States Navy."

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Acting Asst. Surg. George R. Plummer, United States Navy, as an assistant surgeon in the United States Navy with the rank of lieutenant (junior grade), to take rank and position at the foot of the list, whenever, before the expiration of his present acting commission, he shall successfully pass the examination prescribed by law for the appointment of medical officers of this grade.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska.

The message also announced that the Senate had passed without amendment joint resolutions of the following titles:

H. J. Res. 257. Joint resolution authorizing the Secretary of the Treasury to print 1,000 additional copies of the Annual Report of the Director of the Mint;

H. J. Res. 256. Joint resolution authorizing the Attorney-General to print 850 copies of the Session Laws;

H. J. Res. 255. Joint resolution providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session;

H. J. Res. 219. Joint resolution providing for an increase in the number of copies to be printed of the Annual Report of the Comptroller of the Currency; and

H. J. Res. 229. Joint resolution to provide for the printing of 250,000 copies of the Special Report on Diseases of the Horses.

CHARLES W. SPALDING.

The next business on the Private Calendar was the bill (S. 8585) for the relief of Charles W. Spalding.

The bill was read, as follows:

A bill (S. 8585) for the relief of Charles W. Spalding.

*Be it enacted, etc.*, That Charles W. Spalding shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 25th day of April, 1864, as first lieutenant of Company C, Twentieth Illinois Volunteer Infantry: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading, read the third time, and passed.

LEONARD MARTIN COX.

The next business on the Private Calendar was the bill (H. R. 25883) reinstating Leonard Martin Cox in the Corps of Civil Engineers of the Navy.

The bill was read, as follows:

A bill (H. R. 25883) to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy.

*Be it enacted, etc.*, That the President be, and he is hereby, authorized to restore, by and with the advice and consent of the Senate, Leonard Martin Cox, formerly a civil engineer in the United States Navy, to the Corps of Civil Engineers of the Navy, to take rank next after Civil Engineer Fred Thompson: *Provided*, That said Leonard Martin Cox shall establish to the satisfaction of the Secretary of the Navy, by examination pursuant to law, his physical, mental, moral, and professional fitness to perform the duties of that grade: *And provided further*, That the said Leonard Martin Cox shall be carried as an additional to the number of the grade to which he may be appointed under this act, or at any time thereafter: *And provided further*, That the said Leonard Martin Cox shall not by the passage of this act be entitled to back pay of any kind.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. Is there a second? If there be no other objection——

Mr. PAYNE. Unless we shall have some explanation of this bill I shall object.

Mr. SHERLEY. I am perfectly willing to make an explanation. This is a bill to reinstate Mr. Cox in the United States Navy. He was an engineer in the Navy, having come in from civil life. He served in the Navy for seven years, and retired from the Navy on account of his father's ill health. The Navy is very anxious to secure his service, and he is willing to reenter the service. He was in charge of the construction of the Cavite floating dock and the construction work on the dry dock at the New York Navy-Yard.

Mr. PAYNE. I have no objection.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

MONUMENT TO AMERICAN SOLDIERS AT CHALMETTE, LA.

The SPEAKER. The enrolled copies of the Senate monument bills are now at the desk.

The SPEAKER laid before the House the bill (S. 8292) providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the battle of New Orleans at Chalmette, La., and making necessary appropriation therefor.

The bill was read, as follows:

*Be it enacted, etc.*, That the sum of $25,000 be, and the same is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the completion of a monument to the memory of the soldiers who fell in the battle of New Orleans in the war of 1812, said monument to be completed under the direction and approval of the Secretary of War: *Provided*, That the State of Louisiana shall cede and transfer its jurisdiction to the property on which said monument is to be completed in accordance with the provisions of act No. 41 of the legislature of that State, approved July 19, 1902: *Provided further*, That when said monument is completed the responsibility of maintaining the same and keeping the grounds surrounding it shall remain with the United Daughters of Seventeen hundred and seventy-six and Eighteen hundred and twelve, free of any expense or responsibility on the part of the Government of the United States.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to discharge the Committee on the Library from the further consideration of the bill and consider the Senate bill at this time. Is there objection?

Mr. PRINCE. Reserving the right to object, I would like to have an explanation. I would like to know whose property this will become in case the transfer is made.

Mr. MEYER. It will become the property of the United States. The gentleman will understand that it has heretofore belonged to the State of Louisiana. By an act of the legislature thereof approved June 19, 1902, it ceded to the United States all of its jurisdiction and possession. My colleague from Louisiana [Mr. BROUSSARD], here present, was at the State capitol at the time and actively encouraged the legislation. On January 9 last I spoke fully in behalf of this bill, and trust that my arguments brought favorable conviction to the minds of my fellow-Members.

Mr. PRINCE. I withdraw the objection.

The SPEAKER. The Chair hears no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

MONUMENT AT TIPPECANOE, IND.

The SPEAKER also laid before the House the bill (S. 8012) to erect a monument on the Tippecanoe battle ground, in Tippecanoe County, Ind.

The bill was read, as follows:

*Be it enacted, etc.*, That the sum of $12,500, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended with the sum hereinafter named, under the direction of the Secretary of War, in procuring and erecting a monument upon Tippecanoe battle ground, in Tippecanoe County, Ind., in honor of Gen. William Henry Harrison and the soldiers who composed the American army in the battle of Tippecanoe on the 7th day of November, 1811: *Provided*, That this appropriation is made upon the condition that the State of Indiana shall provide a like sum, to be expended for said purpose under the direction of the Secretary of War, in connection with the sum herein appropriated; and no part of the sum herein appropriated shall be available until said sum to be provided by the State of Indiana shall have placed at the disposal of the Secretary of War.

SEC. 2. That the Secretary of War shall appoint one person who, with the governor of the State of Indiana and the president of the Tippecanoe Battle Ground Memorial Association, a voluntary association in Tippecanoe County, Ind., shall constitute a commission, whose duty it shall be to select a suitable design for said monument, with such emblems and inscriptions as will properly commemorate the valor and sacrifices of the American army at the battle of Tippecanoe, subject to the approval of the Secretary of War.

SEC. 3. That it shall be the duty of said commission to select a site for said monument, which shall be on the battle ground, to superintend the erection thereof, and to make all necessary and proper arrangements for the unveiling and dedication of the same when it shall have been completed. Said commissioners shall serve without compensation, and the State of Indiana shall make due provision for the protection and preservation of said monument without expense to the Government of the United States.

The SPEAKER. The gentleman from Indiana [Mr. CRUMPACKER] asks unanimous consent to discharge the Committee on the Library from further consideration of the Senate bill and consider it now.

Mr. CLARK of Missouri. I reserve the right to object. I would like to ask the gentleman one or two questions. Has there ever been a monument built by Congress outside of Washington?

Mr. CRUMPACKER. Oh, yes; a number of them. There were several ordered last session of Congress—one at Kings Mountain and one or two ordered to-night.

Mr. CLARK of Missouri. How much does this one cost?

Mr. CRUMPACKER. The cost is to be $25,000. The bill carries $12,500 on the condition that the State contribute $12,500; and the State, by a recent act of the legislature, made an appropriation of that amount, to meet a like amount, if Congress should make the appropriation.

Mr. CLARK of Missouri. It is not the beginning of a system?

Mr. CRUMPACKER. Oh, no!

The SPEAKER. The Chair hears no objection.

The bill was ordered to a third reading, read the third time, and passed.

TRUSTS ENGAGED IN INTERSTATE COMMERCE.

Mr. JENKINS. Mr. Speaker, I move that the Committee on the Judiciary be discharged from the further consideration of House resolution 834; and pending that motion, I ask that a letter of the Department of Commerce be read in my time as a justification of the motion.

The SPEAKER. The resolution will first be read.

The Clerk read as follows:

House resolution No. 834.

*Resolved*, That the Secretary of Commerce and Labor be, and he is hereby, directed to transmit to the House of Representatives, before the expiration of the present session of Congress, the names of all industrial trusts or corporations engaged in interstate commerce, whether such trust be a corporation, a so-called holding company, or an aggregation of corporations combined together or controlled or directed by a corporation or by one or more persons or by a definite group of persons by reason of total or partial stock ownership or by a stock-voting agreement or by an agreement or arrangement of any other character, together with the total capitalization and the bonded or other secured indebtedness of such trusts, corporations, or combinations, the number and names of the original and the present constituent or subsidiary companies, the State or States under whose laws said trusts, corporations, or combinations are organized; also the names or an accurate description of all combinations or associations other than incorporated bodies formed, existing, or operating for the purpose of affecting, controlling, or regulating the prices or the production of any article or articles of commerce which enter into interstate commerce.

The SPEAKER. The question is on discharging the Committee on the Judiciary from the further consideration of the House resolution.

Mr. MANN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. How does this resolution come before the House now?

The SPEAKER. It is a privileged motion to discharge the Committee on the Judiciary.

Mr. MANN. Unless I misunderstood the reading of the resolution, it is directed to the Interstate Commerce Commission.

Mr. KEIFER. Does not this provide for a report to this Congress?

The SPEAKER. The point having been made, the Chair will state to the gentleman that the resolution is not privileged. It is directed to the Secretary.

Mr. MANN. I made no objection.

The SPEAKER. If there be no objection——

Mr. MANN. Reserving the right to object, I would like to have an explanation of it.

The SPEAKER. The gentleman from Wisconsin [Mr. JENKINS] was about to have a letter read.

Mr. JENKINS. The letter has been read, Mr. Speaker. I desire to yield fifteen minutes to the gentleman from New York [Mr. FITZGERALD].

COAL LAND IN ALASKA.

Mr. LACEY. Mr. Speaker, I desire to call up a conference report.

The SPEAKER. A conference report is always in order. The gentleman from Iowa calls up a conference report, which will be read by the Clerk.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

JOHN F. LACEY,
F. W. MONDELL,
JOHN L. BURNETT,
*Managers on the part of the House.*

H. C. HANSBROUGH,
THOS. H. CARTER,
FRED T. DUBOIS,
*Managers on the part of the Senate.*

The question being taken, the conference report was agreed to.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

TRUSTS ENGAGED IN INTERSTATE COMMERCE.

The House resumed consideration of House resolution 834.

Mr. JENKINS. Mr. Speaker, I yield fifteen minutes to the gentleman from New York [Mr. FITZGERALD].

The SPEAKER. In order to be entirely candid with the House the Chair will state that, after all, perhaps this proceeding had better be by unanimous consent. The gentleman from Illinois [Mr. MANN] reserves the right to object; but the gentleman from New York [Mr. FITZGERALD] desires to address the House for fifteen minutes, and the Chair understands that the gentleman from Florida [Mr. CLARK] desires to address the House for ten minutes. The House does not seem to have much to do while waiting for the sundry civil bill, and if there be no objection the time will be so occupied.

There was no objection.

Mr. FITZGERALD. Mr. Speaker, in case the House may desire to consider other and privileged matters before I conclude, I shall ask in advance unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, this resolution is designed to obtain useful information of an important character. It was prompted by certain official utterances and recommendations of recent date, and as a result of a superficial investigation made by myself in the limited time available for such a purpose during a short session of Congress. It seeks to obtain from the proper official of the Government, in an appropriate manner, information which he can readily obtain, and which it is reasonable to assume is easily accessible to him by reason of the powers vested by the Congress in his Department.

The President, in his annual message to Congress at this session, treats at some length of corporations engaged in interstate commerce, the legislation enacted by this Congress to regulate such corporations, the effect of such legislation, and the defects, or the supposed defects, in certain laws in force for a number of years.

The present Congress has taken long strides—

He says—

in the direction of securing proper supervision and control by the National Government over corporations engaged in interstate business—*and the enormous majority of corporations of any size are engaged in interstate business.* The passage of the railway rate bill, and only to a less degree, the passage of the pure-food bill, and the provision for increasing and rendering more effective national control over the beef-packing industry, mark an important advance in the proper direction. * * *

It must not be supposed, however, that with the passage of these laws it will be possible to stop progress along the line of increasing the power of the National Government over the use of capital in interstate commerce. * * * In some method, whether by a national-license law or in other fashion, we must exercise, and that at an early date, a far more complete control than at present over these great corporations—a control that will among other things prevent the evils of excessive overcapitalization, *and that will compel the disclosure by each big corporation of its stockholders and of its properties and business, whether owned directly or through subsidiary or affiliated corporations.*

An examination of the information called for by the resolution discloses that it is in strict accord with this recommendation, excepting that it is limited to such information and facts as can be easly obtained by the Secretary of Commerce and Labor through the Bureau of Corporations. The more inaccessible information, to wit, the stockholders of every industrial corporation, trust, or combination of the character described in the resolution, is not sought, as it is apparent that under the existing condition of the law it would undoubtedly be an impossible task for the Department of Commerce and Labor.

That there may be no doubt as to the power of the Secretary of Commerce and Labor to obtain this information, I shall call attention to the act approved February 14, 1903, known as the "Department of Commerce and Labor act."

Section 6 of that act, after providing for the creation of the Bureau of Corporations, provides:

The said Commissioner [of Corporations] shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint stock company, or corporate combination engaged in the commerce among the several States and with foreign nations, excepting common carriers subject to an act to regulate commerce, approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

In order to accomplish the purposes declared in the foregoing part of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint stock companies, and combinations subject to the provisions hereof, as is conferred on the Interstate Commerce Commission in said act to regulate commerce and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpœna and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said act to regulate commerce and by an act in relation to testimony before the Interstate Commerce Commission, etc., approved February 11, 1893, supplemental to said act to regulate commerce, shall also apply to all persons who may be subpœnaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

It shall also be the province and duty of said Bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law.

It is reasonable to assume that if the Bureau of Corporations has acquired any information since its establishment in 1903, just four years ago, it is the general information regarding trusts, combinations, and corporations engaged in interstate commerce sought to be acquired by the pending resolution.

The powers conferred upon the Commissioner of Corporations to enable him to acquire information of the character desired are similar in all respects to those conferred upon the Interstate Commerce Commission in respect to common carriers. Without undertaking to state those powers in detail, which can be ascertained by an examination particularly of section 12 of the act approved February 4, 1887, as amended March 2, 1889, and February 10, 1891, and entitled "An act to regulate commerce," it will suffice to say that the powers are as broad and as comprehensive as the skill and ingenuity of able lawyers could devise.

I refer to these powers at this time in order to answer some objections that have been urged to the passage of this resolution.

The chairman of the Committee on the Judiciary sent this resolution to the Secretary of Commerce and Labor, requesting his opinion as to the advisability of adopting the resolution.

The Secretary has expressed in emphatic language his opposition to its adoption. The chairman of the Judiciary Committee has called my attention to the letter of the Secretary, and through the chairman's courtesy I have a copy of the letter, which I shall read at this time:

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
*Washington, February 15, 1907.*

Hon. JOHN J. JENKINS,
*United States House of Representatives.*

MY DEAR CONGRESSMAN: Your letter of the 14th instant was received, submitting resolution No. 834 and requesting my views thereon, with certain specific questions to which you desire answer.

You ask, first, whether I am willing that the resolution should be adopted. I desire to emphasize my very strong opinion against its adoption.

You ask, second, whether it would be very expensive for me to do the work. This I would answer as emphatically in the affirmative.

You again ask whether it can be done before the House adjourns March 4. It most certainly can not.

The work involved in answering the questions propounded in the resolution is of so vast and indefinite a character that no approximate estimate can be made of its extent. I doubt if the entire force of the Bureau of Corporations could do this work in five years, if, indeed, it could be done at all by anyone in any period.

As to the expense, any estimate would be equally indefinite, but it would certainly involve the use of the entire Bureau funds for several years and many hundreds of thousand of dollars. And when the work was completed, if such conditon should ever be reached, the results would be substantially worthless, because most of it would be antiquated and of no current interest.

Very respectfully, OSCAR S. STRAUS, *Secretary.*

While I have no desire to engage in useless controversy with the Secretary, yet it seems to me that he is unnecessarily alarmed. It is very possible that the information sought can not be compiled before the 4th of March of this year. It seems to me, however, with my information, which I admit is somewhat limited, that it is incredible that the information can not easily and without any very great expenditure be obtained and compiled by the next session of Congress. I shall assume that the information is concededly of a character useful, important, and valuable to the Congress, and that therefore, if it can be obtained without extraordinary exertion, it should properly be compiled and sent to the Congress.

As I have already stated, I have made some slight investigation in the limited time at my disposal during the hurry of this short session of Congress. An examination of Moody's Manual, a well-known statistical compilation, has made it possible for me to obtain a list of 374 industrial trusts, controlling 2,701 subsidiary or constituent companies. I have the States wherein these companies have been organized, and I have the capitalization of the controlling companies, which aggregates the sum of $5,686,167,830. With the available force of the Bureau of Corporations, with such compilations as Moody's

Manual, and the information compiled in similar works and to be found in commercial compilations like Dun's and Bradstreet's, and with the practically unlimited powers of the Bureau to verify the information contained in such compilations, it seems to me that the Department of Commerce, within a reasonable time and by a very moderate expenditure, could furnish the House with the information desired. Its report might not be exhaustive, but it could be so complete as to make it of great value to the Congress.

The gentleman from Maine [Mr. LITTLEFIELD] compiled much information of this character in 1903, published in the CONGRESSIONAL RECORD of February 16, 1903. It is much more comprehensive than this list which I have, and it has been of some use. But it is not an official list—the information is unofficial—and so not as valuable as if obtained as is sought by this resolution.

If this information could be had, it might, as the President says in his message, "*tend to put a stop to the securing of inordinate profits by favored individuals at the expense whether of the general public, the stockholders, or the wageworkers.*" If the compiling of this information by the proper department of the Government will tend to work such beneficial results, it would appear to most men that the sooner it were done the more effective and lasting would be the action of the Government.

There are other, and to me equally imperative, reasons for the adoption of the resolution.

The President stated in his same message that—

> The actual working of our laws has shown that the effort to prohibit all combination, good or bad, is noxious where it is not ineffective. Combination of capital like combination of labor is a necessary element of our present industrial system. It is not possible completely to prevent it; and if it were possible, such complete prevention would do damage to the body politic. What we need is not vainly to try to prevent all combination, but to secure such rigorous and adequate control and supervision of the combinations as to prevent their injuring the public, or existing in such form as inevitably to threaten injury—*for the mere fact that a combination has secured practically complete control of a necessary of life would under any circumstances show that such combination was to be presumed to be adverse to the public interest.* IT IS UNFORTUNATE THAT OUR PRESENT LAWS SHOULD FORBID ALL COMBINATIONS, INSTEAD OF SHARPLY DISCRIMINATING BETWEEN THOSE COMBINATIONS WHICH DO GOOD AND THOSE COMBINATIONS WHICH DO EVIL. Rebates, for instance, are as often due to the pressure of big shippers (as was shown in the investigation of the Standard Oil Company and as has been shown since by the investigation of the tobacco and sugar trusts) as to the initiative of big railroads. Often railroads would like to combine for the purpose of preventing a big shipper from maintaining improper advantages at the expense of small shippers and of the general public. Such a combination, instead of being forbidden by law, should be favored. In other words, it should be permitted to railroads to make agreements, provided these agreements were sanctioned by the Interstate Commerce Commission and were published.
>
> With these two conditions complied with it is impossible to see what harm such a combination could do to the public at large. It is a public evil to have on the statute books a law incapable of full enforcement because both judges and juries realize that its full enforcement would destroy the business of the country; for the result is to make decent railroad men violators of the law against their will, and to put a premium on the behavior of the willful wrongdoers. Such a result in turn tends to throw the decent man and the willful wrongdoer into close association, and in the end to drag down the former to the latter's level; for the man who becomes a lawbreaker in one way unhappily tends to lose all respect for law and to be willing to break it in many ways. *No more scathing condemnation could be visited upon a law than is contained in the words of the Interstate Commerce Commission when, in commenting upon the fact that the numerous joint traffic associations do* TECHNICALLY *violate the law, they say:* "The decision of the United States Supreme Court in the Trans-Missouri case and the Joint Traffic Association case has produced no practical effect upon the railway operations of the country. Such asociations, in fact, exist now as they did before these decisions, and with the same general effect. In justice to all parties we ought probably to add that it is difficult to see how our interstate railways could be operated with due regard to the interest of the shipper and the railway without concerted action of the kind afforded through these associations."
>
> This means that the law, as construed by the Supreme Court, is such that *the business of the country can not be conducted without breaking it.* I recommend that you give careful and early consideration to this subject; and if you find the opinion of the Interstate Commerce Commission justified, that you amend the law so as to obviate the evil disclosed.

I quote this entire paragraph from the President's message so that there may be no misunderstanding and no possibility of a charge of twisting the President's language. I desire to call particular attention to several parts, however, and show the importance of the information sought by the resolution as a result of the language quoted.

The President says, "It is unfortunate that our present laws should forbid all combinations, instead of sharply discriminating between those combinations which do good and those combinations which do evil."

The existing laws do not forbid all combinations. The statutes were drawn with care and with deliberation so that only "those combinations which do evil," and which are deemed detrimental to the public welfare, are prohibited, and which by a proper enforcement of the laws are made impossible. The Trans-Missouri case and the Joint Traffic Association case mentioned in the extract from the report of the Interstate Commerce Commission and quoted with apparent approval by the President were both instituted under the Sherman antitrust act, approved July 2, 1890.

That act does not forbid all combinations; it does, if I may be permitted to say it, "sharply discriminate between those combinations which do good and those combinations which do evil." In terse language the proscribed combinations are specifically described therein. It declares "every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States, or with foreign nations * * * to be illegal." It provides that every person who shall make any such contract or engage in any such combination shall be guilty of a misdemeanor, and prescribes punishment therefor. It further declares that "every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor," and punishment is provided for those convicted of such a crime.

Another section prohibits the same acts in the Territories and the District of Columbia, or as affecting commerce between any such Territory and others, or between the Territories and the States.

Two classes of acts are prohibited by the law—contracts, combinations in the form of trusts or otherwise, or conspiracies in restraint of trade; and monopolies or attempts to monopolize or combinations or conspiracies to monopolize any part of the trade or commerce among the several States, or with foreign nations, or in the Territories and the District of Columbia, or between the Territories and States. Every form of combination is not prohibited, as asserted by the President, nor are all forms of combination condemned. Those that are prohibited have been, it may be said, universally recognized, except by those desiring to profit by the existence of such combinations, as detrimental to the public.

The only other statute that forbids combinations, excepting the interstate-commerce act, approved February 4, 1887, and the acts amendatory thereof, is section 73 of the Wilson Act (act approved August 27, 1894). It declares illegal and void as contrary to public policy "every combination, conspiracy, trust, agreement, or contract made by or between two or more persons or corporations either of whom is engaged in importing any article from any foreign country into the United States, and when such combination, conspiracy, trust, agreement, or contract is intended to operate in restraint of lawful trade, or free competition in lawful trade or commerce, or to increase the market price in any part of the United States of any article or articles imported or intended to be imported into the United States, or of any manufacture into which such article enters or is intended to enter."

This statute does not forbid all combinations; but the prohibited combinations are such as have been universally agreed to be detrimental to the public. The most conclusive evidence in support of that contention is that while the Wilson Act was passed by a Democratic Congress, this particular paragraph was saved from repeal by an express provision in the Dingley Act (approved July 24, 1897), passed by a Republican Congress.

The decisions mentioned in the quotation from the Interstate Commerce Commission's report, quoted with apparent approval by the President, are familiar to all who have given any attention to the efforts of the Federal Government to prevent contracts, combinations, and conspiracies in restraint of trade.

The Trans-Missouri case (United States *v.* Trans-Missouri Freight Association, 53 Fed. Rep., 440; 58 Fed. Rep., 58; 166 U. S., 290) was a bill in equity to enjoin the operations of a combination of railroads engaged in interstate commerce, alleged to have been formed for the purpose of maintaining "just and reasonable rates" and preventing unjust discriminations. The bill, filed January 6, 1892, was dismissed by the circuit court, whose decision was affirmed by the circuit court of appeals. The Supreme Court reversed the case, holding that the antitrust act applied to railroad carriers and embraced all contracts *in restraint of trade and commerce* among the several States and with foreign nations, and was not confined to those in which the restraint was unreasonable.

The combination was shown and held to be in restraint of trade, and that was the gravamen of the action.

The Joint Traffic Association case (United States *v.* Joint Traffic Association, 76 Fed Rep., 895; 89 Fed. Rep., 1020; 171 U. S., 505) was a bill in equity to enjoin the alleged violation of the antitrust act by a combination of railroad companies. Thirty-one railroad companies engaged in transportation between Chicago and the Atlantic coast formed themselves into

an arrangement known as the "Joint Traffic Association" to control competitive traffic, fix railroad rates, etc. The circuit court dismissed the bill and the court of appeals affirmed the action of the circuit court. These judgments were reversed by the United States Supreme Court upon the authority of United States *v.* Trans-Missouri Freight Association (166 U. S., 290), and the case was remanded for further proceedings in conformity with its opinion by which the combination was adjudged illegal.

The President says, and I quote again from his message:

No more scathing condemnation could be visited upon a law than is contained in the words of the Interstate Commerce Commission when, in commenting upon the fact that the numerous joint traffic associations do TECHNICALLY violate the law, they say: "THE DECISION OF THE UNITED STATES SUPREME COURT IN THE TRANS-MISSOURI CASE AND IN THE JOINT TRAFFIC ASSOCIATION CASE HAS PRODUCED NO PRACTICAL EFFECT UPON THE RAILWAY OPERATIONS OF THE COUNTRY. SUCH ASSOCIATIONS, IN FACT, EXIST NOW AS THEY DID BEFORE THESE DECISIONS, AND WITH THE SAME GENERAL EFFECT."

To which the President added, as I have already pointed out, that the meaning of this statement of the Interstate Commerce Commission is that the law is such that the business of the country can not be conducted without breaking the law.

These statements are somewhat surprising. Since when did the operations of such associations as are condemned by the Supreme Court in the two cases mentioned become merely TECHNICAL violations of the law? Whose hand has been so powerful as to protect them from prosecution? What influence has prevented the same procedure with regard to the existing criminal associations as was followed in the two cases carried to a successful conclusion. The statement sounds almost as a wail of regret that the court arrived at the conclusion it did, that every combination *in restraint of trade is unlawful.*

It seems, too, to be a somewhat astounding discovery to be made at this late day. The Trans-Missouri case was decided by the United States Supreme Court March 22, 1897; the Joint Traffic Association case, October 28, 1898. The law has been settled—definitely settled—regarding such associations for more than nine years, yet the President now asserts "that the business of the country can not be conducted without breaking it."

It might be assumed in light of these facts that the President framed that statement without mature consideration and as the result of an overmastering impulse. In view of other facts existing at the time, however, that hardly seems to be probable.

The extract quoted by the President from the Interstate Commission and certain language used by the Attorney-General in his annual report for 1906 are sufficient at least to create a suspicion that modern methods of business are believed in some places to be more controlling than the law of the land. Speaking of the Sherman antitrust act, the Attorney-General says:

One main purpose of the law—that competition shall not by agreements be suppressed—*runs counter to the tendencies of modern business.*

The tendencies of modern business that run counter to the Sherman antitrust act, as construed by the United States Supreme Court, are criminal tendencies. The doing of those things forbidden by that law are crimes, so declared in the law itself. No official is required to condone crimes nor to apologize for the law nor to justify its violation. Nor should the eyes of those selected to enforce the law be closed to its violations. The duty of the executive branch of the Government is to enforce the law as it is. It can easily rest content in the assumption that the law-making branch of the Government is as keenly aware of modern business methods and conditions as the executive branch, and perhaps views in a different light even TECHNICAL violations of law by constant lawbreakers.

The Attorney-General further states that—

The Department of Justice is without organization for the investition of suspected offenses, though general appropriation for the enforcement of this and laws of like character made by Congress in 1903 has to some extent supplied this deficiency.

This is a reference to the appropriation of $500,000 in the act approved February 25, 1903, to enable the Attorney-General to enforce the interstate-commerce act and the Sherman antitrust act, and the provisions of the Wilson Act heretofore mentioned. And I might add that the sundry civil appropriation bill which recently passed the House carries $250,000 additional, together with the unexpended balance of the original appropriation for the same purpose.

Nevertheless—

He continues—

It is true, in the main, that proceedings instituted by the Department have had their origin either in a complaint by some interested person or in the investigation of some other Department of the Government. These reasons—the uncertainty of the meaning of the law, *its conflict with the tendencies of business,* and the insufficient means of detecting offenses—have made its enforcement slow and difficult, *and obedience to its provisions far from universal.*

I have already stated that the tendencies of business which conflict with the law are criminal tendencies. No consideration should be given such tendencies in determining whether the law should be enforced rigorously.

As to the law being uncertain the Attorney-General says in his report:

Although decisions of the Supreme Court have shed much light upon the meaning of the words used in the law to express the acts prohibited, yet the exact limits of the meaning of "restraints" and "monopolization" have not been ascertained with precision. Moreover, although the conception of commerce among the States and with foreign nations is well defined, its application to the complex conditions of business often raise questions whether given transactions are foreign or interstate trade which are not easy of solution.

This is merely another and more confusing way of stating that the general principles are well settled, but that every case is likely to have its own peculiar features and must be decided accordingly, and that some cases will present really difficult, if not close, questions for solution.

The Attorney-General points out that the decisions of the Supreme Court make clear the following in reference to the Sherman antitrust act:

(1) That the law is constitutional. (United States *v.* Joint Traffic Association, 171 U. S., 505.)

(2) That a combination of manufacturers to restrain or monopolize manufacture or production which only incidentally and indirectly affected interstate commerce was not within the prohibition of the act because not a restraint or monopolization of interstate commerce. (United States *v.* E. C. Knight Co., 156 U. S., 1.)

(3) That a combination of manufacturers fixing prices and suppressing competition in the sale of their products in interstate commerce was forbidden by the act. (United States *v.* Addyston Pipe and Steel Company, 175 U. S., 211.)

(4) That a combination among competing interstate railways by which rates and fares are established and maintained is forbidden by the law, although the rates in themselves may not be unreasonable or excessive. (United States *v.* Trans-Missouri Freight Association, 166 U. S., 290; United States *v.* Joint Traffic Association, 171 U. S., 505.)

These decisions justify the statement that the intent of the Sherman law is well understood and settled, and that the only difficulty that may arise from its enforcement is one common to the enforcement of all law—the determination as to whether particular cases come within the law.

As I have already stated, I have a list, not believed to be exhaustive, of 374 industrial trusts, corporations, or combinations which are engaged in interstate commerce.

The Attorney-General in his report for 1906 states that since the beginning of President Roosevelt's Administration twenty-three proceedings have begun under this law, seven of which have been concluded and sixteen are pending.

It would seem to the casual observer that a more efficient administration of the law would have resulted in a larger number of proceedings. Since the passage of the Elkins Act in 1903, which, as the Attorney-General says, "very much strengthened the hands of the Government in dealing with discriminatory practices of railroads," the Government in 1905 has undertaken to enforce the law rigorously. As a result, since then seventy-seven indictments have been returned, and the Government has been active and thus far successful in the prosecutions.

But why should all of the efforts of the Administration be devoted to the enforcement of the laws to prevent rebates and discriminations? Unquestionably the public has suffered grievously from such practices. Serious as have been the results of such practices, however, the harm to the public from them has never even approximated the positive evil that has resulted from the existence and operations of those combinations whose chief and, indeed, only aim is to enhance prices and to control the production of articles necessary to the people in their everyday life and which enter into interestate commerce.

It has been asserted time and again from all sides that publicity is one of the best means to mitigate the evils of the operations and exactions of the unlawful combinations that are preying upon the public. The information sought by the resolution introduced by me, compiled officially by that Department of the Government charged with such duties, might possibly of itself result in the discontinuance of the more flagrant violations of the law. The others could then be proceeded against in an orderly and proper manner without apology, without excuse, with no feeble plea on behalf of those defying the law "that it is impossible to conduct business without breaking it," but with a resolute determination to compel all the business of the country to be conducted in strict accordance with the law.

It will not do to permit anyone, however exalted his position, to select some of those combinations or contracts that violate the law to continue unmolested upon the specious plea that they are beneficial rather than detrimental to the country. To do

so will be to thwart the purpose of the law and eventually bring it into contempt, so that it will be ineffective for any purpose.

For these reasons I regret that the Committee on the Judiciary, although it believes the information requested valuable, refuses to recommend the adoption of the resolution and feels constrained to have it laid upon the table. I shall indulge the hope that the contribution that I am able to make to the available information on the subject may at least be of some service.

*Unofficial list of industrial trusts.*

| Company. | Capital. | Number of constituent or subsidiary companies. | Where organized. |
|---|---|---|---|
| Acme Cement Plaster Co | $1,000,000 | 3 | Illinois. |
| Æolian-Weber Piano and Pianola Co | 10,000,000 | 8 | New Jersey. |
| Alabama Consolidated Coal and Iron Co. | 3,750,000 | 2 | Do. |
| Allegheny Ore and Iron Co | 3,000,000 | 2 | Virginia. |
| Allentown Rolling Mills | 1,000,000 | 2 | Pennsylvania. |
| Allis-Chalmers Co | 50,000,000 | 5 | New Jersey. |
| Alpha Portland Cement Co | 2,000,000 | 3 | Do. |
| Amalgamated Sugar Co | 4,000,000 | 3 | Utah. |
| American Axe and Tool Co | 2,000,000 | 6 | Pennsylvania. |
| American Dyewood Co | 2,894,000 | 2 | Do. |
| American Malt Co | 15,000,000 | 22 | New Jersey. |
| American Agricultural Chemical Co | 40,000,000 | 30 | Connecticut. |
| American Machine and Ordnance Co | 10,000,000 | 2 | New Jersey. |
| American Asbestos and Fireproofing Co. | 16,500,000 | 2 | Virginia. |
| American Beet Sugar Co | 20,000,000 | 4 | New Jersey. |
| American Book Co | 5,000,000 | 5 | Do. |
| American Box and Lumber Co | 500,000 | 5 | Do. |
| American Brake Shoe Foundry Co | 4,500,000 | 5 | Do. |
| American Brass Co | 20,000,000 | 6 | Connecticut. |
| American Can Co | 88,000,000 | 75 | New Jersey. |
| American Caramel Co | 2,000,000 | 3 | Pennsylvania. |
| American Car and Foundry Co | 60,000,000 | 17 | New Jersey. |
| American Cement Co | 4,100,000 | 4 | Do. |
| American Chicle Co | 9,000,000 | 6 | Do. |
| American Coal Co | 1,500,000 | 4 | Do. |
| American Coal Products Co | 15,000,000 | 2 | Do. |
| American Colortype Co | 4,000,000 | 3 | Do. |
| American Cotton Oil Co | 34,799,400 | 16 | Do. |
| American Electric Telephone Co | 750,000 | 3 | Do. |
| American Felt Co | 5,000,000 | 5 | Do. |
| American Finance and Securities Co | 5,000,000 | 4 | Do. |
| American Fork and Hoe Co | 4,000,000 | 13 | Do. |
| American Glue Co | 2,400,000 | 3 | Massachusetts. |
| American Graphophone Co | 10,000,000 | 4 | West Virginia. |
| American Hardware Corporation | 7,500,000 | 4 | Connecticut. |
| American Hide and Leather Co | 35,000,000 | 22 | New Jersey. |
| American Hominy Co | 3,750,000 | 10 | Do. |
| American Ice Securities Co | 20,000,000 | 2 | Do. |
| American Iron and Steel Manufacturing Co. | 5,550,000 | 5 | Pennsylvania. |
| American-La France Fire Engine Co | 2,000,000 | 3 | New York. |
| American Linseed Co | 50,000,000 | 42 | New Jersey. |
| American Lithographic Co | 6,500,000 | 9 | New York. |
| American Locomotive Co | 50,000,000 | 10 | Do. |
| American Oak Leather Co | 3,500,000 | 2 | Ohio. |
| American Oil Engine and Shipbuilding Co. | 6,000,000 | 2 | Maine. |
| American Patent Kid Co | 400,000 | 2 | New Jersey. |
| American Pipe Manufacturing Co | 5,000,000 | 18 | Do. |
| American Pneumatic Service Co | 15,000,000 | 7 | Delaware. |
| American Radiator Co | 10,000,000 | 4 | New Jersey. |
| American Rolling Mill Co | 1,400,000 | 2 | Do. |
| American Screw Co | 3,250,000 | 6 | Rhode Island. |
| American Seating Co | 4,000,000 | 25 | New Jersey. |
| American Seeding Machine Co | 15,000,000 | 7 | Do. |
| American Sewer Pipe Co | 8,000,000 | 32 | Do. |
| American Shipbuilding Co | 30,000,000 | 6 | Do. |
| American Smelting and Refining Co | 100,000,000 | 14 | Do. |
| American Smelters Securities Co | 77,000,000 | 2 | Do. |
| American Soda Fountain Co | 3,750,000 | 4 | Do. |
| American Steel Foundries Co | 40,000,000 | 9 | Do. |
| American Stove Board Co | 100,000 | 12 | West Virginia. |
| American Stove Co | 5,000,000 | 9 | New Jersey. |
| American Sugar Refining Co | 90,000,000 | 25 | Do. |
| American Thread Co. (The) | 12,000,000 | 14 | Do. |
| American Tobacco Co | 180,000,000 | 8 | Do. |
| American Tube and Stamping Co | 2,800,000 | 2 | Connecticut. |
| American Type Foundry Co | 6,000,000 | 23 | New Jersey. |
| American Vulcanized Fiber Co | 3,400,000 | 4 | Delaware. |
| American Window Glass Machine Co | 20,000,000 | 2 | New Jersey. |
| American Wood Working Machinery Co. | 1,500,000 | 11 | Pennsylvania. |
| American Woolen Co | 65,000,000 | 25 | New Jersey. |
| American Wringer Co | 2,250,000 | 4 | Rhode Island. |
| American Writing Paper Co | 25,000,000 | 31 | New Jersey. |
| American Shovel and Tool Co | 5,000,000 | 7 | Do. |
| Amoskeag Manufacturing Co | 4,000,000 | 2 | New Hampshire. |
| Anthony and Scoville Co | 2,500,000 | 3 | New York. |
| Appleton & Co., D | 2,250,000 | 3 | Do. |
| Associated Merchants Co | 17,264,000 | 6 | Connecticut. |
| Associated Oil Co | 40,000,000 | 6 | California. |
| Automatic Weighing Machine Co | 3,600,000 | 3 | New York. |
| Babcock & Wilcox Co. (The) | 15,000,000 | 2 | New Jersey. |
| Baker Manufacturing Co | 600,000 | 2 | Wisconsin. |
| Baltimore Brick Co | 3,000,000 | 22 | Delaware. |
| Beatrice Creamery Co | 4,000,000 | 8 | Iowa. |
| Bethlehem Steel Corporation | 30,000,000 | 7 | New Jersey. |
| Bigelow Carpet Co | 4,080,000 | 2 | Massachusetts. |
| Bliss, E. W., Co | 3,000,000 | 3 | West Virginia. |
| Bon Air Coal and Iron Co | 5,000,000 | 2 | Maine. |

*Unofficial list of industrial trusts*—Continued.

| Company. | Capital. | Number of constituent or subsidiary companies. | Where organized. |
|---|---|---|---|
| Booth & Co., A | $5,500,000 | 2 | Illinois. |
| Browning Co | 250,000 | 9 | New York. |
| Brill, J. G., Co | 600,000 | 2 | Pennsylvania. |
| British Columbia Packers' Association | 4,000,000 | 46 | New Jersey. |
| Butterick Co. (The) | 12,000,000 | 4 | New York. |
| Byers, A. M., Co | 1,500,000 | 2 | Pennsylvania. |
| California Fruit Canners' Association | 3,500,000 | 18 | California. |
| California Wine Association | 10,000,000 | 8 | Do. |
| Cambria Steel Co | 50,000,000 | 2 | Pennsylvania. |
| Cascin Co. of America | 6,500,000 | 4 | New Jersey. |
| Castner Electrolytic Alkali Co | 2,000,000 | 2 | Virginia. |
| Celluloid Co | 6,000,000 | 2 | New Jersey. |
| Central Coal and Coke Co | 7,000,000 | 8 | Missouri. |
| Central Fireworks Co | 3,500,000 | 6 | New Jersey. |
| Central Foundry Co | 14,000,000 | 31 | Do. |
| Central Hudson Steamboat Co | 1,000,000 | 4 | New York. |
| Central Lard Co | 400,000 | 5 | New Jersey. |
| Central Leather Co | 80,000,000 | 6 | Do. |
| Central Stamping Co | 600,000 | 2 | New York. |
| Chicago Pneumatic Tool Co | 7,500,000 | 10 | New Jersey. |
| Chicago Railway Equipment Co | 2,500,000 | 2 | Illinois. |
| Cincinnati Ice Co | 994,000 | 3 | Ohio. |
| Cleveland-Akron Bag Co | 1,800,000 | 4 | Do. |
| Cleveland and Sandusky Brewing Co | 6,000,000 | 10 | Do. |
| Colonial Coal and Coke Co | 1,250,000 | 3 | South Dakota. |
| Colonial Sugars Co | 3,000,000 | 3 | New Jersey. |
| Colorado Fuel and Iron Co | 46,200,000 | 3 | Colorado. |
| Columbus Iron and Steel Co | 1,000,000 | 2 | Ohio. |
| Computing Scale Co. of America | 2,500,000 | 5 | New Jersey. |
| Consolidated Coal, Iron and Land Co | 2,000,000 | 3 | Virginia. |
| Consolidated Cotton Duck Co | 13,000,000 | 8 | Delaware. |
| Consolidated Fruit Jar Co | 500,000 | 2 | New York. |
| Consolidated Hardware Co | 3,000,000 | 2 | New Jersey. |
| Consolidated Naval Stores Co | 3,000,000 | 10 | Florida. |
| Consolidated Railway, Lighting and Refrigerating Co. | 22,000,000 | 7 | New Jersey. |
| Consolidated Rosendale Cement Co | 1,500,000 | 6 | New York. |
| Consolidated Wagon and Machine Co | 1,500,000 | 2 | Utah. |
| Consolidation Coal Co | 10,250,000 | 8 | Maryland. |
| Continental Cotton Oil Co | 6,000,000 | 7 | New Jersey. |
| Continental Gin Co | 3,000,000 | 6 | Delaware. |
| Continental Land and Cattle Co | 3,000,000 | 2 | Texas. |
| Continental Leather Co | 300,000 | 2 | Delaware. |
| Continental Railway Equipment Co | 4,000,000 | 2 | New Jersey. |
| Corn Products Refining Co | 80,000,000 | 6 | Do. |
| Cramp (Wm.) & Sons Ship and Engine Building Co. | 6,250,000 | 2 | Pennsylvania. |
| Crucible Steel Co. of America | 50,000,000 | 12 | New Jersey. |
| Cumberland Coal and Coke Co | 2,000,000 | 2 | Do. |
| Cuyahoga Wire and Fence Co | 1,100,000 | 2 | Ohio. |
| Dayton (Ohio) Breweries Co | 2,500,000 | 6 | Do. |
| Distillers' Securities Corporation | 32,500,000 | 4 | New Jersey. |
| Draper Co | 8,000,000 | 4 | Maine. |
| Du Pont (E. I.) De Nemours Powder Co. | 50,000,000 | 8 | New Jersey. |
| Dwight Manufacturing Co | 1,800,000 | 3 | Massachusetts. |
| Eastern Steamship Co | 3,000,000 | 5 | Maine. |
| Eastman Kodak Co | 35,000,000 | 6 | New Jersey. |
| Edwards Manufacturing Co | 1,200,000 | 2 | Maine. |
| Electrical Properties Co | 12,000,000 | 2 | New York. |
| Electric Boat Co | 10,000,000 | 3 | New Jersey. |
| Electric Storage Battery Co. (The) | 18,000,000 | 11 | Do. |
| Electric Vehicle Co | 20,000,000 | 8 | Do. |
| Elliott-Fischer Co | 10,000,000 | 4 | Delaware. |
| Empire Coke Co | 1,200,000 | 2 | New York. |
| Empire Steel and Iron Co | 10,000,000 | 2 | New Jersey. |
| Erie Preserving Co | 1,300,000 | 2 | New York. |
| Fairmont Coal Co | 12,000,000 | 3 | West Virginia. |
| Fay (J. A.) & Egan Co | 2,000,000 | 2 | Do. |
| Federal Clay Product Co | 300,000 | 4 | Ohio. |
| Fisheries Co | 3,000,000 | | New Jersey. |
| Gas Engine and Power Co. and Chas. L. Seabury Co. Consolidated. | 600,000 | 2 | New York. |
| General Asphalt Co | 31,000,000 | 69 | New Jersey. |
| General Chemical Co | 25,000,000 | 13 | New York. |
| General Electric Co | 60,000,000 | 8 | Do. |
| General Railway Signal Co | 5,000,000 | 2 | Do. |
| Gisholt Machine Co | 1,250,000 | 2 | Wisconsin. |
| Great Western Cereal Co | 3,000,000 | 8 | New Jersey. |
| Great Western Sugar Co | 30,000,000 | 7 | Do. |
| Guffey Petroleum Co | 20,000,000 | 3 | Texas. |
| Harbison Walker Refactories Co | 27,600,000 | 11 | Pennsylvania. |
| Hartford Carpet Corporation | 5,000,000 | 2 | Connecticut. |
| Haverhill Shoe Manufacturers' Ass'n | 200,000 | (?) | Maine. |
| Helderberg Cement Co | 600,000 | 2 | New York. |
| Herring-Hall-Marvin Safe Co | 700,000 | 4 | Do. |
| Hayward Bros. & Wakefield Co | 6,000,000 | 3 | New Jersey. |
| Hilton & Dodge Lumber Co | 1,000,000 | | Georgia. |
| Hoster-Columbus Assd. Breweries Co | 6,000,000 | 4 | Ohio. |
| Hudson Navigation Co | 4,000,000 | 2 | New Jersey. |
| Hudson River Water Power Co | 5,000,000 | 3 | New York. |
| Huebner-Toledo United Breweries Co | 3,000,000 | 3 | Ohio. |
| Hydraulic Pressed Brick Co. (The) | 3,000,000 | 14 | Missouri. |
| Illinois and Iowa Fuel Co | 200,000 | 2 | Iowa. |
| Illinois Brick Co | 4,000,000 | 26 | Illinois. |
| Illinois Midland Coal Co | 2,000,000 | 2 | Do. |
| Imperial Coal and Coke Co | 2,000,000 | 7 | District of Columbia. |
| Independent Brewing Co | 9,000,000 | 16 | Pennsylvania. |
| Ingersoll-Rand Co | 10,000,000 | 2 | New Jersey. |
| International Elevating Co | 2,200,000 | 2 | Do. |
| International Harvester Co | 120,000,000 | 8 | Do. |
| International Mercantile Marine Co | 120,000,000 | 6 | Do. |
| International Nickel Co | 24,000,000 | 7 | Do. |
| International Power Co | 8,000,000 | 6 | Do. |
| International Salt Co | 30,000,000 | 3 | Do. |

*Unofficial list of industrial trusts*—Continued.

| Company. | Capital. | Number of constituent or subsidiary companies. | Where organized. |
|---|---|---|---|
| International Silver Co | $20,000,000 | 17 | New Jersey. |
| International Steam Pump Co | 31,000,000 | 7 | Do. |
| International Text-Book Co | 4,000,000 | 5 | Pennsylvania. |
| International Time Recording Co | 1,950,000 | 4 | New Jersey. |
| John (H. W.)-Manville Co | 3,000,000 | 2 | New York. |
| Kentucky Block Cannel Coal Co | 500,000 | 2 | West Virginia. |
| Keystone Watch Case Co | 8,500,000 | 2 | Pennsylvania. |
| Kirby Lumber Co | 10,000,000 | 5 | Texas. |
| Knickerbocker Ice Co | 7,000,000 | 125 | Illinois. |
| La Belle Iron Works | 7,500,000 | 2 | West Virginia. |
| Lackawanna Animal Product Co | 3,000,000 | 2 | New Jersey. |
| Lackawanna Cold Storage and Warehouse Co. | 126,000 | 2 | Pennsylvania. |
| Lake Superior Corporation | 40,000,000 | 4 | New Jersey. |
| Lombard Governor Co | 500,000 | 2 | Do. |
| Macbeth-Evans Glass Co | 2,000,000 | 2 | Pennsylvania. |
| Magnus Metal Co | 3,000,000 | 5 | New Jersey. |
| Manhattan Transit Co | 10,000,000 | 2 | New York. |
| Manning, Maxwell & Moore (Inc.) | 5,000,000 | 5 | New Jersey. |
| Manville Co | 6,000,000 | 2 | Do. |
| Marsden Co | 50,000,000 | 2 | Do. |
| Martin (L.) Co. (The) | 600,000 | 4 | Do. |
| Massachusetts Breweries Co | 6,532,000 | 10 | Virginia. |
| Mechanical Rubber Co | 15,000,000 | 5 | New Jersey. |
| Mississippi Glass Co | 3,000,000 | 4 | New York. |
| Mississippi Wire Glass Co | 1,900,000 | 6 | New Jersey. |
| National Biscuit Co | 55,000,000 | 3 | Do. |
| National Candy Co. of New Jersey | 9,000,000 | 20 | Do. |
| National Car Wheel Co | 4,000,000 | 4 | New York. |
| National Casket Co | 6,000,000 | 3 | Do. |
| National Consolidated Wire and Cable Co. | 16,000,000 | 7 | Maine. |
| National Enameling and Stamping Co. | 30,000,000 | 10 | New Jersey. |
| National Fire Proofing Co | 12,500,000 | 16 | Pennsylvania. |
| National Glass Co | 4,000,000 | 19 | Do. |
| National Grocery Co | 5,500,000 | 9 | New Jersey. |
| National Mercantile Co | 250,000 | 3 | Maine. |
| National Novelty Corporation | 5,000,000 | 21 | New Jersey. |
| National Packing Co | 15,000,000 | 10 | Do. |
| National Petroleum Association | 200,000 | 33 | Ohio. |
| National Refining Co | 2,000,000 | 3 | Delaware. |
| National Roofing and Corrugating Co | 5,000,000 | 4 | West Virginia. |
| National Saw Co | 1,000,000 | 3 | Kentucky. |
| National Sugar Refining Co | 20,000,000 | 3 | New Jersey. |
| New England Cotton Yarn Co | 5,900,000 | 9 | Massachusetts. |
| New Era Machinery Co | 500,000 | 2 | New Jersey. |
| New Jersey Co. (The) | 1,500,000 | 2 | Do. |
| New Jersey Terminal Dock and Improvement Co. | 3,000,000 | 2 | Do. |
| New Jersey-West Virginia Bridge Co | 500,000 | 2 | Do. |
| New York Air Brake Co | 10,000,000 | 2 | Do. |
| New York Phonograph Co | 2,500,000 | 2 | New York. |
| New York Steam Co | 7,500,000 | 2 | Do. |
| New York Transportation Co | 5,000,000 | 3 | New Jersey. |
| Niles-Bement-Pond Co | 8,000,000 | 7 | Do. |
| North American Biscuit Co | 9,000,000 | 2 | Do. |
| Northern Commercial Co | 3,387,000 | 4 | Do. |
| Northwestern Commercial Co | 2,500,000 | 4 | Washington. |
| Obey River Coal Co | 800,000 | 2 | Tennessee. |
| Ohio Box Board Co | 700,000 | 2 | Ohio. |
| Ohio Fuel Supply Co | 8,000,000 | 8 | Do. |
| Otis Elevator Co | 13,000,000 | 7 | New Jersey. |
| Pacific Coast Biscuit Co | 1,500,000 | 9 | Do. |
| Pacific Coast Co. (The) | 12,525,000 | 4 | Do. |
| Pacific Hardware and Steel Co | 10,000,000 | 2 | Do. |
| Pacific Lumber Co | 10,000,000 | 2 | Maine. |
| Parlin & Orendorff Co | 100,000 | 3 | Illinois. |
| Peabody Coal Co | 2,500,000 | 8 | Do. |
| Pennsylvania American Plate Glass Co. | 2,000,000 | 2 | Delaware. |
| Pennsylvania Central Brewing Co | 5,600,000 | 11 | Pennsylvania. |
| Pennsylvania Coal and Coke Co | 12,000,000 | 2 | Do. |
| Pennsylvania Steel Co. (of New Jersey). | 50,000,000 | 6 | New Jersey. |
| People's Brewing Co., of Trenton | 2,200,000 | 4 | Do. |
| Pepperall Manufacturing Co | 2,556,000 | 2 | Maine. |
| Pioneer Pole and Shaft Co | 3,000,000 | ..... | New Jersey. |
| Pittsburg and Westmoreland Coal Co | 3,000,000 | 5 | Pennsylvania. |
| Pittsburg Brewing Co | 13,000,000 | 16 | Do. |
| Pittsburg Buffalo Co | 6,000,000 | 3 | Do. |
| Pittsburg Coal Co. (The) | 64,000,000 | 9 | New Jersey. |
| Pittsburg Dry Goods Co. (The) | 600,000 | 2 | Pennsylvania. |
| Pittsburg Plate Glass Co. (The) | 17,650,000 | 2 | Do. |
| Planters' Compress Co | 10,000,000 | 2 | Maine. |
| Pope Manufacturing Co | 22,500,000 | 4 | New Jersey. |
| Port Huron Engine and Thresher Co | 2,000,000 | 5 | Michigan. |
| Pratt Consolidated Coal Co | 6,000,000 | 8 | Delaware. |
| Pressed Steel Car Co | 25,000,000 | 2 | New Jersey. |
| Pullman Company | 74,000,000 | 2 | Illinois. |
| Quaker Oats Co | 13,500,000 | 2 | New Jersey. |
| Railway Steel Spring Co | 26,000,000 | 8 | Do. |
| Randolph-Macon Coal Co | 5,000,000 | 9 | Missouri. |
| Reece Button-Hole Machine Co | 1,000,000 | 2 | Maine. |
| Republic Iron and Steel Co | 55,000,000 | 57 | New Jersey. |
| Rochester and Pittsburg Coal and Iron Co. | 4,000,000 | 2 | Pennsylvania. |
| Rome Locomotive and Machine Works. | 500,000 | 2 | New York. |
| Safety Car Heating and Lighting Co. (The). | 5,000,000 | 2 | New Jersey. |
| St. Louis Car Co | 2,500,000 | 2 | Missouri. |
| Seacoast Canning Co. (The) | 2,000,000 | 11 | New Jersey. |
| Securities Co. of New York (The) | 2,000,000 | 2 | New York. |
| Securities Corporation (Limited) | 700,000 | 2 | New Jersey. |
| Sloss-Sheffield Steel and Iron Co | 20,000,000 | 5 | Do. |
| Somerset Coal Co | 4,000,000 | 14 | Pennsylvania. |
| South Baltimore Steel Car and Foundry Co. | 2,000,000 | 3 | Delaware. |
| Southern Coal and Mining Co | $1,100,000 | 10 | Illinois. |
| Southern Steel Co | 16,000,000 | 2 | Alabama. |
| Springfield Breweries Co. (Mass.) | 2,300,000 | 4 | West Virginia. |
| Springfield (Ill.) Coal Mining Co | 2,250,000 | 4 | New York. |
| Squire (John P.) Co | 7,500,000 | 12 | New Jersey. |
| Standard Chain Co | 800,700 | 20 | Do. |
| Standard Milling Co | 11,500,000 | 3 | Do. |
| Standard Oil Co. of New Jersey | 110,000,000 | 79 | Do. |
| Standard Roller Bearing Co | 2,000,000 | 2 | Do. |
| Standard Sanitary Manufacturing Co | 5,000,000 | 9 | Do. |
| Standard Screw Co | 4,500,000 | 7 | Do. |
| Standard Table Oil Cloth Co | 10,000,000 | 7 | Do. |
| Standard Wall Paper Co | 1,250,000 | 2 | New York. |
| Stark-Tuscarawas Breweries Co | 1,500,000 | 5 | Ohio. |
| Street's Western Stable Car Line | 5,000,000 | 2 | Illinois. |
| Sunday Creek Co | 4,000,000 | 5 | New Jersey. |
| Superior Pocahontas Coal Co | 500,000 | 4 | West Virginia. |
| Susquehanna Iron and Steel Co | 1,500,000 | 6 | Pennsylvania. |
| Swift & Co | 50,000,000 | 4 | Illinois. |
| Temple Iron Co | 5,000,000 | 2 | Pennsylvania. |
| Tennessee Coal, Iron and Railroad Co | 22,821,130 | 6 | Tennessee. |
| Texas and Pacific Coal Co | 2,500,000 | 3 | Texas. |
| Textile Finishing Machinery Co | 1,950,000 | 4 | Rhode Island. |
| Tidewater Steel Co | 2,100,000 | 2 | Pennsylvania. |
| Toledo Coal and Clay Co | 500,000 | 2 | |
| Trenton Potteries Co. (The) | 3,000,000 | 6 | New Jersey. |
| Trow Directory, Printing and Bookbinding Co. | 1,000,000 | 2 | Do. |
| Turner Tanning Machine Co | 500,000 | 2 | Maine. |
| Underwood Typewriter Co | 3,500,000 | 2 | New Jersey. |
| Union Bag and Paper Co | 27,000,000 | 7 | Do. |
| Union-Buffalo Mills | 7,000,000 | 4 | New York. |
| Union Switch and Signal Co | 2,500,000 | 2 | Pennsylvania. |
| Union Typewriter Co | 20,000,000 | 6 | New Jersey. |
| Union Waxed and Parchment Paper Co. | 1,800,000 | 4 | Do. |
| Union Box Board and Paper Co | 26,967,400 | 26 | Do. |
| United Breweries Co | 4,685,500 | 13 | Do. |
| United Cigar Manufacturing Co | 20,000,000 | 5 | New York. |
| United Collieries Co | 1,000,000 | 2 | New Jersey. |
| United Engineering and Foundry Co | 5,500,000 | 5 | Pennsylvania. |
| United Fruit Co | 20,000,000 | 3 | New Jersey. |
| United Lead Co | 25,000,000 | 19 | Do. |
| United Mattress Machinery Co | 600,000 | 6 | Maine. |
| United Printing Machinery Co | 500,000 | 3 | Do. |
| United Shoe Machinery Corporation | 50,000,000 | 28 | New Jersey. |
| United States and Nicaragua Co | 20,000,000 | 3 | Maine. |
| United States Brick Co | 5,000,000 | 2 | Pennsylvania. |
| United States Cast Iron Pipe and Foundry Co. | 30,000,000 | 8 | New Jersey. |
| United States Envelop Co | 5,000,000 | 9 | Maine. |
| United States Finishing Co. (The) | 3,600,000 | 5 | Connecticut. |
| United States Gypsum Co | 7,500,000 | 35 | New Jersey. |
| United States Lumber Co | 6,000,000 | 4 | Do. |
| United States Printing Co., of Ohio (leased to the United States Printing Co., of New Jersey). | 3,500,000 | 4 | Ohio. |
| United States Realty and Improvement Co. | 30,000,000 | 4 | New Jersey. |
| United States Reduction and Refining Co. | 10,000,000 | 6 | Do. |
| United States Rubber Co | 75,000,000 | 13 | Do. |
| United States Standard Voting Machine Co. | 1,000,000 | 2 | New York. |
| United States Whip Co | 2,250,000 | 14 | Maine. |
| United States Wire and Supply Co | 2,000,000 | 2 | Rhode Island. |
| United States Steel Corporation | 950,000,000 | 12 | New Jersey. |
| United States Bobbin and Shuttle Co | 2,000,000 | 7 | Do. |
| Universal Caster and Foundry Co | 350,000 | 3 | Do. |
| Utah Fuel Co | 10,000,000 | 3 | Do. |
| Utah Sugar Co | 6,000,000 | 2 | Utah. |
| Vandalia Coal Co | 4,000,000 | 27 | New Jersey. |
| Victor Fuel Co | 5,000,000 | 2 | Colorado. |
| Virginia-Carolina Chemical Co | 58,000,000 | ..... | New Jersey. |
| Virginia Iron, Coal and Coke Co | 10,000,000 | 10 | Virginia. |
| Vulcan Detinning Co | 3,500,000 | 2 | New Jersey. |
| Waterbury Co | 1,350,000 | 2 | Do. |
| Wellman-Seaver-Morgan Co | 3,000,000 | 2 | Ohio. |
| Wells, Fargo & Co. Express | 8,000,000 | 2 | Colorado. |
| Welsbach Co | 3,500,000 | 2 | New Jersey. |
| West End Colliery Co | 800,000 | 2 | Do. |
| Western Anthracite Coal and Coke Co. | 2,500,000 | 2 | Colorado. |
| Western Stone Co | 2,250,000 | 8 | Illinois. |
| Westinghouse Air Brake Co | 11,000,000 | 2 | Pennsylvania |
| Westinghouse Electric and Manufacturing Co. | 50,000,000 | 4 | Do. |
| Westmoreland Coal Co. (The) | 5,000,000 | 2 | Do. |
| West Virginia Pulp and Paper Co | 7,500,000 | 2 | Delaware. |
| Wheeling Potteries Co | 1,000,000 | 6 | West Virginia. |
| Whitaker-Glassner Co | 3,000,000 | 3 | Do. |
| Wire and Telephone Co. of America | 600,000 | 2 | New York. |
| Wood (Allen) Iron and Steel Co | 3,500,000 | 2 | Pennsylvania. |
| Yale and Towne Manufacturing Co | 1,000,000 | 2 | Connecticut. |
| Yellow Pine Co | 1,845,700 | 8 | New Jersey. |
| York Silk Manufacturing Co | 5,000,000 | 2 | Pennsylvania. |
| Total industrial trusts, 374 | 5,686,167,830 | 2,701 | |

SIXTEEN-HOUR BILL.

Mr. HEPBURN. Mr. Speaker, I desire to call up the conference report on the bill S. 5133, and I ask that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Iowa calls up the con-

ference report on the bill S. 5133, known as the "sixteen-hour" bill, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendment, and agree to the same with amendments as follows:

In line 3, page 1, strike out the word "and" and insert "or" in said amendment.

In line 13, page 1, strike out the word "corporation" and insert in lieu thereof the words "common carrier" in said amendment.

In line 13, page 2 of said amendment, after the word "continue," insert "or again go;" and in the same line strike out the four concluding words of said line, reading "or go on duty."

In line 14, page 2 of said amendment, after the word "eight," insert the word "consecutive."

In lines 14 and 15, page 2, strike out the words "within such twenty-four-hour period."

In line 15, page 2, strike out the concluding word "operator."

In line 16, page 2, after the word "dispatcher," insert the words "or dispatcher's operator in the dispatcher's office."

In lines 17 and 18, page 2, strike out "dispatches, reports, transmits, receives, or delivers" and insert in lieu thereof "issues."

In line 20, page 2, strike out the word "nine" and insert in lieu thereof the word "eight."

In lines 21, 22, 23, and 24, page 2, strike out the words "in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime" and insert in lieu thereof "and that no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders) or who is charged with the operation of signals or switches from towers, offices, or stations shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period."

In line 9, page 3, after the word "suits," insert the words "to be."

In line 13, page 3, strike out the word "verified."

In line 15, page 3, strike out the words "three years" and insert "one year."

In line 21, page 3, after the word "of," insert the word "all;" and in the same line strike out the words "duly authorized" and insert in lieu thereof the words "officers and."

In line 24, page 3, after the word "its," insert the words "officer or."

In lines 1 and 2, page 4, strike out the words "with the exercise of reasonable prudence."

Strike out all of lines 7 and 8, page 4, and insert in lieu thereof "and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act."

And the Senate agree to the same.

W. P. HEPBURN,
J. S. SHERMAN,
*Managers on the part of the House.*
BOIES PENROSE,
FRANK P. FLINT,
*Managers on the part of the Senate.*

The Clerk read the statement as follows:

STATEMENT.

The Senate receded from its disagreement to the House amendment to this bill, with amendments.

The House amendment struck out all of the Senate bill after the enacting clause and inserted in lieu thereof what is best known as the "Esch bill" of the House.

The amendments which have been agreed to in conference and are recommended to the House are, first, to strike out the word "and" and insert "or;" so that the first clause of the bill will read "engaged in the transportation of passengers or property" instead of "passengers and property."

The second amendment agreed to strikes out the word "corporation" and inserts in lieu thereof the words "common carrier." The argument of those asking for this amendment was that by the use of the word "corporation" rather than "common carrier" the act would not apply to a common carrier while in the hands of a receiver.

The next amendment is to insert the words "or again go." This is largely phraseological, because the amendment as it passed read: "To continue on duty or go on duty." The amendment emphasizes the idea of having once been on duty by use of the expression "again go on duty."

The next amendment inserts the word "consecutive," making the eight hours off duty "consecutive hours."

The amendment striking out "within such twenty-four-hour period" was striking out words which seemed to be superfluous, as the twenty-four-hour is expressed two lines before.

The amendment to insert in section 3 the words "to be" was inserted to make more definite the thought that this provision related to suits not yet commenced.

The amendment striking from the amendment the word "verify" leaves it so that it is the duty of the district attorney to bring suits when information satisfactory to him is lodged, even though that information is not verified.

The amendment striking out the words "three years" and inserting in lieu thereof "one year" limits to one year the period in which suits can be brought for violation or infraction of the statutes.

The next amendment, changing the wording of the amendment as it passed the House from the reading "common carrier shall be deemed to have knowledge of all acts of its duly authorized agents" so that it shall be "had knowledge of all its officers and agents." The meaning of this is perfectly clear.

The next amendment, which strikes from the amendment "with the exercise of reasonable prudence," was made because the words were considered superfluous.

The amendments changing section 4 are in part phraseological, but in effect they enlarge the powers of the Interstate Commerce Commission and make certain that it has the right to exercise all of the authority now vested in it in reference to sending for persons, papers, etc.

The amendments to section 2, relating to telegraph operators, tower men, etc., taken together, changed the reading of the House bill from "*Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period, in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime," and inserts in lieu thereof "that no train dispatcher or dispatcher's operator in the dispatcher's office who, by the use of telegraph or telephone, issues orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than eight hours in any twenty-four-hour period; and that no employee who by the use of the telegraph or telephone transmits, receives, or delivers orders pertaining to or affecting train movements (excepting those who issue train orders), or who is charged with the operation of signals or switches from towers, offices, or stations, shall be required or permitted to be or remain on duty for a longer period than twelve hours in the aggregate in any twenty-four-hour period."

The main difference between these two provisions is this: First, that it limits the time within which the train dispatcher or his operator may be employed during any twenty-four hour period to eight hours instead of nine. Second, that it limits the period within which the other class of operators named in the original House amendment, or Esch bill, could be employed during any twenty-four hours to twelve hours instead of thirteen, except by the use of the words in the closing line of the amendment to the amendment, "in the aggregate," it makes it possible for a corporation at a minor office, where the operator is actually employed considerably less than twelve, or, probably, less than eight hours a day, to assign what his hours of employment shall be, so that the operator may be at his post of duty during the hours when the very few trains pass his station.

The amendment agreed to in conference also brings within the provisions of the law all tower men and interlocking switchmen who do not operate either through the telephone or the telegraph and yet whose duties are important. This amendment, it is believed, broadens the operation of the proposed bill so far as the individuals to be covered by it are concerned, lessens the hours of labor for those occupying the more arduous and responsible positions, at the same time making it possible for

the common carrier to operate, within its provisions, the outlying minor offices.

W. P. HEPBURN.
J. S. SHERMAN.

I concur with the majority of the managers on the part of the House, except as to amendments offered to section 2 of the bill, relating to telegraph operators, tower men, etc. The amendment offered does not change the conditions as to operators, but leaves them in exactly the same position they now occupy.

R. C. DAVEY.

The conferees on the part of the House on the disagreements between the two Houses on Senate bill 5133 make reference to the statement made by such conferees on March 1 and printed above. The report herewith made is identical with report heretofore made by conferees, except that, agreeably to the instructions of the House to the conferees, they insisted upon the elimination from the recommendations made in the report heretofore made of all the language following the word "*Provided*," in line 15, page 2, of the House amendment, down to and including the word "daytime," in line 24, and the insertion of the language contained in the resolution of instruction of the House this day passed, which was agreed to with the following language added: "*Provided further*, The Interstate Commerce Commission may, after full hearing in a particular case and for good cause shown, extend the period within which a common carrier shall comply with the provisions of this proviso as to such case." The proviso above explains itself and needs no further statement.

W. P. HEPBURN,
IRVING P. WANGER,
*Managers on the part of the House.*

We have insisted and secured compliance with instructions of the House as to the proviso touching the various classes and grades of telegraphers. The added condition investing the Interstate Commerce Commission with discretion to extend in particular cases on cause shown is not inconsistent with those instructions, though not required by them. It was offered as a condition to agreeing to the insistence of the House, and I have concurred in accepting that condition, not because I approved or desired it, but because it appeared to be absolutely necessary to secure this legislation. It is late in the session, and I am not willing to jeopardize other valuable features of the bill by refusing to accede to that condition, being satisfied that its rejection might prevent any legislation and hoping the condition would not prove harmful.

W. C. ADAMSON.

Mr. HEPBURN. Mr. Speaker, the report that we have made on the previous occasion is identical with the agreement of to-day, or the recommendations we have made to-day, except in the one particular contained in the instructions of the House. That has been agreed to, and it is inserted in the bill with the additional proviso giving to the Interstate Commerce Commission, in part, the power with regard to this particular branch of the public transportation service as it has in all of these cases that may arise under the legislation known as the "safety-appliance law."

It simply authorizes them to suspend the operation in a given case upon a showing and hearing had to the satisfaction of the Interstate Commerce Commission that that would be in the interest of transportation of the public.

I will reserve the balance of my time and yield five minutes to the gentleman from Missouri [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, the Interstate Commerce Commission, or the gentleman who is on that committee and connected with this legislation, has shown his hostility to any character of legislation along these lines, and if I correctly understood this afternoon, Mr. Clark, of that Commission, drew the amendment that was adopted by the conference committee. Therefore I regret that little will be done in relation to this law, although at this late hour of the session we will be compelled to accept it rather than to deny to thousands of trainmen throughout this country the rights that they ought to have and that the people ought to have by legislation through this body. Not only that, but I want it to go to this House and to the country that the Secretary of the Interstate Commerce Commission, Mr. Moseley, has hovered about this Capitol day in and day out trying to insert jokers into each provision—the trainmen's division and the operator's division—that would make the law absolutely ineffective. In private he has hugged us about the neck and told us how much he loved the railroad men and how he wanted to make the hours shorter, told us that he hated to ask for these amendments, but that he represented the President of the United States and he had to do it, and then he would go in public and deny that he ever made that statement.

Therefore, Mr. Speaker, I have little hopes of any relief from these gentlemen who have been opposing this legislation so far as the operators of this country are concerned. But I shall vote for the conference report in justice, as I say, to the trainmen of this country and the people.

Mr. HEPBURN. Mr. Speaker, just a moment. It is due to the gentleman that has been assailed here to say that Mr. Moseley did not say, when he was before the conferees, that he represented the President of the United States. He did not say it.

Mr. MURPHY. I know the gentleman does not want to misrepresent me. I said that he said it in private.

Mr. HEPBURN. I understood the gentleman to say that he did——

Mr. MURPHY. These are the words I used, "that he hugged me about the neck, and that is what he told me and Mr. Fuller."

Mr. HEPBURN. It was stated in the public prints that he made that statement, and yet, as a matter of fact, he made no such statement, and when the gentleman asked him whom he represented he gave him his name in full and said that he represented that person.

Mr. MURPHY. But I said he had done this in private, not before the conference committee.

Mr. HEPBURN. Mr. Speaker, I now yield five minutes to my colleague on the committee, the gentleman from Pennsylvania [Mr. WANGER].

Mr. WANGER. Mr. Speaker, I regret very much that my colleague from Missouri [Mr. MURPHY] has uttered the expressions that he has. I care not who drew the proviso which was sought to be engrafted upon the provision which the House directed us to secure. It was a mere transcript of section 7 of the safety-appliance act. That was not accepted, because it empowered the Interstate Commerce Commission to extend the time when the provision should go into effect as to common carriers. Our further proviso is that only in a particular case, after hearing and for cause shown, the Interstate Commerce Commission may extend the time as to that particular case, not as to any railway line or system and not as to any carrier.

I congratulate the House and the country that there is, by the action of the conferees, the assurance of the legislation that the House insisted upon. I have been enthusiastically in favor of the provision relating to telegraphers, and, without vaunting, I may justly claim that because of my insistence in season and out of season since the subject was brought to my notice there is a provision upon this subject in the legislation which, I trust, we are now about to write upon the statute books.

I can not consider this great question dispassionately, because I believe it involves the lives of the traveling people of this country, and that we are protecting them and railway trainmen in this legislation. But I realize that we are entering upon an unexplored country in this legislation, and none of us can fairly foresee what difficulties may be encountered. Upon first consideration it was thought that the amendment proposed by the gentleman from Missouri [Mr. MURPHY] was a proper provision. Upon further consideration there were certain inadequacies and objectionable features discovered in it which were recognized as potent. Then the amendment drawn by the gentleman from Wisconsin [Mr. ESCH] was taken up, and several amendments were engrafted upon it. It came to the House. The Committee on Rules adopted further amendments. You now have still further amendments. I believe that this legislation covers every phase of the question as thoroughly and as completely as the Congress can safely provide at this time. I believe it forces the three tours, or "tricks," of duty during the day in all the day-and-night railway offices in the United States. I believe that it leads to a reasonable and proper limitation of hours.

I believe it fairly protects the country and gives notice to the railway companies that they must have sufficient operators in every one of their stations where any order respecting the movements of trains is to be given to train men; and I hope that without a dissenting voice this conference report will be adopted. The table of statistics that I printed in the RECORD was furnished to me on my request by Secretary Moseley. He has never asked me as to any provision which should be ingrafted into the legislation or made any suggestion to me whatever as to how this legislation should be formulated, but earnestly urged the importance of the subject. I believe that he is a faithful friend of the people of the country, whether they be workingmen or whether they be other people. [Applause.] I believe that this legislation is a long step in the right direction, the longest step we can now safely take, and I therefore hope for the unanimous adoption of the report.

Mr. HEPBURN. Mr. Speaker, I now yield to my colleague on the conference committee the gentleman from Georgia [Mr. ADAMSON].

Mr. ADAMSON. Mr. Speaker, I will state to the gentleman that I would like to have some time yielded to myself and then a few minutes more, which I may grant to other gentlemen over here.

Mr. HEPBURN. Mr. Speaker, I yield twenty minutes to the gentleman.

Mr. ADAMSON. Mr. Speaker, the condition read from the desk in connection with the report was urged in the conference committee as a condition to the acceptance of the insistence of the House on its instructions. It was not required by the instructions of the House, yet in my judgment is in no wise inconsistent therewith. The instruction of the House was that we should restore the distinction and classification between the various grades and classes of telegraphers, as contained in the substitute passed by the House, but altered by the conferees in the previous report.

Being enabled to secure compliance with the instruction of the House as to the restoration of that provision, I did not feel at liberty to jeopardize the many valuable features proposed in this bill by refusing concurrence in a condition not inconsistent with the instructions of the House, and which could not prove very harmful in itself. In fact, Mr. Speaker, if there were nothing in the bill about the telegraphers, there are so many good features in it that I would not consent to its destruction at this stage.

Mr. RICHARDSON of Alabama. Mr. Speaker——

Mr. ADAMSON. Certainly, after having secured the very terms required by the House I would not then consent to kill the bill because I could not induce gentlemen at the other end of the Capitol to accede to our demands, without some slight concession to them.

Mr. RICHARDSON of Alabama. Will the gentleman allow me to ask him a question?

Mr. ADAMSON. With pleasure.

Mr. RICHARDSON of Alabama. Were not the instructions given by the House this afternoon to the conferees very plain and needing no construction?

Mr. ADAMSON. Yes, sir.

Mr. RICHARDSON of Alabama. And did not need any explanation?

Mr. ADAMSON. They certainly were.

Mr. RICHARDSON of Alabama. Have you complied with them?

Mr. ADAMSON. We certainly have.

Mr. RICHARDSON of Alabama. Why are you making an explanation, then?

Mr. ADAMSON. I am not making an explanation. I am making a speech on this conference report. [Applause.]

Mr. RICHARDSON of Alabama. May I ask the gentleman a further question?

Mr. ADAMSON. Certainly.

Mr. RICHARDSON of Alabama. I would like to ask the gentleman if it was not said that the minority on the Interstate and Foreign Commerce Committee, as well as the minority on this side, would not surrender and would not give up under any conditions that feature of the bill relating to the telegraphers and train dispatchers?

Mr. ADAMSON. It was, and we stood flat-footed and won every inch of our contention.

Mr. RICHARDSON of Alabama. Then I do not see why you are explaining so much.

Mr. ADAMSON. I am not explaining at all. The gentleman asked me a question and I am trying to answer it, which I take pleasure in doing when I can. He is so affable and courteous——

Mr. RYAN. Will the gentleman permit a question——

Mr. ADAMSON (continuing). That I am glad to have my distinguished friend help me at any time.

Mr. RYAN. Are you in favor, as a general proposition, of giving power to any administrative branch of the Government to postpone or suspend a legislative act?

Mr. ADAMSON. I am not.

Mr. RYAN. Would you have agreed to this except for the fact that you considered you could obtain otherwise no legislation at all?

Mr. ADAMSON. I agreed to it not because I wanted it or believed it necessary, but because I was practically told that there would be no legislation if I did not agree to it.

Mr. RICHARDSON of Alabama. You do not indorse it?

Mr. ADAMSON. I would not put it in if——

Mr. RICHARDSON of Alabama. Do you indorse it?

Mr. ADAMSON. I simply accept that as a condition upon which the other end of the Capitol accepts our instructions.

Mr. RICHARDSON of Alabama. You are not answering the question as a conferee from this side. Do you indorse what you have done?

Mr. ADAMSON. Well, I do not know what you mean by indorsing. [Applause.] I did not originate. I did not believe in it, I would not have proposed or would not have voted for it. I agreed to concur in the report with the distinct understanding that it was a sine qua non to secure this legislation. By agreeing to it we succeeded in securing compliance with the very instructions of the House. When this conference report is adopted there will be registered upon the statute books every solitary demand that the minority made in its fight and in the minority report. [Applause on the Democratic side.]

Mr. RYAN. Will the gentleman yield for another question? A similar power to this proposed by this act was given to the Interstate Commerce Commission in connection with the safety-appliance law when it was passed. Do you know of your own knowledge of any case where this power was improperly exercised?

Mr. ADAMSON. I have heard gentlemen say there were many cases where it was improperly exercised, and I have heard other gentlemen deny it. There are differences of opinion about it. But the gentleman from New York and I believed it worked very harmfully. I am of the opinion that there were delays and disasters attributable to the fact the Interstate Commerce Commission listened with too lenient ears to the appeals for postponement. That may be so again, but shall we jeopardize all the important provisions of this legislation at this hour of the session because we are afraid to trust the Interstate Commerce Commission, that has jurisdiction over all our commercial questions, because we are afraid to trust them in this one matter of the postponement of the operation of the law as to telegraphers in specific cases alone? I could not justify my refusal to concur, and you could not.

Mr. RYAN. I will state that I fully agree with the gentleman, but I wanted to bring the position of the minority members of this committee out fully.

Mr. ADAMSON. Mr. Speaker, I do not wish to consume all the time. I wish to yield to other gentlemen. I now yield four minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, we have here another instance where the conferees of the House and of the Senate are superior to both Houses. We have here to-night a report of conferees not in accordance with instructions of the House, because the views of the House upon this subject are not subject to such construction. The views of the House upon the subject of how long telegraph operators should be required to work in the operation of railways in this country is not subject to two opinions. When the question was here to-day there was but one vote that I heard against the motion to instruct the conferees to agree.

We have here now a conference report in which one of the conferees informs us that unless this addition to what the House instructed its conferees to-day is agreed to by the House this important legislation, demanded by almost the entire country, demanded by all of the organizations of railway trainmen and employees, is to fail and be defeated. I realize and recognize the position that we are in, and I for one want to raise my protest against this kind of legislation. I am at no time willing, when I can help myself, to intrust in the hands of any Department the right to say when and where the will and the law enacted by Congress shall be carried out. We have had an experience in the law which placed in the discretion of the Interstate Commerce Commission as to when the safety-appliance act should go into operation, and we know that for years and years they did not enforce it, and finally they appealed to Congress to extend the time. We know that when these cases are to be heard before the Railroad Commission, pressed as they must be for time, hurried as they are by innumerable cases of complaints against the railroads for excessive charges, when a case is put before that Commission it may be months and years before it is decided.

Why, this bill in its last section enacts that it shall not go into effect for twelve months from its passage, and you propose now to place in the hands of the Interstate Commerce Commission the right to suspend it for one year, for two years, for five years, and for an unlimited number of years.

I shall vote to adopt the report of the conference committee, not because I favor the addition to the House amendment, but because I do not desire the entire legislation to fail. I would not vote for it now if we had time to remain here and compel these conferees to carry out the will and the demands of this House as it was their duty. But realizing that the hours of the session are fast passing away, and if we are to have any legislation at all we must agree to the conference report, I submit to "this hold-up" on the part of the conferees. [Applause.]

Mr. ADAMSON. Mr. Speaker, I yield to the gentleman from Alabama [Mr. RICHARDSON] for five minutes.

Mr. RICHARDSON of Alabama. Mr. Speaker, I disagree with the Democratic conferee on this subject, and I do not disagree with him without reflection and without study. I do not disagree with him capriciously at all, but I think that if we will stop and reflect for one moment about the legislation in connection with this subject and the great advantage—and I say it now from a partisan standpoint—the Democrats have gained in this kind of legislation over the Republicans when they were playing politics over us and with us from the time this matter was first discussed in the Interstate and Foreign Commerce Committee from the 1st of December up to date, we are yielding in the concession that is made here this evening every political and economic advantage that we have gained.

That is my judgment as a Democrat; and as to the end that I have sought and have tried to secure, I have never seen a position since I have been here in Congress where the Democrats had a stronger position than they have had on this subject of the sixteen-hour labor question as to the employees of railroads. We know the position the Republican party is in, and I am now talking politics. We have been taunted often in this discussion that the minority were "playing politics." While this is not true, yet by the concession proposed we are surrendering the advantage we have secured.

Mr. FINLEY. Will the gentleman permit a question?

Mr. RICHARDSON of Alabama. Certainly.

Mr. FINLEY. How long before this bill will go into effect?

Mr. RICHARDSON of Alabama. A year from now.

Mr. FINLEY. If the bill is not satisfactory to the House, would it not be better to let it go until we can perfect it?

Mr. RICHARDSON of Alabama. But we are legislating now as for the present, and so under the instructions that were voted, practically unanimously—there was but one dissenting vote here this afternoon—that instruction gave to our conferees the proposition of the Democratic minority, coming from the minority of the Interstate and Foreign Commerce Committee, and indorsed by the Democrats of this House, instructions given to them to vote absolutely and unconditionally for this telegraphers' feature and train dispatchers. I say that this provision that the Democratic conferees reported here is departing from the spirit and the letter of that principle.

Mr. FINLEY. I agree with the gentleman.

Mr. RICHARDSON of Alabama. And no man can deny it.

Mr. FINLEY. I agree in the gentleman's conclusion, that there has been a departure from the instructions.

Mr. RICHARDSON of Alabama. Do you admit it is a departure?

Mr. FINLEY. I do.

Mr. RICHARDSON of Alabama. Then we ought to stop right there.

Mr. FINLEY. Having agreed it is a departure from the instruction, would we be in a worse condition, considering the fact that this bill does not go into operation for a year, if no legislation was had at this session of Congress?

Mr. RICHARDSON of Alabama. There is the first trouble in the matter. This is what the Democratic party has got to do. We come in here and say if we can not assert our views we are going to accept your views. This has been the paralyzing effect on the policies of the Democratic party for the last two years in this House. [Applause.] I am opposed to it. I am in favor of standing fairly and squarely by what I believe to be right, and go to the country on that issue and stand up for it.

Mr. GAINES of Tennessee. The gentleman is right.

Mr. RICHARDSON of Alabama. Then you will be with me on this.

Mr. GAINES of Tennessee. I am all the time with the people and against any railroad Senate coming here and terrorizing this body.

Mr. RICHARDSON of Alabama. I am glad that the gentleman is with us. We have this instruction from the Democrats on this side, and I believe the Republicans on the other side who voted for this instruction will gladly accept this compromising proposition. I am not surprised at that.

Mr. ELLIS. Will the gentleman allow me to ask him a question?

Mr. RICHARDSON of Alabama. Certainly.

Mr. ELLIS. I understand the gentleman to say he is talking politics now.

Mr. RICHARDSON of Alabama. Well, they have charged us—my dear, distinguished friend from Iowa [Mr. HEPBURN]—with "playing politics" all the time, and I said that if the Democrats play in politics, and we have defeated your purposes—you Republicans—that we ought to hold you and not give anything away.

Mr. ELLIS. Now, I understand on this that this proposition carried by practically a unanimous vote—only one voice against it.

Mr. RICHARDSON of Alabama. That was all that I heard.

Mr. ELLIS. Then the Members of the minority agreed with the majority in that vote?

Mr. RICHARDSON of Alabama. Yes.

Mr. ELLIS. I am perfectly willing to concede that the minority is right when it votes with the majority; but is that ground on which to claim a victory when you happen to vote with the majority?

Mr. RICHARDSON of Alabama. That might apply on general principles; but when you get to know who it was that inaugurated this principle about the telegraphers your question will not apply. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 24043) to authorize the sale of timber on certain of the land reserved for the use of the Menominee tribe of Indians, in the State of Wisconsin, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLAPP, Mr. WARNER, and Mr. CLARK of Montana as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

An act (H. R. 22182) to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5951. An act to repeal section 3480 of the Revised Statutes of the United States—to the Committee on the Judiciary.

SIXTEEN-HOUR BILL.

Mr. ADAMSON. Mr. Speaker, I wish to know if the gentleman from Iowa wishes to use some of his time now, or does he wish that we should proceed?

Mr. HEPBURN. Proceed, if you please.

Mr. ADAMSON. I have ten minutes remaining. The gentleman from Iowa has kindly given me five minutes more time. I wish the Chair to take note of that fact. I yield so much of my remaining ten minutes as the gentleman from Mississippi desires to use.

Mr. WILLIAMS. Mr. Speaker, this is the parliamentary situation which confronts the House. We were brought face to face with the alternative whether we should kill this legislation by refusing this condition to the telegrapher proviso, or whether, declining to take that responsibility, we should accept that condition. This side of the House has been struggling, and with signal and remarkable success, to attain certain substantive legislative results. We have attained them. We have inserted in the instruction of the House to the conferees the very exact language which we on this side of the Chamber had insisted should be in the bill. We defeated the motion to suspend the rules, and when the legislation came back procured the insertion of that proviso. After we had procured it, we procured instructions from this House to the conferees to insert that proviso in the legislation.

Mr. RICHARDSON of Alabama. Will you allow me to ask you a question?

Mr. WILLIAMS. If you will allow me to finish this statement, you may if I have the time.

To-day the House did instruct the conferees in favor of this exact proviso, and the conferees have obeyed the instructions of the House by obtaining the consent of the Senate to the proviso. Now, the House instructed its conferees to procure the consent of the Senate to that proviso. The House did not instruct its conferees not to consent to anything else. The House did not prohibit its conferees from adding anything else provided it was not inconsistent with the instruction to obtain the insertion of that proviso.

Mr. RICHARDSON of Alabama again rose.

Mr. WILLIAMS. I can not yield. I told you I would yield if you would allow me to finish this statement. You insist upon interrupting me at the wrong time, and I can not yield at all.

Now, the conferees have obtained the consent of the Senate

with this proviso. For Heaven's sake let us see what this proviso is and what it means, and let us not lose our heads owing to any sort of excitement from any sort of cause. The proviso is, after inserting the telegraphers' provision, that the Interstate Commerce Commission shall have discretion, in a particular case, upon good cause shown after a full hearing, to postpone the operation of the law in that particular case, a case made before this tribunal, argued in this tribunal, the evidence presented, and a full hearing had. Now, Mr. Speaker, one of two things is true. Either we can or we can not trust the Interstate Commerce Commission. If you can trust the Interstate Commerce Commission, then it will not grant an extension except when there has been good cause shown by evidence upon a full hearing.

If you can not trust the Interstate Commerce Commission; if this instrumentality, erected by Congress for the purpose of exercising powers like this, and this power amongst them, is rotten, corrupt, and untrustworthy, then all of your laws upon the statute books on the subject of the regulation of interstate commerce are absolutely worthless. The lex scripta, if it were written by the pen of an angel, would amount to nothing in the court of a corrupt judge. Every argument here ex abusa, founded on the idea that the Interstate Commerce Commission can not be trusted as a tribunal, after hearing the evidence, to do what is, in its opinion, just and right, is an argument based upon the assumption that Congress can not erect a tribunal which is above the power of the railroads to corrupt. Now, that I do not believe. [Applause.]

Mr. GAINES of Tennessee. Why should you have any commission act in the matter at all?

Mr. WILLIAMS. Why should you have any commission at all, the gentleman asks me. Because you think you can trust it; and if you can not trust it, you had better abolish it. Now I will yield to the gentleman from Alabama.

Mr. RICHARDSON of Alabama. Do you not admit that the instructions given here this afternoon did not contemplate nor embrace any conditions or agreement whatever?

Mr. WILLIAMS. The instructions given here this afternoon contemplated simply the subject-matter of the instructions. The instructions were that the conferees should secure a certain proviso. The instructions did not prohibit the conferees from agreeing to anything else, provided that something else was not contradictory of or inconsistent with the instructions themselves.

I did not want the condition. It was I who stood with others to the very last ditch, until we were convinced that we could not get the legislation without agreeing to this condition. We do not want it. I would rather not have it. I would rather have the law written in so many words, with no power in the hands of anybody to suspend its operation for one week or one minute, but when the gentleman wants to throw upon me, and wants to throw upon the Democratic party, the responsibility of defeating this legislation, demanded by the general public in the interest of limb and life and demanded by the laboring men in the interest of labor, demanded by telegraphers in their own interest and in the interest of life and limb, the gentleman asks something which I for one have not the courage or the folly, whichever it may be, to incur. [Applause.] It is a responsibility that I for one would decline to take.

Mr. RICHARDSON of Alabama. One more question to our minority leader, if you please.

Mr. WILLIAMS. Well!

Mr. RICHARDSON of Alabama. Are you not one of the men that stood with us on the proposition that we should never consent to surrender the telegraphers' provision?

Mr. WILLIAMS. I am; and we have not surrendered it. [Applause.] On the contrary, in a matter unprecedented in the history of the House, a minority has made a motion to secure this very identical proviso, protecting the telegraphers in their hours of labor, and we have secured it, and we secured an instruction from a Republican House to the conferees to do that very identical thing. [Appaluse.]

And it is done, and if this legislation passes it is in the bill, and there has been neither variation nor shadow of variation from that. The only modification, the only addition is to give somewhat of a discretion to your own sworn tribunal, that you and I believe in the honor and justice and honesty of, because you and I have been trying for years to give it more power, and you never would have voted to give it more power unless we believed it was incorruptible. [Applause.]

[Here the hammer fell.]

Mr. FINLEY. Will the gentleman from Iowa yield one minute more to the gentleman from Mississippi?

Mr. HEPBURN. Certainly.

Mr. FINLEY. I want to ask the gentleman from Mississippi a question.

Mr. WILLIAMS. Very well.

Mr. FINLEY. The gentleman admits that this proviso that is tacked on the conference report gives the Interstate Commerce Commission the right to suspend the operation of this law in a proper case. Now, I ask the gentleman from Mississippi if he can give this House an instance of any proper case where this law should be suspended; can he give us an illustration?

Mr. WILLIAMS. I can not give an illustration, but I can imagine a case might arise; but if a case could not arise, and if the gentleman from South Carolina is correct in supposing it could not arise, and if the Interstate Commerce Commission is honest and faithful to its duty, then the Interstate Commerce Commission never will suspend the operation of the law.

Mr. FINLEY. Then is not this true? If the gentleman does not know of a proper case and the House does not know of any proper case, is not the proviso giving the Interstate Commerce Commission the power to suspend it utterly useless?

Mr. WILLIAMS. Oh, I can imagine a hundred cases, that in an emergency, a great catastrophe or something of that kind, might require a suspension. Now I will ask the gentleman from Iowa to yield three minutes to the gentleman from Missouri [Mr. CLARK].

Mr. HEPBURN. I will yield three minutes to the gentleman from Missouri.

Mr. CLARK of Missouri. I wish the gentleman would give me five if he is going to give me any.

Mr. HEPBURN. I will yield five minutes to the gentleman.

Mr. CLARK of Missouri. Mr. Speaker, this is the first time I have ever said a word in this House on the subject of legislation about interstate travel and commerce. I have refrained from saying anything about it by painfully realizing the fact that I didn't know much about it. [Laughter.]

I have stood here in season and out of season as the friend of the laboring people in the United States, because I have been a laborer from my earliest recollection. The situation about this thing is this: It doesn't make any difference what your theory is; it is a condition that confronts us, and a serious one. This bill goes into effect twelve months from now. I would not put this particular proposition into a bill if I were drawing the bill and had carte blanche to do as I pleased; but I have had some experience with conferences. I forced three propositions out of four into the Chinese-exclusion bill in a conference, but it took me three weeks to do it, and if I had three weeks to fight this in I should be opposed to agreeing to this qualification here to-night. The only reason I had for giving in on the fourth proposition on the Chinese question was that we had come within about twenty-four hours of the time when the Chinese law expired by limitation. Now we are within twelve hours and thirty-three minutes of the end of Congress.

We have secured substantially everything that has been asked for in behalf of this legislation. This bill, as reported from the conference committee, is better than the La Follette bill was. Everybody in the United States of right thinking wants to put an end to the destruction of human life, the maiming of citizens, and the overworking of employees and telegraph operators—every one of them. I am unwilling to sacrifice so much to gain so little. We know that, willingly or unwillingly, we must accept this qualification or get no bill.

For one, I am not willing to jeopardize the good that may come out of this bill by erecting in my own mind and the minds of other Members here a difficulty that may never occur. [Applause.]

I was prosecuting attorney a long time, and no law is of any account if the prosecuting attorney is of no account, and all the laws that we could pass between now and the day of judgment on the subject of railroad transportation and telegraph will not be worth the paper on which they are written unless some confidence is placed in the Interstate Commerce Commission.

If we find that they do not enforce the law in good faith, we can put them out of office, or make it so hot for the President of the United States that he will put them out of office. [Applause.]

### MESSAGE FROM THE SENATE.

A further message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Vice-President had appointed Mr. HEYBURN, Mr. SUTHERLAND, Mr. PILES, Mr. MCLAURIN, and Mr. CLARKE of Arkansas members of the joint special committee on the part of the Senate, as authorized by joint resolution of the House of Representatives No. 240, "To create

a joint committee to consider the revision and codification of the laws of the United States."

The message also announced that the Senate had agreed to amendments of the House to Senate bills of the following titles:

S. 1032. An act to aid in the erection of a statue to Commodore John D. Sloat, United States Navy, at Monterey, Cal.; and

Senate joint resolution authorizing the selection of a site and the erection of a pedestal for the Stephenson Grand Army memorial, in Washington, D. C.

The message also announced that the Senate had passed, without amendment, the following House bills:

H. R. 13304. An act to provide a suitable memorial to the memory of Christopher Columbus; and

H. R. 25883. An act to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy.

SIXTEEN-HOUR BILL.

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER pro tempore. The House will be in order. All gentlemen will cease conversation. Gentlemen in the aisles will be seated.

Mr. MANN. Mr. Speaker, I wish to pay a word of tribute to the gentleman from Wisconsin [Mr. ESCH] and the gentleman from Pennsylvania [Mr. WANGER]. I think it may be well for a moment for us to pause and really reflect upon where credit is due.

The gentleman from Wisconsin [Mr. ESCH], more than a year ago, in the Committee on Interstate and Foreign Commerce, forced this question to the front. That bill for a long time last session was an active question in the committee. It was reported out of the committee, and then subsequently there came to us the bill from the Senate, known as the "La Follette bill," which our friends to the left sought to have enacted into law, and which contained no provision in regard to telegraphers. I do not complain to them about that. The whole subject has been a matter of growth. We have all been gaining information. We have been adding amendment after amendment, crossing out this word and adding that word, taking out this clause and adding that clause in the effort to obtain a law in the end which will be effective and which will be just.

Mr. Speaker, I do not think that I should have taken so much of the time of the House, even now, except for the fact that my friend from Missouri [Mr. MURPHY] made what seemed to me a very unjustifiable assault upon a man who could not answer for himself. For ten years I have served on the Committee on Interstate and Foreign Commerce. I have come frequently in contact with the secretary of the Interstate Commerce Commission, much more often disagreeing with him than agreeing with him, and I suppose that will not seem strange to the Members of the House. [Laughter.] Many more times have I declined to take his opinion than I have taken it, but from the start, in reference to this question of sixteen hours, Mr. Moseley has been devoting his best efforts to have some legislation enacted. He has frequently spoken to me upon the subject, not for the purpose of changing the form of the legislation, but to urge the necessity of some legislation; and when the gentleman from Missouri, in the heat of the moment, because of his intense personal interest, has seen fit to personally assault Mr. Moseley, he has done a grave wrong to that gentleman.

Mr. GAINES of Tennessee. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GAINES of Tennessee. How long and with what success was the Interstate Commerce Commission enforcing the car-coupler provision? And why the delay, if any?

Mr. MANN. That is another story. The car-coupler provision has been enforced as rapidly as possible.

Mr. GAINES of Tennessee. How many years?

Mr. MANN. To provide the new couplers for the cars has taken some time. I am not able to tell the gentleman just how many years.

Mr. GAINES of Tennessee. It was a number of years?

Mr. MANN. It was a number of years, the requirement being made constantly that an additional number of cars should be provided with safety appliances and with the car couplers. I do not wish the gentleman to lead me off on that subject.

Mr. GAINES of Tennessee. I did not want any delay in enforcing this law to save life and limb.

Mr. MANN. Ah, Mr. Speaker, it is a great talk we have always from the other side of the House to have no delay. In order to get quick action they would kill the bill. That is just Democratic policy. In all my experience I may say it has seemed the policy of the Democratic side to kill a measure in order to expedite it, and I am proud to-night to also pay tribute to the Democratic leader of the House, the gentleman from Mississippi [Mr. WILLIAMS], whom I believe to be patriotic as well as partisan. [Applause.]

Mr. HEPBURN. Mr. Speaker, it is little singular that the opposition to this report should be based entirely or largely by gentlemen upon this provision that gives some power in connection with its operation to the Interstate Commerce Commission. I want to remind gentlemen who support that provision of the law that intrusted that Commission with the enforcement of the safety-appliance laws, that gave to that Commission power with regard to the time when it should become operative very much further than this goes—I want to remind them of the exact phraseology of that statute:

> That the Interstate Commerce Commission may from time to time upon full hearing and for good cause extend the period within which any common carrier shall comply with the provisions of this act.

With regard to the operations of a particular carrier under the provisions of that law they were given power of postponement, of determining when the act should become operative. In the proposition now before us the provision is:

> The Interstate Commerce Commission may, after full hearing in a particular case and for good cause shown, extend the period within which a common carrier shall comply with the provisions of this proviso as to said case.

No sweeping, general provision giving power of postponement over the whole line controlled by a given carrier, but in a given case where it is shown there ought to be postponement we have given them that power. It is strange the gentlemen should just now distrust the Interstate Commerce Commission. Last session there was no power that they were willing to withhold from the Commission over the whole transportation question. Last year they were willing to give them the initiative with regard to fixing every rate for every ton of freight over every mile of railroad within the very limits of the United States. This ample power over $13,000,000,000 of property, this ample power over the whole internal commerce of the United States, they were willing to put then for certain particular purposes in the hands of the Interstate Commerce Commission. Now, when it is proposed to give them the power in a given case with regard, we will say, to a branch railway as to when the act shall go into effect, some of these gentlemen who were then so furious for the more ample legislation I have called attention to now turn away from the idea in holy terror. [Applause on the Republican side.] "Ah, we can not trust the Interstate Commerce Commission," these gentlemen say now.

What is the purpose? I charge that these men do not want any legislation. They want this law hung up; they want to have the power or privilege to use it in another campaign; they do not want any legislation. [Applause on the Republican side.] They are like some of these labor leaders who want no legislation, who are insisting upon impossible things in order that they may safely be able to hold the jobs they now have.

Mr. Speaker, I ask for a vote. I ask the previous question upon the conference report.

Mr. ADAMSON. Mr. Speaker, on behalf of this great Democratic measure I demand the yeas and nays.

The SPEAKER. The question is on agreeing to the conference report.

The yeas and nays were ordered.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry. Is this vote on the previous question or on the resolution?

The SPEAKER. It is on agreeing to the conference report, and the Clerk will call the roll.

The question was taken; and there were—yeas 235, nays 0, answered "present" 2, not voting 140, as follows:

YEAS—235.

| | | | |
|---|---|---|---|
| Adamson | Broussard | Cooper, Wis. | Edwards |
| Aiken | Brownlow | Coudrey | Ellerbe |
| Alexander | Brumm | Cousins | Ellis |
| Allen, Me | Brundidge | Crumpacker | Englebright |
| Allen, N. J. | Burke, S. Dak. | Currier | Esch |
| Andrus | Burleigh | Cushman | Fassett |
| Bankhead | Burleson | Dale | Finley |
| Barchfeld | Burnett | Dalzell | Fitzgerald |
| Bartholdt | Burton, Del. | Darragh | Flood |
| Bartlett | Calder | Davidson | Fowler |
| Bates | Calderhead | Davis, Minn. | French |
| Beall, Tex | Campbell, Kans. | Davis, W. Va. | Fulkerson |
| Bede | Capron | Dawson | Gaines, Tenn. |
| Bell, Ga. | Cassel | De Armond | Gaines, W. Va. |
| Bennet, N. Y. | Chaney | Deemer | Gardner, Mass. |
| Birdsall | Chapman | Denby | Gardner, Mich. |
| Bonynge | Clark, Mo. | Dickson, Ill. | Gardner, N. J. |
| Bowers | Clayton | Dixon, Ind. | Garrett |
| Bradley | Cocks | Dovener | Gilhams |
| Brantley | Cole | Driscoll | Gillespie |
| Brick | Cooper, Pa. | Dunwell | Glass |

| | | | |
|---|---|---|---|
| Goulden | Lamb | Olmsted | Smith, Ky. |
| Graff | Landis, Chas. B. | Otjen | Smith, Md. |
| Granger | Landis, Frederick | Overstreet, Ga. | Smith, Mich. |
| Greene | Law | Overstreet, Ind. | Smith, Pa. |
| Gronna | Lawrence | Padgett | Smith, Tex. |
| Grosvenor | Lee | Parker | Smyser |
| Gudger | Legare | Parsons | Southall |
| Hamilton | Lever | Payne | Southard |
| Haskins | Lewis | Pollard | Southwick |
| Hay | Littauer | Powers | Stafford |
| Hayes | Littlefield | Prince | Steenerson |
| Heflin | Lloyd | Pujo | Sterling |
| Henry, Conn. | Longworth | Rainey | Sullivan |
| Hepburn | Lorimer | Randell, Tex. | Sulzer |
| Higgins | Loud | Ransdell, La. | Talbott |
| Hill, Conn. | Loudenslager | Reeder | Tawney |
| Hill, Miss. | Lowden | Reyburn | Taylor, Ala. |
| Hinshaw | McCleary, Minn. | Reynolds | Taylor, Ohio |
| Holliday | McCreary, Pa. | Richardson, Ala. | Thomas, Ohio |
| Houston | McGavin | Riordan | Townsend |
| Howell, Utah | McKinley, Ill. | Robinson, Ark. | Volstead |
| Hubbard | McKinney | Rodenberg | Vreeland |
| Humphrey, Wash. | McMorran | Rucker | Waldo |
| Humphreys, Miss. | McNary | Russell | Wanger |
| James | Mahon | Ryan | Washburn |
| Jenkins | Mann | Samuel | Watkins |
| Jones, Wash. | Martin | Saunders | Watson |
| Keifer | Maynard | Schneebeli | Webb |
| Kelliher | Meyer | Scott | Weeks |
| Kennedy, Nebr. | Miller | Shackleford | Wharton |
| Kennedy, Ohio | Minor | Sheppard | Wiley, Ala. |
| Kinkaid | Mondell | Sherley | Wiley, N. J. |
| Kline | Moore, Pa. | Sims | Williams |
| Knapp | Mudd | Slayden | Wilson |
| Knowland | Murdock | Small | Wood |
| Lacey | Murphy | Smith, Cal. | Woodyard |
| Lafean | Nelson | Smith, Ill. | Zenor |
| Lamar | Olcott | Smith, Iowa | |

NAYS—0.

ANSWERED "PRESENT"—2.

| | |
|---|---|
| Ruppert | Sibley |

NOT VOTING—140.

| | | | |
|---|---|---|---|
| Acheson | Fletcher | Kitchin, Claude | Reid |
| Ames | Floyd | Kitchin, Wm. W. | Rhinock |
| Babcock | Fordney | Klepper | Rhodes |
| Bannon | Foss | Knopf | Richardson, Ky. |
| Beidler | Foster, Ind. | Le Fevre | Rives |
| Bennett, Ky. | Foster, Vt. | Lilley, Conn. | Roberts |
| Bingham | Fuller | Lilley, Pa. | Robertson, La. |
| Bishop | Garber | Lindsay | Scroggy |
| Blackburn | Garner | Livingston | Shartel |
| Boutell | Gilbert | Lovering | Sherman |
| Bowersock | Gill | McCall | Slemp |
| Bowie | Gillett | McCarthy | Snapp |
| Broocks, Tex. | Goebel | McDermott | Sparkman |
| Brooks, Colo. | Goldfogle | McKinlay, Cal. | Sperry |
| Brown | Graham | McLachlan | Spight |
| Buckman | Gregg | McLain | Stanley |
| Burgess | Griggs | Macon | Stephens, Tex. |
| Burke, Pa. | Hale | Madden | Stevens, Minn. |
| Burton, Ohio | Hardwick | Marshall | Sulloway |
| Butler, Pa. | Haugen | Michalek | Thomas, N. C. |
| Butler, Tenn | Hearst | Moon, Pa. | Tirrell |
| Byrd | Hedge | Moon, Tenn. | Towne |
| Campbell, Ohio | Henry, Tex. | Moore, Tex. | Trimble |
| Candler | Hermann | Morrell | Tyndall |
| Clark, Fla. | Hogg | Mouser | Underwood |
| Cockran | Hopkins | Needham | Van Duzer |
| Conner | Howard | Nevin | Van Winkle |
| Cromer | Howell, N. J. | Norris | Wachter |
| Davey, La. | Huff | Page | Wadsworth |
| Dawes | Hughes | Palmer | Wallace |
| Dixon, Mont. | Hull | Patterson, N. C. | Webber |
| Draper | Hunt | Patterson, S. C. | Weems |
| Dresser | Johnson | Pearre | Weisse |
| Dwight | Jones, Va. | Perkins | Welborn |
| Field | Kahn | Pou | Young |

So the conference report was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. SIBLEY with Mr. CANDLER.

Mr. GRAHAM with Mr. MACON.

Mr. HALE with Mr. TOWNE.

Mr. DRAPER with Mr. THOMAS of North Carolina.

Mr. WACHTER with Mr. DAVEY of Louisiana.

Mr. HOWELL of New Jersey with Mr. TRIMBLE.

Mr. BABCOCK with Mr. UNDERWOOD.

Mr. CONNER with Mr. GILL.

Mr. DAWES with Mr. GOLDFOGLE.

Mr. GILLETT with Mr. LIVINGSTON.

Mr. HAUGEN with Mr. GREGG.

Mr. KAHN with Mr. HOWARD.

Mr. LOVERING with Mr. MOON of Tennessee.

Mr. NEEDHAM with Mr. STEPHENS of Texas.

Mr. WADSWORTH with Mr. HUNT.

On this vote:

Mr. Foss with Mr. FIELD.

The result of the vote was announced as above recorded.

On motion of Mr. HEPBURN, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States was communicated to the House of Representatives by Mr. LATTA, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 2:

H. R. 12021. An act granting a pension to James M. Wood;

H. R. 14322. An act granting a pension to Abbie L. Hanford;

H. R. 15779. An act granting a pension to Margaret A. Jordan;

H. R. 19239. An act granting a pension to Salome Jane Marland;

H. R. 21910. An act granting a pension to Emil S. Weisse;

H. R. 22041. An act granting a pension to John P. Walker;

H. R. 22086. An act granting a pension to Amelia Schmidtke;

H. R. 22395. An act granting a pension to Edward Miller;

H. R. 22696. An act granting a pension to Charles F. Ellingwood;

H. R. 22709. An act granting a pension to Martha E. Muhlenfeld;

H. R. 23440. An act granting a pension to Carrie May Allen;

H. R. 23855. An act granting a pension to Sarah E. Selders;

H. R. 24223. An act granting a pension to Martha A. L. Stephens;

H. R. 24300. An act granting a pension to Sadie E. Hawthorn;

H. R. 24355. An act granting a pension to Mary O. Learned;

H. R. 24404. An act granting a pension to Lauraette La Fleur;

H. R. 24414. An act granting a pension to Van C. Wilson;

H. R. 24419. An act granting a pension to Belle M. Ocker;

H. R. 24483. An act granting a pension to Clarence W. Thomas;

H. R. 24635. An act granting a pension to Elizabeth Stuessi;

H. R. 24855. An act granting a pension to George W. Robins;

H. R. 24946. An act granting a pension to Phebe Wright;

H. R. 25354. An act granting a pension to Alice House;

H. R. 25355. An act granting a pension to William McCraney;

H. R. 19589. An act granting a pension to Aaron Davis;

H. R. 10574. An act granting a pension to Edward W. Howban;

H. R. 17814. An act granting an increase of pension to Simon E. Chamberlin;

H. R. 21413. An act granting an increase of pension to Mary S. Platt;

H. R. 21788. An act granting an increase of pension to Satina A. Waymer;

H. R. 21818. An act granting an increase of pension to William Hardesty;

H. R. 21827. An act granting an increase of pension to Francis Murray;

H. R. 21899. An act granting an increase of pension to Catharine Koch;

H. R. 21911. An act granting an increase of pension to George Newton;

H. R. 21914. An act granting an increase of pension to Ferdinand Pahl;

H. R. 21974. An act granting an increase of pension to John W. Lowell;

H. R. 21983. An act granting an increase of pension to James E. Pusey;

H. R. 22055. An act granting an increase of pension to Maria Lorch;

H. R. 22063. An act granting an increase of pension to Horace F. Packard;

H. R. 22093. An act granting an increase of pension to Lars Isaacson;

H. R. 22165. An act granting an increase of pension to John Hand;

H. R. 22169. An act granting an increase of pension to Cynthia M. Bryson;

H. R. 22170. An act granting an increase of pension to Benjamin James;

H. R. 22175. An act granting an increase of pension to Charles Prendeville;

H. R. 22199. An act granting an increase of pension to William Templin;

H. R. 22216. An act granting an increase of pension to Griffin A. Coffin;

H. R. 22251. An act granting an increase of pension to Samuel Manly;

H. R. 22260. An act granting an increase of pension to James E. Bissel;

H. R. 22283. An act granting an increase of pension to Stoddard Caswell;

H. R. 22294. An act granting an increase of pension to Perry Lamphere;

H. R. 22302. An act granting an increase of pension to Burrell H. Gillam;
H. R. 22326. An act granting an increase of pension to Mary Levina Williams;
H. R. 22327. An act granting an increase of pension to Isabel Manney;
H. R. 22328. An act granting an increase of pension to Susan Baker;
H. R. 22329. An act granting an increase of pension to Margaret L. James;
H. R. 22330. An act granting an increase of pension to Mary C. Jones;
H. R. 22426. An act granting an increase of pension to Louisa E. Robertson;
H. R. 22441. An act granting an increase of pension to Jacob Mose;
H. R. 22468. An act granting an increase of pension to William Kelso;
H. R. 22503. An act granting an increase of pension to William A. Clarke;
H. R. 22529. An act granting an increase of pension to William Truett;
H. R. 22540. An act granting an increase of pension to Richard Turnbull;
H. R. 22547. An act granting an increase of pension to John Hickcox, jr.;
H. R. 22548. An act granting an increase of pension to Franklin H. Davis;
H. R. 22562. An act granting an increase of pension to George J. Abbey;
H. R. 22592. An act granting an increase of pension to Andrew J. Frayer;
H. R. 22613. An act granting an increase of pension to Isaac G. McKibban;
H. R. 22617. An act granting an increase of pension to Margaret O'Reilly;
H. R. 22629. An act granting an increase of pension to Josiah N. Pratt;
H. R. 22630. An act granting an increase of pension to George Wiley;
H. R. 22650. An act granting an increase of pension to Thomas T. Baldwin;
H. R. 22701. An act granting an increase of pension to James R. Fairbrother;
H. R. 22703. An act granting an increase of pension to Benjamin F. Richards;
H. R. 22707. An act granting an increase of pension to Sebastian Gerhardt;
H. R. 22727. An act granting an increase of pension to John Miller;
H. R. 22763. An act granting an increase of pension to Charles H. Slocum;
H. R. 22785. An act granting an increase of pension to Morton A. Pratt;
H. R. 22788. An act granting an increase of pension to Isaac B. Gilmore;
H. R. 22798. An act granting an increase of pension to George W. Robinson;
H. R. 22801. An act granting an increase of pension to Robert McMillen;
H. R. 22823. An act granting an increase of pension to John Tipton;
H. R. 22859. An act granting an increase of pension to Samuel Boyd;
H. R. 22863. An act granting an increase of pension to Oscar A. Fuller;
H. R. 22894. An act granting an increase of pension to Louisa Berry;
H. R. 22947. An act granting an increase of pension to Benjamin F. Sibert;
H. R. 22949. An act granting an increase of pension to George W. Wells;
H. R. 22950. An act granting an increase of pension to Hezekiah Poffenberger;
H. R. 22964. An act granting an increase of pension to Eudocia Arnett;
H. R. 22986. An act granting an increase of pension to George W. Beeny;
H. R. 22987. An act granting an increase of pension to John D. Lane;
H. R. 22988. An act granting an increase of pension to Benjamin F. Horton;
H. R. 23031. An act granting an increase of pension to John H. Terry;
H. R. 23034. An act granting an increase of pension to Thomas A. Snoddy;
H. R. 23148. An act granting an increase of pension to Robert Liddell;
H. R. 23150. An act granting an increase of pension to Samuel H. W. Riter;
H. R. 23175. An act granting an increase of pension to Henry A. Fuller;
H. R. 23198. An act granting an increase of pension to Lucie A. Allyn;
H. R. 23280. An act granting an increase of pension to Bartholomew Burke;
H. R. 23282. An act granting an increase of pension to John W. Tumey;
H. R. 23311. An act granting an increase of pension to Jeremiah Burke;
H. R. 23312. An act granting an increase of pension to William Lewis;
H. R. 23313. An act granting an increase of pension to Benjamin D. Reed;
H. R. 23323. An act granting an increase of pension to Robert Foote;
H. R. 23360. An act granting an increase of pension to Robert Hastie;
H. R. 23407. An act granting an increase of pension to Hurd L. Miller;
H. R. 23411. An act granting an increase of pension to George H. Martin;
H. R. 23414. An act granting an increase of pension to Joseph Riddle;
H. R. 23426. An act granting an increase of pension to John S. Bergen;
H. R. 23442. An act granting an increase of pension to James J. Lawley;
H. R. 23443. An act granting an increase of pension to Louisa R. Matthews;
H. R. 23467. An act granting an increase of pension to Michael Flanagan;
H. R. 23609. An act granting an increase of pension to Samuel P. Wallis;
H. R. 23626. An act granting an increase of pension to Richard C. Taylor;
H. R. 23627. An act granting an increase of pension to William B. Walton;
H. R. 23628. An act granting an increase of pension to Clara E. Daniels;
H. R. 23660. An act granting an increase of pension to Harriet U. Burgess;
H. R. 23673. An act granting an increase of pension to John T. Grayson;
H. R. 23675. An act granting an increase of pension to Watson F. Bisbee;
H. R. 23677. An act granting an increase of pension to John D. Dryden;
H. R. 23682. An act granting an increase of pension to Joseph R. Bartlett;
H. R. 23685. An act granting an increase of pension to Robert Brake;
H. R. 23698. An act granting an increase of pension to William H. Wyman;
H. R. 23709. An act granting an increase of pension to James M. Dick;
H. R. 23729. An act granting an increase of pension to John Vandegrift;
H. R. 23732. An act granting an increase of pension to Rosanna Kaogan;
H. R. 23733. An act granting an increase of pension to Gifford M. Bridge;
H. R. 23744. An act granting an increase of pension to John O. Cravens;
H. R. 23748. An act granting an increase of pension to Emily J. Vanbeber;
H. R. 23751. An act granting an increase of pension to Charles D. Moody;
H. R. 23763. An act granting an increase of pension to James Riley;
H. R. 23791. An act granting an increase of pension to Calvin B. Fowlkes;
H. R. 23797. An act granting an increase of pension to James D. Tomson;
H. R. 23802. An act granting an increase of pension to Thomas J. Brown;
H. R. 23806. An act granting an increase of pension to William F. Barker;

H. R. 23834. An act granting an increase of pension to Samuel Langmaid;
H. R. 23849. An act granting an increase of pension to Charles A. Mathews;
H. R. 23850. An act granting an increase of pension to William Freeman;
H. R. 23852. An act granting an increase of pension to James G. Crozer;
H. R. 23857. An act granting an increase of pension to Isaac C. Smith;
H. R. 23864. An act granting an increase of pension to James A. Miller;
H. R. 23890. An act granting an increase of pension to Jacob B. Haslam;
H. R. 23912. An act granting an increase of pension to James E. Fitzgerald;
H. R. 23961. An act granting an increase of pension to Oscar N. Cowell;
H. R. 23966. An act granting an increase of pension to Hugh Stevenson;
H. R. 23967. An act granting an increase of pension to Henry Hill;
H. R. 23968. An act granting an increase of pension to Alexander McWhorter;
H. R. 23971. An act granting an increase of pension to Mary E. C. Butler;
H. R. 23982. An act granting an increase of pension to Thomas H. Seed;
H. R. 23997. An act granting an increase of pension to Michael M. Field;
H. R. 23999. An act granting an increase of pension to John F. Gough;
H. R. 24000. An act granting an increase of pension to Mary Holle;
H. R. 24002. An act granting an increase of pension to Michael F. Gilrain;
H. R. 24015. An act granting an increase of pension to Aaron C. Sanford;
H. R. 24028. An act granting an increase of pension to George H. Boney;
H. R. 24030. An act granting an increase of pension to Andrew J. Foor;
H. R. 24031. An act granting an increase of pension to John Downey;
H. R. 24034. An act granting an increase of pension to Mary I. Banta;
H. R. 24037. An act granting an increase of pension to Theodore Teeple;
H. R. 24061. An act granting an increase of pension to John C. Nelson;
H. R. 24068. An act granting an increase of pension to John Maginnis;
H. R. 24079. An act granting an increase of pension to David Jones;
H. R. 24100. An act granting an increase of pension to Henry W. Wilson;
H. R. 24101. An act granting an increase of pension to George W. Ashton;
H. R. 24161. An act granting an increase of pension to Hugh O'Neal;
H. R. 24171. An act granting an increase of pension to Finus M. Wyatt;
H. R. 24183. An act granting an increase of pension to Joseph B. Joyce;
H. R. 24189. An act granting an increase of pension to Frederick Hoffner;
H. R. 24194. An act granting an increase of pension to William Davis;
H. R. 24197. An act granting an increase of pension to Mary Ann Foard;
H. R. 24210. An act granting an increase of pension to George H. Maddox;
H. R. 24215. An act granting an increase of pension to George Hoell;
H. R. 24220. An act granting an increase of pension to William P. Robbe;
H. R. 24225. An act granting an increase of pension to William Ivans;
H. R. 24226. An act granting an increase of pension to Francis J. Eachus;
H. R. 24269. An act granting an increase of pension to William L. Stewart;
H. R. 24288. An act granting an increase of pension to John Gooding;
H. R. 24294. An act granting an increase of pension to Daniel R. Lamoreau;
H. R. 24299. An act granting an increase of pension to William B. Doyle;
H. R. 24308. An act granting an increase of pension to Lyman Thompson;
H. R. 24334. An act granting an increase of pension to Emma Case;
H. R. 24338. An act granting an increase of pension to James M. Gardner;
H. R. 24343. An act granting an increase of pension to James M. Haney;
H. R. 24344. An act granting an increase of pension to John H. James;
H. R. 22392. An act granting an increase of pension to Eugene W. Rolfe;
H. R. 24397. An act granting an increase of pension to David Prunkard;
H. R. 24405. An act granting an increase of pension to Mary H. Bishop;
H. R. 24406. An act granting an increase of pension to Edmund Johnson;
H. R. 24413. An act granting an increase of pension to William Thomas;
H. R. 24493. An act granting an increase of pension to Theodoric Gage;
H. R. 24502. An act granting an increase of pension to A. Judson Conant;
H. R. 24504. An act granting an increase of pension to John H. Leiter;
H. R. 24518. An act granting an increase of pension to Reuben Nye;
H. R. 24530. An act granting an increase of pension to David Miller;
H. R. 24531. An act granting an increase of pension to David E. Jefferson;
H. R. 24532. An act granting an increase of pension to Absalom R. Shacklett;
H. R. 24553. An act granting an increase of pension to Sarah J. Reed;
H. R. 24560. An act granting an increase of pension to Margaret Lesley;
H. R. 24577. An act granting an increase of pension to John L. Flanery;
H. R. 24586. An act granting an increase of pension to Jotham A. Vincent;
H. R. 24599. An act granting an increase of pension to Thomas L. Richardson;
H. R. 24638. An act granting an increase of pension to Bernard Shallow;
H. R. 24681. An act granting an increase of pension to Lewis M. Jarvis;
H. R. 24691. An act granting an increase of pension to Edward Burtch;
H. R. 24698. An act granting an increase of pension to Lydia Hunt;
H. R. 24700. An act granting an increase of pension to Joseph Brooks;
H. R. 24707. An act granting an increase of pension to Peter Campbell;
H. R. 24710. An act granting an increase of pension to Jacob Riner;
H. R. 24726. An act granting an increase of pension to Seldon R. Sanders;
H. R. 24733. An act granting an increase of pension to John H. Morrison;
H. R. 24740. An act granting an increase of pension to William E. Chase;
H. R. 24769. An act granting an increase of pension to John George;
H. R. 24776. An act granting an increase of pension to David T. Taylor;
H. R. 24792. An act granting an increase of pension to William H. Penfield;
H. R. 24801. An act granting an increase of pension to George G. Martin;
H. R. 24807. An act granting an increase of pension to Horace E. Heath;
H. R. 24829. An act granting an increase of pension to John R. Robbins;
H. R. 24838. An act granting an increase of pension to Henry H. A. Walker;
H. R. 24845. An act granting an increase of pension to Andrew J. Price;

H. R. 24846. An act granting an increase of pension to Robert M. Wolf;
H. R. 24851. An act granting an increase of pension to Oren S. Rouse;
H. R. 24861. An act granting an increase of pension to Otho E. D. Culbertson;
H. R. 24868. An act granting an increase of pension to John M. Stevens;
H. R. 24899. An act granting an increase of pension to Mary W. Lusk;
H. R. 24902. An act granting an increase of pension to John W. Rawlings;
H. R. 24905. An act granting an increase of pension to Susan E. Davis;
H. R. 24907. An act granting an increase of pension to Lloyd Roberts;
H. R. 24910. An act granting an increase of pension to William H. Churchill;
H. R. 24911. An act granting an increase of pension to James C. Cosgro;
H. R. 24921. An act granting an increase of pension to Patrick F. Shevlin, alias Patrick Burns;
H. R. 24924. An act granting an increase of pension to William V. Monroe;
H. R. 24940. An act granting an increase of pension to Timothy H. Gibson;
H. R. 24947. An act granting an increase of pension to Edward Mailey;
H. R. 24957. An act granting an increase of pension to Francis H. Ferry;
H. R. 24958. An act granting an increase of pension to Henry Kanline;
H. R. 24965. An act granting an increase of pension to Jacob Gilbrech;
H. R. 24968. An act granting an increase of pension to John Burke;
H. R. 24969. An act granting an increase of pension to Charles N. Stafford;
H. R. 24971. An act granting an increase of pension to Elijah Devore;
H. R. 24984. An act granting an increase of pension to Lauranah J. Hedgepeth;
H. R. 25016. An act granting an increase of pension to Frederick G. Ackerman;
H. R. 25020. An act granting an increase of pension to Cinderella B. McClure;
H. R. 25023. An act granting an increase of pension to Virginia C. Galloway;
H. R. 25025. An act granting an increase of pension to John Ham;
H. R. 25069. An act granting an increase of pension to William A. Decker;
H. R. 25097. An act granting an increase of pension to Edmund P. Weatherby;
H. R. 25101. An act granting an increase of pension to Nancy A. Meredith;
H. R. 25106. An act granting an increase of pension to Francis A. Biffar;
H. R. 25108. An act granting an increase of pension to William H. Brown;
H. R. 25112. An act granting an increase of pension to William Turner;
H. R. 25113. An act granting an increase of pension to John H. Hayes;
H. R. 25120. An act granting an increase of pension to Charles B. Spring;
H. R. 25143. An act granting an increase of pension to Elizabeth Wolfe;
H. R. 25145. An act granting an increase of pension to Charles Henry Weatherwax;
H. R. 25149. An act granting an increase of pension to Joshua L. Hayes;
H. R. 25172. An act granting an increase of pension to Burgess N. Isaacs;
H. R. 25174. An act granting an increase of pension to Henry W. Casey;
H. R. 25176. An act granting an increase of pension to Gottfried Haferstein;
H. R. 25211. An act granting an increase of pension to Alphonso Brown;
H. R. 25214. An act granting an increase of pension to Robert H. Douglas;
H. R. 25224. An act granting an increase of pension to David C. Smith;
H. R. 25229. An act granting an increase of pension to James T. Blair;
H. R. 25247. An act granting an increase of pension to Warren Onan;
H. R. 25248. An act granting an increase of pension to Knute Thompson;
H. R. 25254. An act granting an increase of pension to George W. Warfel;
H. R. 25255. An act granting an increase of pension to Samuel Loy;
H. R. 25256. An act granting an increase of pension to Cyrus W. Scott;
H. R. 25257. An act granting an increase of pension to James H. Phillips;
H. R. 25260. An act granting an increase of pension to Thomas J. Richie;
H. R. 25261. An act granting an increase of pension to William M. Helvy;
H. R. 25263. An act granting an increase of pension to Thomas McDermott;
H. R. 25288. An act granting an increase of pension to Minna Y. Field;
H. R. 25303. An act granting an increase of pension to Adeline Brown;
H. R. 25305. An act granting an increase of pension to Edgar A. Stevens;
H. R. 25309. An act granting an increase of pension to Joseph Casavaw;
H. R. 25325. An act granting an increase of pension to Polly Ann Bowman;
H. R. 25328. An act granting an increase of pension to James W. Barr;
H. R. 25391. An act granting an increase of pension to Richard Gogin;
H. R. 25455. An act granting an increase of pension to Emma Hempler;
H. R. 25451. An act granting an increase of pension to William H. Maxwell;
H. R. 25445. An act granting an increase of pension to William E. Webster;
H. R. 25511. An act granting an increase of pension to Hiram Filkins;
H. R. 23612. An act granting an increase of pension to Thomas H. Adams;
H. R. 23974. An act granting an increase of pension to John P. Bennett;
H. R. 8894. An act granting an increase of pension to James C. Strong;
H. R. 24103. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1908, and for other purposes;
H. R. 24925. An act making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes;
H. R. 23551. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1908;
H. R. 24991. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;
H. R. 25483. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes;
H. R. 25440. An act granting an increase of pension to Catharine Lipes;
H. R. 25005. An act granting an increase of pension to Emeline H. Hardie;
H. R. 21721. An act granting a pension to John R. Kissinger;
H. R. 9767. An act granting a pension to William J. Crane;
H. R. 3462. An act for the relief of Franklin Patterson;
H. J. Res. 31. Joint resolution authorizing the wearing of the distinctive badge adopted by the Army and Navy Union upon all occasions of ceremony;
H. J. Res. 240. Joint resolution to create a joint committee to consider the revision and codification of the laws of the United States;
H. R. 5. An act to provide for the refunding of certain money, etc.;
H. R. 8. An act for the relief of the Harbinson-Walker Company, of Pittsburg, Pa.;
H. R. 4586. An act for the relief of Mrs. R. E. Miller;
H. R. 4629. An act for the relief of William H. Gowdy;
H. R. 5290. An act providing for the allotment and distribution of Indian tribal funds;
H. R. 6104. An act to reimburse John Waller, late postmaster

at Monticello, N. Y., for moneys expended in carrying the mails;

H. R. 7153. An act for the relief of David McClelland for loss sustained at Chickamauga Park, Georgia, January 29, 1904;

H. R. 8080. An act for the relief of S. Kate Fisher;

H. R. 9109. An act for the relief of J. H. Henry;

H. R. 10703. An act authorizing the extension of Monroe street NE.;

H. R. 11279. An act to remove the charge of absence without leave from the military record of Oscar O. Bowen;

H. R. 12188. An act for the relief of George T. Larkin;

H. R. 12857. An act to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds;

H. R. 15434. An act providing for writs of error in certain instances in criminal cases;

H. R. 15909. An act for the relief of the widow and minor son of Capt. Charles W. Dakin and the widow and minor children of Thomas J. Hennessy, late of the San Francisco fire department, who lost their lives while fighting a fire on board of the United States Army transport *Meade;*

H. R. 16085. An act for the relief of Gordon, Ironsides & Fares Company (Limited);

H. R. 16581. An act for the relief of George W. Schroyer;

H. R. 20128. An act to complete the naval record of Patrick Naddy;

H. R. 21944. An act to amend section No. 2 of an act entitled "An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April 28, 1904; to restore to and confer upon certain persons the right to make entry under said act, and to amend existing law as to the sale of isolated tracts subject to entry under said act;

H. R. 22599. An act to grant certain lands to the city of Boulder, Colo.;

H. R. 23391. An act to change the time of holding the United States district and circuit courts in the eastern district of North Carolina, and to provide for the appointment of a clerk of the courts at Washington, N. C.;

H. R. 23630. An act authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army;

H. R. 23720. An act to aid the Council City and Solomon River Railroad Company;

H. R. 23940. An act for the extension of Albemarle street NW., District of Columbia;

H. R. 24022. An act to correct the military record of Morris H. Walker;

H. R. 24046. An act to incorporate the Hungarian Reformed Federation of America;

H. R. 24118. An act granting to the Central Colorado Power Company a right of way over certain public lands, for irrigation and electric power plants, in the State of Colorado;

H. R. 24122. An act in reference to the expatriation of citizens and their protection abroad;

H. R. 24374. An act to fix the boundaries of lands of certain landowners and entrymen adjoining the Coeur d'Alene Indian Reservation;

H. R. 24987. An act to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 25041. An act to provide for the creation of additional land districts in the district of Alaska;

H. R. 25184. An act to relieve the Tanana Mines Railroad in Alaska from taxation;

H. R. 25190. An act to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906;

H. R. 25401. An act to authorize the Secretary of War to make certain disposition of condemned guns and cannon balls;

H. R. 25611. An act to authorize the Burnwell Coal and Coke Company to construct a bridge across the Tug Fork of Big Sandy River;

H. R. 25627. An act to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.;

H. R. 25671. An act to authorize the construction of a bridge across the Grand Calumet River, State of Illinois;

H. R. 25691. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company;

H. R. 25716. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River above the village of Monticello, Wright County, Minn.," approved June 14, 1906;

H. R. 25717. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Clearwater, Wright County, Minn.," approved June 14, 1906;

H. R. 25758. An act amending an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," and for other purposes;

H. R. 25769. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906;

H. R. 25773. An act permitting the building of a dam across the Savannah River at McDaniel Shoals;

H. R. 25774. An act permitting the building of a dam across the Savannah River at Turner Shoals;

H. R. 25776. An act permitting the building of a dam across the Savannah River at Middleton Shoals;

H. R. 25795. An act to authorize the Pensacola and Northeastern Railroad Company, a corporation existing under the laws of the State of Florida, to construct a bridge over the Escambia River between the counties of Santa Rosa and Escambia, in the State of Florida;

H. R. 25846. An act permitting the building of a dam across the Savannah River at Calhoun Falls;

H. R. 25847. An act permitting the building of a dam across the Savannah River at Hattons Ford;

H. R. 25848. An act permitting the building of a dam across the Savannah River at Andersonville Shoals; and

H. R. 25850. An act permitting the building of a dam across the Savannah River at Trotters Shoals.

On March 1:

H. R. 22580. An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908;

H. R. 24134. An act providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation, in Colorado;

H. R. 25513. An act extending the time for making final proof in certain desert-land entries;

H. R. 5666. An act for the relief of L. L. Arrington and L. S. Arrington;

H. R. 1561. An act authorizing the Secretary of the Navy to grant a discharge to Peter O'Neil;

H. R. 15027. An act to remove the charge of desertion against Cornelius O'Callaghan; and

H. R. 19493. An act to reimburse Oscar Fulgham, ex-sheriff of Madison County, Ala., for judgment and costs rendered against him when acting in the service of the United States.

On March 2:

H. R. 19932. An act for the relief of John Lavine;

H. R. 12840. An act for the relief of L. Biertempfel;

H. R. 23821. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; and

H. R. 24537. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1908, and for other purposes.

### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 25851. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes;

H. R. 25672. An act to amend an act entitled "An act to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;"

H. J. Res. 219. Joint resolution providing for an increase in the number of copies to be printed of the Annual Report of the Comptroller of the Currency;

H. J. Res. 257. Joint resolution authorizing the Secretary of the Treasury to print 1,000 additional copies of the Annual Report of the Director of the Mint;

H. J. Res. 255. Joint resolution providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session;

H. J. Res. 229. Joint resolution to provide for the printing of 250,000 copies of the special report on the diseases of horses;

H. J. Res. 256. Joint resolution authorizing the Attorney-General to print 850 copies of the session laws;

H. R. 25812. An act to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission of the State of Pennsylvania;

H. R. 24640. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 16235. An act authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.;

H. R. 12623. An act granting a pension to Minnie C. O'Connor;

H. R. 3208. An act granting a pension to Isabel T. Borthwick;

H. R. 24655. An act to authorize the legislature of Oklahoma to dispose of a certain section of school land;

H. R. 24815. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908;

H. R. 25889. An act to provide for sittings of the United States circuit and district courts of the southern district of Ohio at the city of Dayton, in said district;

H. J. Res. 253. Joint resolution relating to securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern;

H. R. 13605. An act to satisfy certain claims against the Government arising under the Navy Department;

H. R. 20490. An act for the relief of Frank J. Ladner;

H. R. 25719. An act to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building;

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described;

H. R. 25885. An act to extend the time for building a bridge across Red River at Shreveport, La.;

H. R. 23221. An act for the erection of a public building at the city of Athens, in the State of Ohio;

H. R. 13566. An act to amend the national banking act, and for other purposes;

H. R. 16659. An act to correct the military record of Tobe Holt;

H. R. 13122. An act to correct the military record of John Allen;

H. R. 25692. An act to provide for an additional district judge for the northern district of California;

H. R. 25039. An act to enable the city of Phoenix, in Maricopa County, Ariz., to use the proceeds of certain municipal bonds for the purchase of the plant of the Phoenix Water Company and to extend and improve said plant;

H. R. 23650. An act to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made and to dispose of the merchantable timber, and for other purposes; and

H. R. 23556. An act prohibiting the purchase or procurement, sale, gift, or disposition of intoxicating liquors to or for the use of minors by unlicensed persons.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 8119. An act to readjust the boundaries of the naval reserve in Porto Rico, established in pursuance of the act of July 1, 1902;

S. 6704. An act to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905;

S. 360. An act to relinquish the interest of the United States in and to certain land in the city of Pensacola, Fla., to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., and his successors, in trust for the Catholic congregation of Pensacola, Fla.;

S. 6249. An act to provide for the establishment of an agricultural bank in the Philippine Islands;

S. 8189. An act granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west, of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, upper White River, Arkansas;

S. 8299. An act to confer certain civic rights on the Metlakahtla Indians of Alaska;

S. 8622. An act granting an increase of pension to William N. Bronson;

S. 7812. An act to amend section 591 of the Revised Statutes of the United States relative to the assignment of district judges to perform the duties of a disabled judge;

S. 8327. An act to provide for the establishment of an immigration station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building;

S. 7247. An act to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city, on a site to be selected for said station, of a public building;

S. 8526. An act permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river; and

S. 8498. An act to amend sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13122. An act to correct the military record of John Allen;

H. R. 13566. An act to amend the national banking act, and for other purposes;

H. R. 16659. An act to correct the military record of Tobe Holt;

H. R. 23221. An act for the erection of a public building at the city of Athens, in the State of Ohio;

H. R. 23988. An act to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described;

H. R. 25039. An act to enable the city of Phoenix, in Maricopa County, Ariz., to use the proceeds of certain bonds for the purchase of the plant of the Phoenix Water Company and to extend and improve said plant;

H. R. 23556. An act prohibiting the purchase or procurement, sale, gift, or disposition of intoxicating liquors to or for the use of minors by unlicensed persons;

H. R. 25692. An act to provide for an additional district judge for the northern district of California;

H. R. 25885. An act to extend the time for building a bridge across Red River at Shreveport, La.;

H. R. 13605. An act to satisfy certain claims against the Government arising under the Navy Department;

H. R. 25889. An act to provide for sittings of the United States circuit and districts courts of the southern district of Ohio at the city of Dayton, in said district;

H. R. 25719. An act to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building;

H. R. 20490. An act for the relief of Frank J. Ladner;

H. J. Res. 253. Joint resolution relating to securing a channel of 6 feet depth over Foys Flats in the Trent River, North Carolina, about 4 miles above Newbern;

H. R. 24815. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908;

H. R. 23650. An act to quiet title to lands on Jicarilla Reservation, and to authorize the Secretary of the Interior to cause allotments to be made, and to dispose of the merchantable timber, and for other purposes;

H. R. 3208. An act granting a pension to Isavel T. Borthwick;

H. R. 24655. An act to authorize the legislature of Oklahoma to dispose of a certain section of school land;

H. R. 12623. An act granting a pension to Minnie C. O'Connor; and

H. R. 16235. An act authorizing the Secretary of War to deliver condemned brass fieldpieces to the city of Petoskey, Mich.

SUNDRY CIVIL BILL.

Mr. TAWNEY. Mr. Speaker, I submit the conference report and statement on the sundry civil appropriation bill, and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the statement.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses

of the Government for the fiscal year ending June 30, 1908, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12 and 87.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In line 6 of said amendment strike out the words "of said building" and insert in lieu thereof "for said building not to exceed one million eight hundred thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and in line 2 of the matter inserted by said amendment strike out the words "coin including fractional silver coin" and insert in lieu thereof the word "dollars;" and in lines 3 and 4 strike out the sum named and insert in lieu thereof "fifty thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: At the end of the amended paragraph, after the word "available," insert the following: "*Provided*, That no part of this appropriation shall be expended for the employment of any person in making said investigation who is not now in the employ of the Government or hereafter regularly appointed after competitive examination and certification through the Civil Service Commission;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The Spanish Treaty Claims Commission is directed to ascertain as soon as may be what has been the average cost per page of taking testimony for use in cases before said Commission by dividing the whole amount expended from appropriations under this head by the total number of pages of testimony heretofore taken. The claimant in all cases before said Commission not already finally disposed of shall hereafter be required to pay in the first instance the expense of taking his testimony, including the cross-examination of his witnesses at the rate per page so found, and to secure the payment thereof shall within ninety days from the passage of this act deposit with the clerk of said Commission the average cost of taking the claimant's testimony in cases heretofore disposed of at the rate per page aforesaid, and upon failure to make such deposit within the time fixed his case shall be dismissed with prejudice. Whenever any case is disposed of by the Commission in favor of the claimant his said deposit shall be returned to him by the clerk, but if the case is disposed of in favor of the Government so much of his deposit as is required to pay the costs of taking his testimony shall be covered into the Treasury, and the balance, if any, shall be returned to the claimant."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: Strike out the matter inserted by said Senate amendment, leaving both propositions out of the bill; and the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
JAMES H. BERRY,
*Managers on the part of the Senate.*

J. A. TAWNEY,
WALTER I. SMITH,
GEORGE W. TAYLOR,
*Managers on the part of the House.*

The Clerk read the statement, as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments to the bill (H. R. 25745) making appropriations for the sundry civil expenses of the Government for the fiscal year 1908 submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of said amendments, namely:

On amendment No. 4, concerning the public building at Denver, Colo. Limits the estimates for cost of said building to not exceeding $1,800,000.

On amendment No. 12: Strikes out the appropriation of $3,000,000, proposed by the Senate, for buildings for the Departments of State, Justice, and Commerce and Labor.

On amendment No. 22: Appropriates $50,000, as proposed by the House, for transportation of fractional silver coin, and $50,000 instead of $125,000, as proposed by the Senate, for the transportation of silver coin.

On amendments Nos. 68 and 69, relating to the investigation of woman and child workers: Strikes out the requirement proposed by the House that the work shall be done in the Census Office, and adds a provision requiring that no person shall be employed out of the appropriation, other than those now employed by the Government or hereafter regularly appointed after competitive examination and certification through the Civil Service Commission.

On amendment No. 87: Strikes out the provision proposed by the Senate establishing a national park in Idaho.

On amendment No. 117, relating to the Spanish Treaty Claims Commission: Restores to the bill substantially the provision proposed by the House with reference to the payment of costs by claimants in cases before the Commission, adding thereto a provision for refund of deposits of such costs to successful claimants and the excess of such deposits over actual costs to unsuccessful claimants.

On amendment No. 126: Strikes out of the bill the provision proposed by the House regulating purchase of supplies for the Executive Departments at Washington, and also strikes out the appropriations proposed by the Senate for acquiring land for parks in the District of Columbia.

J. A. TAWNEY,
WALTER I. SMITH,
GEO. W. TAYLOR,
*Managers on the part of the House.*

Mr. TAWNEY. Mr. Speaker, I move the adoption of the conference report.

The question was taken; and the conference report was agreed to.

COMMERCE BETWEEN UNITED STATES AND GERMANY.

Mr. RANDELL of Texas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RANDELL of Texas. I wish to bring up a privileged matter. It is a question of privilege.

Mr. PAYNE. Mr. Speaker, I rise to a privileged question.

Mr. WILLIAMS. Mr. Speaker, I submit that the gentleman from Texas [Mr. RANDELL] has a right to state the matter so that the Chair may determine whether it is privileged or not.

The SPEAKER. There are two privileged motions.

Mr. RANDELL of Texas. I have one, Mr. Speaker. [Laughter.] Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his question of privilege.

Mr. RANDELL of Texas. I wish to propound a parliamentary inquiry first, to ask the Speaker whether or not it is in order for me to call up a privileged resolution and move its passage?

The SPEAKER. It is in order for the gentleman to present any question of privilege.

Mr. RANDELL of Texas. Mr. Speaker, I call up privileged resolution No. 829, and move its passage.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolution No. 829.

Whereas it is currently reported that negotiations have been entered into by the Executive Department of the United States, and under its direction, with the Government of the German Empire affecting the commerce between Germany and the United States and the tariffs and regulations on and concerning the same, thereby changing the conditions of trade between these countries and affecting the revenues of this Government received from import duties without the action of Congress; therefore, be it

*Resolved*, That the President of the United States is hereby requested, if not incompatible with the public interest, to direct the Secretary of State to report to him for the information of the House:

First. What agreement or agreements, if any, have been entered into between the authorities of the United States and the German Government, or their agents or representatives, affecting the commerce of the two countries in reference to imports, or the tariff on or regulations thereof, which directly or indirectly affect the revenues or import duties of this Government.

Second. What propositions, if any, have been made by either party or its agents looking to any change in the tariff charges or trade regulations between Germany and the United States affecting, either directly or indirectly, the revenues of this Government or its trade relations with Germany.

Third. That all papers and documents, correspondence, or regulations on the matter herein inquired about in possession of the State Department be furnished for the information of the House.

Mr. WATSON. Mr. Speaker, I make the point of order that this is not a privileged question and that the preamble itself destroys the very idea of privilege because it compels a vote.

Mr. DALZELL. Mr. Speaker, a parliamentary inquiry. Was not this same resolution reported from the Committee on Ways and Means and laid upon the table?

Mr. RANDELL of Texas. Mr. Speaker, I claim the floor.

The SPEAKER. Well, the gentleman can not have the floor until the point of order is disposed of.

Mr. RANDELL of Texas. Mr. Speaker——

The SPEAKER. The Chair is ready to rule. It has been frequently held that a preamble to a resolution of inquiry that makes an alleged statement of fact destroys the privilege, although the balance of the resolution might be privileged. That has been frequently held by many Speakers and was ruled by the present Speaker at the last session of Congress on a resolution presented by the gentleman from New York [Mr. COCKRAN]. Clearly this is not privileged, and the Chair sustains the point of order.

Mr. RANDELL of Texas. Mr. Speaker, may I be heard?

The SPEAKER. After all, it is in the discretion of the Chair, and it is so well established by repeated decisions from various Speakers, including the present Speaker, that at the hour of ten minutes past 12 o'clock the Chair does not desire to hear anything touching the point of order.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 9.30 o'clock this morning.

Mr. RANDELL of Texas. Mr. Speaker, I respectfully appeal from the decision of the Chair.

The SPEAKER. Pending the appeal, the Chair entertains the privileged motion, namely, that the House do now take a recess until to-day at 9.30 o'clock.

The motion was agreed to.

Accordingly (at 12 o'clock and 12 minutes a. m., Monday, March 4, 1907) the House took a recess until 9.30 o'clock a. m.

## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the chief justice of the Court of Claims, requesting the return to the court of the papers submitting to Congress the findings in the case of Irving McCoy against the United States—to the Committee on War Claims, and ordered to be printed.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bill and memorials of the following titles were introduced and severally referred as follows:

By Mr. BRICK: A bill (H. R. 25890) to amend the laws of the United States relating to the registration of trade-marks—to the Committee on Patents.

By Mr. GRONNA: Memorial from the legislature of North Dakota, praying Congress to pass a law giving to each respective State of the Union the right to ditch into, alter, modify, or destroy, if need be, part or the whole of any meandered lakes or navigable streams—to the Committee on the Judiciary.

Also, memorial from the legislature of North Dakota, recommending a constitutional amendment to prohibit polygamy and to secure uniform divorce laws—to the Committee on the Judiciary.

By the SPEAKER: Memorial from the legislature of North Dakota, recommending a constitutional amendment to prohibit polygamy and to secure uniform divorce laws—to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. WILLIAMS: A bill (H. R. 25888) for the relief of Samuel Phillips—to the Committee on Military Affairs.

By Mr. CLAYTON: A bill (H. R. 25891) to relieve George W. Black and J. R. Wilson from a certain judgment in favor of the United States, and to relieve George W. Black, J. R. Wilson, and W. M. Newell of a certain judgment in favor of the United States—to the Committee on the Judiciary.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committee was discharged from the consideration of bill of the following title; which was thereupon referred as follows:

A bill (H. R. 25487) for the relief of Andrew B. Baird and James S. Baird, and to confirm all sales and dispositions heretofore made by the United States out of the confiscated land of the late Spruce M. Baird, their father, known as Baird's ranch, in the Territory of New Mexico—Committee on War Claims discharged, and referred to the Committee on the Public Lands.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FOSTER of Vermont: Petition of Rev. A. C. Brown and others, of Essex, Vt., for passage of the Littlefield bill—to the Committee on the Judiciary.

Also, petition of F. S. Yager and 2,000 other citizens of California, asking for modification of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HOWELL of Utah: Petition of citizens of the State of Utah, against certain features of the proposed new copyright law—to the Committee on Patents.

By Mr. NORRIS: Petition of Solon R. Town, M. D., Robert H. Wolcott, and other citizens of Nebraska, asking passage of bill S. 5888—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: Petition of farmers of Donley County, Tex., asking for legislation to suppress gambling in futures on farm products—to the Committee on the Judiciary.

# SENATE.

## MONDAY, *March 4, 1907.*

[*Continuation of legislative day of Saturday, March 2, 1907.*]

At the expiration of the recess (at 9.30 a. m., March 4) the Senate reassembled.

### RECESS.

Mr. HALE. I move that the Senate take a recess until a quarter after 10 o'clock.

The motion was agreed to; and at the expiration of the recess (at 10.15 a. m.) the Senate reassembled.

### INDIAN AND FREEDMEN ENROLLMENT CASES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 28th ultimo, certain information relative to the number of Indian and freedmen enrollment cases pending before the Commissioner to the Five Civilized Tribes on February 25, 1907, and also in the office of the Commissioner of Indian Affairs on review, and before the Department of the Interior, etc.; which was referred to the Committee on Indian Affairs, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

H. R. 25672. An act to amend an act entitled "An act to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;"

H. R. 25851. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes;

H. J. Res. 219. Joint resolution providing for an increase in the number of copies to be printed of the Annual Report of the Comptroller of the Currency;

H. J. Res. 229. Joint resolution to provide for the printing of 250,000 copies of the Special Report of the Diseases of Horses;

H. J. Res. 255. Joint resolution providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session;

H. J. Res. 256. Joint resolution authorizing the Attorney-General to print 850 copies of the Session Laws; and

H. J. Res. 257. Joint resolution authorizing the Secretary of the Treasury to print 1,000 additional copies of the Annual Report of the Director of the Mint.

### PETITIONS AND MEMORIALS.

Mr. HANSBROUGH. I present a joint memorial of the legislature of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The memorial was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Memorial offered by Mr. Stade.

Whereas numerous "meandered lakes and navigable streams" located in North Dakota, by reason of higher altitudes or of obstructions made by silt or other materials, thus holding back the water, are made to overflow and annually flood and keep in a state of moisture many thousands of acres of swamp or semiswamp lands; and

Whereas by virtue of large spring freshets many of such lakes, streams, or rivers overflow and inundate vast areas of land; and

Whereas in order to drain such lands it becomes necessary to ditch into, alter, or destroy such lakes, streams, or rivers, by which means the water can be conducted away and thereby drain such named lakes, fitting them for tillage or agricultural use; and

Whereas by such method of drainage the wealth of the people of North Dakota can be increased millions of dollars, and the taxable property of the State can be equally multiplied; now,

Therefore, the legislative assembly of the State of North Dakota hereby passes a joint memorial to the Congress of the United States of America, praying that body to pass a law giving to each respective State of the Union the right to ditch into, alter, modify, or destroy, if need be, part or the whole of any "meandered lakes or navigable streams," if the same shall be necessary to drain any swamp or semiswamp lands within their respective borders: *Provided*, Said drainage, alterations, or modifications of such lakes, streams, or rivers shall be done under the sanction of or in cooperation with national commissioners or agents who shall be appointed or detailed under law for such purposes: Therefore, be it

*Resolved by the legislative assembly of North Dakota*, That engrossed copies of the joint memorial be at once sent to the North Dakota Senators and Representatives in Congress, and they be instructed to draw up and introduce a bill in Congress that shall cover in a clear and comprehensive manner the different features or phases herein named of the question of drainage in the different States of the nation.

R. S. LEWIS,
*President of the Senate.*
JAMES W. FOLEY,
*Secretary of the Senate.*
TREADWELL TWICHELL,
*Speaker of the House.*
P. D. NORTON,
*Chief Clerk of the House.*

I, James W. Foley, secretary of the senate, do hereby certify that the foregoing memorial originated in and was adopted by the senate of the tenth legislative assembly of the State of North Dakota and was concurred in by the house of representatives.

JAMES W. FOLEY,
*Secretary of the Senate.*

Mr. HANSBROUGH. I present a concurrent resolution of the legislature of the State of North Dakota, which I request may be read at the desk and referred to the Committee on the Judiciary. It is short.

Mr. GALLINGER. I call attention to the fact that my motion to concur in the amendment made by the House of Representatives to the shipping bill is in order.

The VICE-PRESIDENT. That is the pending question.

Mr. GALLINGER. I will ask that the motion be put after the memorial has been read.

The concurrent resolution was read, and referred to the Committee on the Judiciary, as follows:

Concurrent resolution offered by Mr. Buttz.—Memorial to Congress for constitutional amendment.

Whereas the recent investigation made by the Senate of the United States as to the qualifications of one of its members has developed the fact that polygamy exists in several of the States, notwithstanding the laws that exist in said States prohibiting the same; and

Whereas the practice of polygamy is condemned by the law-abiding people of the United States, and there is a sentiment prevailing throughout the country for a more effectual remedy to eradicate the evil complained of by giving the Federal courts jurisdiction over and control of that question as well as that of divorces, at the same time reserving to each State the right to enforce its own laws relating to marriage: Therefore, be it

*Resolved by the house of representatives of North Dakota (the senate concurring)*, That the Congress of the United States is hereby petitioned to take the necessary steps to provide for a constitutional amendment, to be submitted to the several States, whereby polygamy and polygamous cohabitation shall be prohibited by giving the Federal courts jurisdiction to enforce any and all acts of the United States Congress upon the subject of polygamy and polygamous practices, as well as upon uniform divorce laws throughout the several States: Be it

*Further resolved*, That the Secretary of State be, and he hereby is, directed to transmit copies of this memorial to the Senate and House of Representatives of the United States, and to the members of said bodies representing this State therein; also to transmit copies hereof to the legislature of all other States of the United States.

TREADWELL TWICHELL,
*Speaker of the House.*
P. D. NORTON,
*Chief Clerk of the House.*
R. S. LEWIS,
*President of the Senate.*
JAMES W. FOLEY,
*Secretary of the Senate.*

I, P. D. Norton, chief clerk of the house, do hereby certify that the foregoing concurrent resolution originated in and was adopted by the house of representatives of the tenth legislative assembly of the State of North Dakota and was concurred in by the senate.

P. D. NORTON,
*Chief Clerk of the House.*

BISMARCK, N. DAK., *February 26, 1907.*

Mr. WARREN presented a petition of sundry ranchmen in the State of Wyoming, praying for the enactment of legislation providing that actual settlers may lease the Government land contiguous to their patented lands; which was referred to the Committee on Agriculture and Forestry.

Mr. DICK. I present sundry telegrams from telegraph operators in the State of Ohio, relative to the sixteen-hour bill; which I ask may lie on the table and be printed in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered.

The telegrams were ordered to lie on the table, as follows:

From A. J. Zint, of Wapakoneta; W. J. Kroger and J. R. Howser, of Troy; W. V. Van Meter, of Cridersville; B. S. Bowman, of Payne; H. E. Fling, of Payne; C. C. Hamlin, of Rudolph; L. T. Agnew, of Oakwood; T. W. Sullivan, of Arma; J. E. Cross, J. W. Shuster, and O. C. Knight, of Peebles; Edward Gaudern and C. W. Newcomer, of Bryan Depot; Herbert H. Brickett, of Newton; S. E. Klein, H. B. Workman, H. J. Gerlach, J. R. Baxter, and C. E. Lemon, of Circleville; F. P. Reynolds and W. R. Ruckles, of Van Wert; A. J. Tilden and A. H. Bensman, of Columbus Grove; J. E. O'Hara, of West Toledo; A. J. Ebertine, of West Toledo; H. W. Clark, of West Toledo; R. R. Kibler, O. G. Harper, B. E. Baughn, P. W. Heaton, and E. Crassley, of Greenfield; A. A. Delf, of Mansfield; L. C. Ramsey; James Shine, of Sidney; F. E. Marker; S. Cashner, of Wapakoneta; C. D. Blankenbaker, of Wapakoneta; W. V. Saltzman and C. J. Fenstermaker, of Phalanx; C. V. Yezzell, of Cincinnati; H. H. Hess, of Sidney; J. F. Justice; Carter, Moyer, Babcock, Kilnite, Fenstermaker, Holbrook, Taylor, and Lowrie, of Leavittsburg; G. D. Wilson, of Willoughby; S. W. Usher, of Willoughby; from C. H. McCoy, Rose, Vanhorn, Baumgardner, Bratton, Lucas, Hammel, Landis, Brooker, Close, Brice, Blank, Ott, Stafford, Davis, Harper, Weaver, Shaffer, Wood, Rogers, George, and Goodrich, of Massillon; from T. S. Crissing, of Martel; from W. A. Fry, of Columbus; from C. D. Hull, of Sandusky; from Kenny, Mills, Icenhour, Arnold, and Carpenter, of Floodwood; from S. W. Mosier, of Waverly; from G. W. Bell, George F. Corley, S. A. Davis, and J. E. Collins, of Clinton; from O. E. Lewis, of Oxford; from George Farrell and John H. Fitch, of Youngstown; from Ashpaugh, Carpenter, and Burnoon, of Tontogany; from D. J. O'Hara, of Toledo, all in the State of Ohio.

Mr. DICK presented a memorial of Waterford Grange, No. 231, Patrons of Husbandry, of Waterford, Ohio, remonstrating against the passage of the so-called "ship-subsidy bill;" which was ordered to lie on the table.

He also presented a memorial of the Society of Natural History of Cincinnati, Ohio, remonstrating against the enactment of legislation to abolish the Division of Biological Survey in the Department of Agriculture; which was ordered to lie on the table.

He also presented a petition of the Civic Club of Sandusky, Ohio, praying for the enactment of legislation to regulate the employment of child labor; which was ordered to lie on the table.

Mr. FLINT presented petitions of sundry citizens of Ramona, San Diego, and National City, all in the State of California, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DEPEW presented the petition of Ernest N. Pattee, of Syracuse, N. Y., and the petition of B. F. Stinson, of Buffalo, N. Y., praying for the adoption of certain amendments to the present denatured-alcohol law; which were ordered to lie on the table.

He also presented a memorial of the executive committee of the Oystermen's Protective Association of the State of New York, remonstrating against the enactment of any legislation to prohibit interstate commerce in opened oysters; which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Corinth, N. Y., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

### JAMES W. KENNEY.

Mr. LODGE. I ask the Senator from New Hampshire to yield to me for a moment in order that I may call up a small bill, which will not take a moment. It is a House bill.

Mr. GALLINGER. I will yield for that purpose.

Mr. LODGE. I ask the Senate to proceed to the consideration of the bill (H. R. 8727) for the relief of James W. Kenney and the Union Brewing Company.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay James W. Kenney, proprietor of the Park Brewery, $337.50, and to James W. Kenney, treasurer of the Union Brewing Company, $440.62, these sums having been paid by said James W. Kenney under an illegal assessment for short-tax beer.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### TRANSFER OF DOCUMENTS OF INDUSTRIAL COMMISSION.

Mr. HANSBROUGH. I ask that the joint resolution (H. J. Res. 211) authorizing the transfer of the files, books, and pamphlets of the Industrial Commission be laid before the Senate and considered. It was read last night.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATE OF ARCHIBALD D. PALMER.

Mr. GALLINGER. I yield to the Senator from Wyoming [Mr. WARREN] to offer a resolution.

Mr. WARREN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the bill (S. 8363) for the relief of Lizzie Dickson, administratrix of Archibald D. Palmer, deceased, with all accompanying papers, be, and the same is hereby, referred to the Court of Claims for a finding of facts under the terms of the act of March 3, 1887, and generally known as the Tucker Act.

REPORT OF A COMMITTEE.

Mr. FLINT, from the Committee on Public Lands, to whom was referred the bill (S. 6626) for the establishment of a drainage fund and the construction of works for the reclamation of swamp and overflowed lands, reported it with amendments, and submitted a report thereon.

BILL INTRODUCED.

Mr. DICK introduced a bill (S. 8627) to make accessible to inventors and manufacturers, manual training, industrial, and scientific schools the files of the Patent Office and scientific bureaus of the several Departments of the Government by the publication of card files of patents and card-subject indexes of the scientific libraries of the Patent Office and of the scientific bureaus of the Government relating to industrial arts and commerce; which was read twice by its title, and referred to the Committee on Patents.

OMAHA NATIONAL BANK.

Mr. GALLINGER. I yield to the Senator from Nebraska [Mr. MILLARD], and then I will not yield further for the present.

Mr. MILLARD submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the House of Representatives be requested to return to the Senate the bill (S. 171) entitled "A bill for the relief of the Omaha National Bank," and that the same be referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, generally known as the Tucker Act. And the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from New Hampshire [Mr. GALLINGER] to concur in the amendment made by the House of Representatives.

Mr. CARMACK rose.

Mr. GALLINGER. Mr. President——

Mr. BERRY. I think the Senator from Tennessee [Mr. CARMACK] has the floor.

Mr. GALLINGER. The Senator from Tennessee can not hold the floor after the recess.

The VICE-PRESIDENT. The Senator from New Hampshire has the floor.

Mr. McLAURIN. Mr. President——

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Mississippi?

Mr. GALLINGER. For what purpose does the Senator rise?

Mr. McLAURIN. I wish to say that the Senator from New Hampshire can certainly not hold the floor on this measure, and thereby prohibit debate.

Mr. GALLINGER. Mr. President, I have the floor.

The VICE-PRESIDENT. The Senator from New Hampshire will suspend while the Senate receives a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

The message also announced that the House had passed the bill (S. 8614) to amend an act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896.

The message further announced that the House had passed concurrent resolution relative to the enrollment of the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

S. 6447. An act to authorize the appointment of Acting Asst. Surg. George Plummer, U. S. Navy, as an assistant surgeon in the United States Navy;

S. 8012. An act to erect a monument on the Tippecanoe battle ground, in Tippecanoe County, Ind.;

S. 8230. An act for the relief of Harold D. Childs;

S. 8292. An act providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the battle of New Orleans, at Chalmette, La., and making the necessary appropriation therefor;

S. 8568. An act granting an increase of pension to Rosanna A. May;

S. 8585. An act for the relief of Charles W. Spalding;

H. R. 13304. An act to provide a suitable memorial to the memory of Christopher Columbus;

H. R. 17415. An act to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska;

H. R. 25745. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 25883. An act to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy;

S. R. 29. Joint resolution authorizing the selection of a site and the erection of a pedestal for the Stephenson Grand Army memorial in Washington, D. C.; and

S. R. 98. Joint resolution granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany.

HOURS OF LABOR OF RAILROAD EMPLOYEES.

Mr. GALLINGER. Mr. President——

Mr. FLINT. Will the Senator from New Hampshire yield to me?

Mr. GALLINGER. For what purpose?

Mr. FLINT. I wish to present a conference report on Senate bill 5133.

Mr. GALLINGER. Of course I yield for that purpose. I have to do it.

Mr. FLINT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recedes from its disagreement to the House amendment, and agrees to the same with amendments as follows:

In line 3, page 1, strike out the word "and" and insert "or" in said amendment.

In line 13, page 1, strike out the word "corporation" and insert in lieu thereof the words "common carrier" in said amendment.

In line 13, page 2 of said amendment, after the word "continue," insert "or again go;" and in the same line strike out the four concluding words of said line, reading "or go on duty."

In line 14, page 2 of said amendment, after the word "eight," insert the word "consecutive."

In lines 14 and 15, page 2, strike out the words "within such twenty-four-hour period."

In line 15, page 2, strike out all after the word "*Provided*" to and including the word "daytime," in line 24, and insert the following: "That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor

for a longer period than thirteen hours in all towers, offices places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week: *Provided further*, The Interstate Commerce Commission may, after full hearing, in a particular case and for good cause shown, extend the period within which a common carrier shall comply with the provisions of this proviso as to such case."

In line 9, page 3, after the word "suits," insert the words "to be."

In line 13, page 3, strike out the word "verified."

In line 15, page 3, strike out the words "three years" and insert "one year."

In line 21, page 3, after the word "of," insert the word "all;" and in the same line strike out the words "duly authorized" and insert in lieu thereof the words "officers and."

In line 24, page 3, after the word "its," insert the words "officer or."

In lines 1 and 2, page 4, strike out the words "with the exercise of reasonable prudence."

Strike out all of lines 7 and 8, page 4, and insert in lieu thereof "and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act."

And the Senate agree to the same.

BOIES PENROSE,
FRANK P. FLINT,
JNO. W. DANIEL,
*Managers on the part of the Senate.*

W. P. HEPBURN,
IRVING P. WANGER,
W. C. ADAMSON,
*Managers on the part of the House.*

The VICE-PRESIDENT. The question is on agreeing to the report.

Mr. CULLOM. I think it would be well for some member of the conference committee to explain exactly the difference between the report just made and the one previously rejected by the Senate.

Mr. FLINT. The only change which has been made in the report is in reference to the telegraph operators. We have adopted the House provision with a proviso to the effect that in any given case, upon application to the Interstate Commerce Commission and upon a hearing, the Commission may extend the time in that case in which the act shall go into effect.

Mr. NEWLANDS. There was so much confusion in the Chamber it was difficult to hear the statement of the Senator from California. I should like to inquire whether section 2 of the conference report is substantially in the language of the so-called "Murphy amendment" to the House bill?

Mr. FLINT. It is.

Mr. PATTERSON. Mr. President, the new report of the conference committee embraces the provisions for which those who are advocating the cause of the telegraph operators contended, with the modification suggested by the Senator from California, namely, that upon good cause shown the Interstate Commerce Commission may suspend the operation of the act with reference to a particular road for a reasonable period. The theory upon which that change has been made is that a sufficient number of operators may not be immediately obtainable to carry out the provisions of the statute.

The bill as reported is not altogether satisfactory to the friends of the measure representing the wishes of the operators, but in the main it is very satisfactory, and I have no doubt in the world but that within a year or two, when the operations of the act have been put into practical effect, whatever defects or omissions may be disclosed, the amendments that experience will show ought to be made will be adopted by Congress.

There is no reason, so far as I know, from the standpoint of friendship for the measure, why the conference report should not be adopted.

Mr. DANIEL. Mr. President, last night this report was unanimously made by the conferees of both Houses——

Mr. FLINT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from California?

Mr. DANIEL. Certainly.

Mr. FLINT. Mr. President, I simply desire to make a statement in reply to a question which was asked by the Senator from Nevada [Mr. NEWLANDS], and that is, if the conference report is the same as the Murphy amendment. I will state that it is, except that an error was made in the report and several words omitted. The House adopted a concurrent resolution correcting the error. It is necessary that this concurrent resolution should be adopted by the Senate. I am very anxious that the conference report should be disposed of so that the concurrent resolution may then be acted on.

Mr. NEWLANDS. I will ask the Senator whether there is danger in the delay of the consideration of this bill?

Mr. FLINT. There is, and that is my reason for calling attention to it at this time.

Mr. DANIEL. Mr. President, this is a unanimous report of the conferees of both Houses. Last night it was promptly taken up by the House of Representatives and agreed to on a roll call by a unanimous vote. It is to be hoped that it will also receive a unanimous vote in this body.

The only change made since the former conference report was made was in pursuance of the instruction of the House of Representatives, and to the amendment thus made to the bill with respect to telegraph operators there is inserted this further proviso:

> The Interstate Commerce Commission may, after full hearing in a particular case and for good cause shown, extend the period within which a common carrier shall comply with the provisions of this proviso as to said case.

This amendment proved to be a solvent of difficulties, and the way is now clear for those who desire a reasonable and just measure on this subject to vote for it.

Mr. McCREARY. I desire to ask the Senator from Virginia a question in regard to this conference report concerning the provision relating to telegraph operators.

Mr. DANIEL. As agreed to it is practically the same as the bill as it passed the other House, with the one change which I have stated.

Mr. McCREARY. As I understand, this report has been agreed to by the other House?

Mr. DANIEL. As I previously stated, it was unanimously agreed to by the other House last night. That is in the RECORD of to-day, and I was over in the House, heard the roll called, and witnessed the procedure.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. FLINT. On that I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN], but I transfer that pair to the junior Senator from Iowa [Mr. DOLLIVER] and vote. I vote "yea."

Mr. DEPEW (when his name was called). I am paired with the Senator from Louisiana [Mr. McENERY], but as we are agreed on this question I am at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. ALLISON. I desire to state that my colleague [Mr. DOLLIVER] is necessarily absent. If present, he would vote "yea."

Mr. LONG. I desire to state that my colleague [Mr. CURTIS] is unavoidably absent, but, if present, he would vote "yea."

Mr. McCUMBER. I have a general pair with the junior Senator from Louisiana [Mr. FOSTER], who is necessarily absent. I have been requested to announce that if he were present the Senator from Louisiana would vote "yea," and as I am in accord with him on this question I am at liberty to vote, and I vote "yea."

Mr. FLINT. I have been requested to state that the senior Senator from Pennsylvania [Mr. PENROSE] is necessarily absent from the Chamber this morning, and that if he were present he would vote "yea."

The result was announced—yeas 76, nays 0, as follows:

YEAS—76.

| | | | |
|---|---|---|---|
| Allee | Cullom | Heyburn | Patterson |
| Allison | Daniel | Hopkins | Perkins |
| Ankeny | Depew | Kean | Pettus |
| Berry | Dick | Kittredge | Piles |
| Beveridge | Dillingham | Knox | Platt |
| Blackburn | Dryden | Latimer | Proctor |
| Brandegee | Dubois | Lodge | Rayner |
| Bulkeley | Du Pont | Long | Scott |
| Burkett | Elkins | McCreary | Simmons |
| Burnham | Flint | McCumber | Smith |
| Burrows | Foraker | McLaurin | Smoot |
| Carmack | Frazier | Mallory | Spooner |
| Carter | Frye | Millard | Stone |
| Clapp | Fulton | Morgan | Sutherland |
| Clark, Mont. | Gallinger | Mulkey | Taliaferro |
| Clark, Wyo. | Gamble | Nelson | Teller |
| Clay | Hale | Newlands | Warner |
| Crane | Hansbrough | Nixon | Warren |
| Culberson | Hemenway | Overman | Whyte |

NAYS—0.

NOT VOTING—14.

| | | | |
|---|---|---|---|
| Aldrich | Curtis | McEnery | Tillman |
| Bacon | Dolliver | Martin | Wetmore |
| Bailey | Foster | Money | |
| Clarke, Ark. | La Follette | Penrose | |

So the report was agreed to.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read:

IN THE HOUSE OF REPRESENTATIVES,
*March 2, 1907.*

*Resolved by the House of Representatives (the Senate concurring)*, That in enrolling the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, the enrolling clerk be directed to correct the engrossed amendment of the House to the Senate bill by striking out all after the word "Provided," in section 2 of said amendment, and inserting "*Provided*, That no operator, train dispatcher, or other employee who, by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period or not exceeding three days in any week."

The VICE-PRESIDENT. The question is on agreeing to the concurrent resolution of the House of Representatives.

The concurrent resolution was agreed to.

NICHOLAS M. HAWKINS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, referred to the Committee on Pensions, and ordered to be printed:

*To the Senate:*

In compliance with the resolution of the Senate (the House of Representatives concurring) of the 2d instant, I return herewith Senate bill No. 5623, entitled "An act granting an increase of pension to Nicholas M. Hawkins."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 2, 1907.*

WILLIAM N. BRONSON.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, referred to the Committee on Pensions, and ordered to be printed:

*To the Senate:*

In compliance with the resolution of the Senate (the House of Representatives concurring) of the 2d instant, I return herewith Senate bill No. 7822, entitled "An act granting an increase of pension to William N. Bronson."

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 2, 1907.*

THE MERCHANT MARINE.

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. GALLINGER. Mr. President, as this is the last day of the session, I will ask the Senate whether a vote may be taken on the bill that is under consideration?

Mr. CARMACK. Mr. President, I am sorry to say to the Senator from New Hampshire that there will be no vote taken until after considerable debate.

Mr. GALLINGER. I greatly regret that my request is refused. After the two days of rather frivolous debate on this very important bill I feel that it is my privilege as well as my duty in closing the debate to call attention very briefly to a few salient points and to emphasize the fact that, as I see the situation, we ought to have legislation on this very important subject.

In the first place, Mr. President, I desire to ask unanimous consent to have the portion of the ocean mail law of March 3, 1891, which I have marked placed in the RECORD without taking the time to read it.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

THE EXISTING OCEAN MAIL LAW.

The portion of the law referred to is as follows:

The Postmaster-General is hereby authorized and empowered to enter into contracts for a term not less than five nor more than ten years in duration, with American citizens, for the carrying of mails on American steamships, between ports of the United States and such ports in foreign countries, the Dominion of Canada excepted, as in his judgment will best subserve and promote the postal and commercial interests of the United States, the mail service on such lines to be equitably distributed among the Atlantic, Mexican Gulf, and Pacific ports. Said contracts shall be made with the lowest responsible bidder for the performance of said service on each route, and the Postmaster-General shall have the right to reject all bids not in his opinion reasonable for the attaining of the purposes named.

Before making any contract for carrying ocean mails in accordance with this act the Postmaster-General shall give public notice by advertising once a week, for three months, in such daily papers as he shall select in each of the cities of Boston, New York, Philadelphia, Baltimore, New Orleans, St. Louis, Charleston, Norfolk, Savannah, Galveston, and Mobile, and when the proposed service is to be on the Pacific Ocean, then in San Francisco, Tacoma, and Portland. Such notice shall describe the route, the time when such contract will be made, the duration of the same, the size of the steamers to be used, the number of trips a year, the times of sailing, and the time when the service shall commence, which shall not be more than three years after the contract shall be let. The details of the mode of advertising and letting such contracts shall be conducted in the manner prescribed in chapter 8 of Title XLVI of the Revised Statutes for the letting of inland mail contracts so far as the same shall be applicable to the ocean mail service.

The vessels employed in the mail service under the provisions of this act shall be American-built steamships, owned and officered by American citizens, in conformity with the existing laws, or so owned and officered and registered according to law, and upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof; during the next three succeeding years, one-third thereof; and during the remaining time of the continuance of such contract at least one-half thereof; and shall be constructed after the latest and most approved types, with all the modern improvements and appliances for ocean steamers.

They shall be divided into four classes. The first shall be iron or steel screw steamships, capable of maintaining a speed of 20 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 8,000 tons. No vessel except of said first class shall be accepted for said mail service under the provisions of this act between the United States and Great Britain. The second class shall be iron or steel steamships, capable of maintaining a speed of 16 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 5,000 tons. The third class shall be iron or steel steamships, capable of maintaining a speed of 14 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 2,500 tons. The fourth class shall be iron or steel or wooden steamships, capable of maintaining a speed of 12 knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than 1,500 tons. It shall be stipulated in the contract or contracts to be entered into for the said mail service that said vessels may carry passengers with their baggage in addition to said mails, and may do all ordinary business done by steamships.

All steamships of the first, second, and third classes employed as above and hereafter built shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, and according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and they shall be of sufficient strength and stability to carry and sustain the working and operation of at least four effective rifled cannon of a caliber of not less than 6 inches, and shall be of the highest rating known to maritime commerce. And all vessels of said three classes heretofore built and so employed shall, before they are accepted for the mail service herein provided for, be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy; and such officer shall report, in writing, to the Secretary of the Navy, who shall transmit said report to the Postmaster-General; and no such vessel not approved by the Secretary of the Navy as suitable for the service required shall be employed by the Postmaster-General as provided for in this act.

The rate of compensation to be paid for such ocean mail service of the said first-class ships shall not exceed the sum of $4 a mile, and for the second-class ships $2 a mile, by the shortest practicable route, for each outward voyage; for the third-class ships not to exceed $1 a mile, and for the fourth-class ships two-thirds of $1 a mile, for the actual number of miles required by the Post-Office Department to be traveled on each outward-bound voyage: *Provided*, That in the case of failure from any cause to perform the regular voyages stipulated for in said contracts or any of them a pro rata deduction shall be made from the compensation on account of such omitted voyage or voyages; and that suitable fines and penalties may be imposed for delays or irregularities in the due performance of service according to the contract, to be determined by the Postmaster-General: *Provided further*, That no steamship so employed and so paid for carrying the United States mails shall receive any other bounty or subsidy from the Treasury of the United States.

AN EXTENSION OF THE PRESENT ACT.

Mr. GALLINGER. Mr. President, I want to direct the attention of Senators to the fact that the bill now under consideration proposes simply an enlargement and extension of that act, which has been in operation for the last sixteen years, and to which nobody, so far as I know, has ever objected.

It will be observed that the proposed lines are all to run to South America—two from the Atlantic coast, to Brazil and Argentina, respectively; one from the Pacific coast, to Peru and Chile, and one from the Gulf of Mexico, to Brazil.

I regret exceedingly that the House substitute now before us abandons all assistance to lines from the Pacific coast to Japan, China, the Philippines, and Australasia. To my mind that action was most unfortunate, as our future trade, in addition to that with South America, must necessarily come largely from the Orient. If it was earlier in the session I would ask for a conference, in the hope that some additional appropriations for lines to Oriental ports might be secured; but, manifestly, it is too late to accomplish that result, hence the motion has been made to agree to the House amendment. While, as I have suggested, the bill is not what some of us would desire, it is an enlargement of the existing ocean mail law, and as such it is accepted.

THE FOUR PROPOSED LINES.

The bill as amended by the House includes four of the ocean-mail routes contained in the bill framed by the Mer-

chant-Marine Commission, reported from the Committee on Commerce, and passed by the Senate February 14, 1906.

On all of these four lines 16-knot steamers are required, a speed on the average above that of the mail lines from Europe to South America, and yet not so high that the vessels performing the service would be unable to carry large cargoes of general merchandise. Under the terms of the ocean-mail law of 1891, made applicable to this proposed measure, all steamers performing this service on all four routes must be built on designs approved by the Navy Department, and must be held available for Government use in war. I understand they will be of 6,000 tons and upward.

An amendment adopted by the House reserves the proposed subventions exclusively to vessels hereafter built in the United States, so that this mail service can not be performed by existing steamers, and the creation of an entire new ocean-mail fleet is guaranteed—ships of the highest rating known to maritime commerce and of the latest and most improved construction.

The proposed line from the Atlantic coast to Brazil would require at least four steamers for a fortnightly service, and five steamers if the regularity of schedule prescribed by our ocean-mail laws were to be secured beyond question. The line to Argentina would require at least five, and probably six, steamers. The line from the Gulf coast to Brazil would require at least four, and probably five, steamers. The line from the Pacific coast to Peru and Chile would require at least five, and probably six, steamers. There must be, therefore, all told, a fleet of from eighteen to twenty-two new steamships of superior speed, valuable both for commerce and for the national defense, provided these four proposed lines go into full operation.

Provision is made on each route for both a monthly and a fortnightly service. The fortnightly service calls for a maximum compensation of $600,000 a year on the two lines to Brazil, $800,000 on the line to Argentina, and $600,000 on the line from the Pacific coast to Peru and Chile, which line would have the advantage of the protection of the coastwise laws if it touched at the Isthmus of Panama on merchandise shipped via the Isthmus in transit between the Atlantic and Pacific coasts of the United States.

The total subvention to the proposed lines on a basis of monthly sailings would be $1,300,000 a year; on a fortnightly service, $2,600,000. The annual profit which the United States now makes out of its ocean-mail service, as stated by the Postmaster-General, is about $3,000,000 a year; and there seems to be no good reason why this profit should not be devoted to extending our mail service and increasing our commerce.

It will be observed that this bill proposes $600,000 a year for a fortnightly mail service in 16-knot steamers from the Atlantic coast to Brazil and $800,000 a year for a similar service to Argentina, $1,400,000 for both. Now let us see what other nations are doing to aid their merchant marine.

The German Government pays the North German Lloyd, under a fifteen-year contract, $1,330,000 a year for a fortnightly mail service in 15-knot steamers via the Suez Canal to the East Indies.

The British Government paid the Royal Mail Company $1,350,000 a year to establish a mail service to the West Indies, Brazil, and Argentina.

The British Government pays the Peninsular and Oriental Company $1,600,000 a year for a mail service to the East Indies.

Why should not the United States aid its overseas shipping as other maritime nations are doing?

PROFIT FROM OUR OCEAN MAILS.

With the permission of the Senate, Mr. President, I will place in the RECORD a brief table from the report of the Superintendent of Foreign Mails showing the profit for recent years on our ocean mails, from which it appears that last year the profit was $3,043,183.32.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The table referred to is as follows:

The report of the Superintendent of Foreign Mails shows the following profits for recent years on our ocean mails:

| Year ended June 30— | Surplus or profit. |
|---|---|
| 1906 | $3,043,183.32 |
| 1905 | 2,040,416.60 |
| 1904 | 2,579,338.12 |
| 1903 | 2,608,385.74 |
| 1902 | 1,491,693.02 |
| 1901 | 942,786.45 |

Mr. GALLINGER. On this point, Secretary Root, in his speech of November 20, 1906, before the Trans-Mississippi Commercial Congress, at Kansas City, said:

The actual cost to the Government last year of the ocean mail service to foreign countries other than Canada and Mexico was $2,965,624.21, while the proceeds realized by the Government from postage between the United States and foreign countries other than Canada and Mexico was $6,008,807.53, leaving the profit to the United States of $3,043,183.32; that is to say, under existing law the Government of the United States, having assumed the monopoly of carrying the mails for the people of the country, is making a profit of $3,000,000 per annum by rendering cheap and inefficient service. Every dollar of that three millions is made at the expense of the commerce of the United States. What can be plainer than that the Government ought to expend at least the profits that it gets from the ocean mail service in making the ocean mail service efficient.

FREE IMPORTS FROM SOUTH AMERICA.

I will also ask permission to place in the RECORD, without reading, a table showing the free and dutiable imports from the countries to which these proposed routes would run.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The table referred to is as follows:

| | Per cent. | Free. | Dutiable. |
|---|---|---|---|
| Imports from all South America | 84.74 | $127,788,000 | $23,006,000 |
| Imports from Brazil | 98.12 | 97,966,000 | 1,876,000 |
| Imports from Argentina | 21.77 | 3,342,000 | [a]12,012,000 |
| Imports from Peru | 54.22 | 1,709,000 | 1,443,000 |
| Imports from Chile | 96.61 | 10,695,000 | 376,000 |

[a] Chiefly hides and wool.

MAIL PAY TO AMERICAN AND FOREIGN SHIPS.

Mr. GALLINGER. I will also ask to place in the RECORD a brief table from page 112 of "Trade and Transportation," by William Eleroy Curtis, showing the relative proportion of the appropriation paid to American and foreign steamship companies for carrying the mails of the United States. From this table it will be seen that in the year 1888 we paid $581,058.55 to foreign steamship companies for carrying our mails and only $86,890.45 to American steamships.

The VICE-PRESIDENT. In the absence of objection, permission is granted to print the table referred to.

The table referred to is as follows:

[From page 112, "Trade and Transportation," by William Eleroy Curtis.]

| Fiscal year. | Total amount paid vessels of all lines. | Amount paid vessels sailing under American flag. |
|---|---|---|
| 1848 | $100,500.00 | $100,500.00 |
| 1849 | 235,086.22 | 235,086.22 |
| 1850 | 619,923.62 | 619,923.62 |
| 1851 | 1,465,818.48 | 1,465,818.48 |
| 1852 | 1,655,240.59 | 1,655,240.59 |
| 1853 | 1,880,273.33 | 1,880,273.33 |
| 1854 | 1,903,286.36 | 1,903,286.36 |
| 1855 | 1,936,714.62 | 1,936,714.62 |
| 1856 | 1,886,765.63 | 1,886,765.63 |
| 1857 | 1,589,152.65 | 1,589,152.65 |
| 1858 | 1,211,061.49 | 1,177,303.01 |
| 1859 | 1,204,569.62 | 1,075,220.09 |
| 1860 | 854,329.93 | 707,244.59 |
| 1861 | 806,885.36 | 570,952.86 |
| 1862 | 374,617.67 | 80,686.04 |
| 1863 | 416,074.07 | 79,397.05 |
| 1864 | 440,440.94 | 64,356.11 |
| 1865 | 475,428.16 | 66,571.50 |
| 1866 | 713,927.70 | 245,600.88 |
| 1867 | 867,202.65 | 411,064.59 |
| 1868 | 1,016,146.19 | 625,239.47 |
| 1869 | 1,101,689.54 | 757,963.90 |
| 1870 | 1,115,333.36 | 799,388.90 |
| 1871 | 975,024.73 | 699,661.37 |
| 1872 | 1,026,891.26 | 805,788.16 |
| 1873 | 1,044,156.92 | 815,400.26 |
| 1874 | 988,398.54 | 750,295.50 |
| 1875 | 976,643.77 | 740,360.69 |
| 1876 | 753,610.02 | 580,062.53 |
| 1877 | 448,896.41 | 286,831.97 |
| 1878 | 199,979.87 | 40,152.44 |
| 1879 | 200,026.45 | 41,251.45 |
| 1880 | 199,809.28 | 38,779.89 |
| 1881 | 240,066.78 | 42,552.13 |
| 1882 | 280,500.67 | 40,645.42 |
| 1883 | 316,358.15 | 48,076.58 |
| 1884 | 332,221.21 | 53,169.92 |
| 1885 | 331,903.33 | 49,048.01 |
| 1886 | 350,882.13 | 43,318.81 |
| 1887 | 429,036.11 | 76,727.28 |
| 1888 | 581,058.55 | 86 890.45 |

JUSTICE FOR THE MERCHANT MARINE.

Mr. GALLINGER. Mr. President, it is a remarkable fact that only 9 per cent of our commerce is carried in American ships, the other 91 per cent being carried in the ships of foreign countries. Two hundred million dollars, or thereabouts, is annually paid to foreign steamships for carrying the imports and exports of the United States. Two hundred million dollars annually is distributed among the people of foreign countries, that, had we American lines to South America and the Orient,

would be largely distributed among the people of our own country, thus giving an impetus to all branches of American industry, and distributing that enormous sum among the people of our own country.

I understand that during this session of Congress we have made appropriations aggregating almost $1,000,000,000. The distinguished Senator from Iowa [Mr. ALLISON] will place in the RECORD a detailed statement of the appropriations, and I think I am within bounds when I say that they will approximate $1,000,000,000.

We have passed a river and harbor bill which carries about $87,000,000. I will ask the Senator from Maine if I am correct?

Mr. FRYE. The Senator is correct.

Mr. GALLINGER. It carries about $87,000,000. We have appropriated for the Navy about $100,000,000; we have appropriated for the Army at this session of Congress $78,000,000, and we have appropriated not one single dollar for the American merchant marine.

On yesterday I called attention to a fact, which is worthy of repetition, that, in addition to the large appropriations made in the river and harbor appropriation bill of this session for the city of Galveston we have spent about $11,000,000 on that single port for the purpose of increasing the depth of and removing obstructions from that harbor, so that the great commerce of that southern city can be carried to foreign countries; and yet, Mr. President, after expending $12,000,000 upon that harbor, there is but one single American ship going out of that port, and that is a lone schooner of 300 tons. Every other ship that leaves Galveston for foreign ports carrying the exports of the United States flies a foreign flag.

Mr. President, we are in hopes that some time in the future we shall have a canal joining the waters of the Pacific and the Atlantic oceans. I do not propose to enter the realm of prophecy, but, in my judgment, that canal will cost the United States $400,000,000; and unless we do something for the American merchant marine, when that great waterway is constructed the flag of the United States will not be seen on a merchant vessel passing through it, except at infrequent intervals. It will doubtless be seen on an occasional battle ship or a yacht of some American millionaire. If the Congress of the United States thinks that that is good policy, if Senators feel that we ought to stand idly here and not raise our hands or our voices to do something for the American merchant marine, so that our flag will in the future be seen, as it was seen in the past, in the ports of the world, I am astounded and surprised. I do not believe that is the conclusion of the American people, whom we are supposed to represent in this Chamber.

I believe that there will be an uprising of the people of this country when they come to know the fact, as in due time they will come to know it, that the United States leads all the nations of the world in wealth, in agriculture, in mining, in manufactures, and in all the great industrial pursuits of life, and yet in this matter of our merchant marine we are lagging behind every maritime nation of the world. This will not always last, and I am profoundly grateful that in the debate which has occupied the past few days the American people have had an opportunity to understand that there are some men in public life who feel that this great question should be seriously considered and that an effort should be made now and hereafter to accomplish the desired result.

Mr. President, I ask to have inserted in the RECORD, without reading, some papers that were compiled by the late Commission on the Merchant Marine, which will give valuable information to any Senator or to any citizen of the Republic who is desirous of getting accurate knowledge on this great question.

The VICE-PRESIDENT. In the absence of objection, permission is granted to print the papers referred to in the RECORD.

The matter referred to is as follows:

DEVELOPMENT OF THE FOREIGN MAIL SERVICE, THE AMERICAN MERCHANT MARINE, AND AMERICAN COMMERCE—MEMORANDA OF THE COMMITTEE ON THE MERCHANT MARINE AND FISHERIES ON THE SUBSTITUTE FOR S. 529—SOUTHERN ADVOCATES OF OCEAN MAIL LINES.

In 1845, on the initiative of southern men in Congress, the first law was passed authorizing mail subsidies for American steamships in the foreign trade. President Polk urged an extension of this system and in 1847 another and a more effective ocean mail law was enacted. These laws created three American steamship lines to Europe—one to Great Britain, one to France, and one to Germany—and several lines from New York and southern ports to the West Indies and the Isthmus of Panama, and also in the Pacific from the Isthmus northward to California and Oregon. About $2,000,000 a year in mail subsidies was paid to these lines when they were established, and by 1851 the United States had 62,320 tons of ocean steamers as compared with Great Britain's 65,921 tons—the American steamers being newer, swifter, more powerful, and especially designed and constructed for war purposes. Their competition had reduced freight rates across the Atlantic from about $35 to $20 per ton.

All through these years southern men in Congress were most earnest supporters of this ocean mail legislation. Not until the slavery quarrel embittered North and South was there any partisan division over the mail-subsidy policy. But most of these ocean mail steamers, as it happened, were built and owned in the North, and finally the legislation was drawn into the sectional controversy of the period, with the result that the ocean mail laws were finally repealed and the trans-Atlantic steamship lines abandoned. Many patriotic southern men, however, supported the mail-steamship policy to the last.

President John Tyler, message to Congress, December, 1844:

"I can not too strongly urge the policy of authorizing the establishment of a line of steamships regularly to ply between this country and foreign ports, and upon our own waters, for the transportation of the mail. The example of the British Government is well worthy of imitation in this respect. The belief is strongly entertained that the emoluments arising from the transportation of mail matter to foreign countries would operate of itself as an inducement to cause individual enterprise to undertake that branch of the task, and the remuneration to the Government would consist in the addition readily made to our steam navy in case of emergency by the ships so employed. Should this suggestion meet your approval the propriety of placing such ships under the command of experienced officers of the Navy will not escape your observation. The application of steam to the purpose of naval warfare cogently recommends an extensive steam marine as important in estimating the defenses of the country. Fortunately this may be attained by us to a great extent without incurring any large amount of expenditure. Steam vessels, to be engaged in the transportation of the mails on our principal water courses, lakes, and parts of our coast, can also be so constructed as to be efficient as war vessels when needed and would of themselves constitute a formidable force in order to repel attacks from abroad.

"We can not be blind to the fact that other nations have already added large numbers of steamships to their naval armaments and that this new and powerful agent is destined to revolutionize the condition of the world. It becomes the United States, therefore, looking to their security, to adopt a similar policy, and the plan suggested will enable them to do so at a small comparative cost."

President Polk said in a message to Congress:

"The enlightened policy by which a rapid communication with the various distant parts of the world is established by means of American-built steamers would find an ample reward in the increase of our commerce and in making our country and its resources more favorably known abroad; but the national advantage is still greater of having our naval officers made familiar with steam navigation, and of having the privilege of taking the ships already equipped for immediate service at a moment's notice, and will be cheaply purchased by the compensation to be paid for the transportation of mail over and above the postage received. A just national pride, no less than our commercial interests, would seem to favor the policy of augmenting the number of this description of vessels."

STEAM MAIL-PACKET SERVICE.

[Speech of Mr. Thomas Butler King, of Georgia, House of Representatives, July 19, 1848.]

Mr. King presented a full statement of the British policy of mail subsidies from 1839 to 1848, and then showed how the American plan of keeping ships of war on the stocks at naval stations in readiness for service had proved a failure. He then went on to say:

"The plan for increasing the Navy which I propose to substitute for the one which we have so long and so unprofitably pursued is, first, to encourage the establishment by private enterprise, under the auspices of the Government, of as many lines of steam mail packets as our commercial intercourse will warrant and sustain. I have no doubt that we may employ in this way from twenty-five to thirty steamers of the largest class, which will be kept in repair by the contractors and be at all times liable to be taken into the service of the Government at a fair valuation. It will be the interest of the contractors to adopt, from time to time, all the improvements which may be made in machinery and the means of propulsion. We shall avoid the expense of mistakes in construction and machinery. These vessels will contribute largely to the extension and increase of our commerce, and will be infinitely more efficient in protecting our coast in the event of war than all the fortifications we have constructed, or may construct, at twenty times their cost. * * *

"In the discussions which have been occasioned by the appropriation asked to meet the contracts for this mail service, it has been argued that it is quite unnecessary for the Government to contribute in any degree to sustain it; that private enterprise, if left untrammeled 'by Government schemes and legal enactments,' would sustain itself against all foreign competition. To show the fallacy of this reasoning it is only necessary to state a few facts connected with the recent voyage of the steamer *United States* to Liverpool. The price of freight from Liverpool to New York, as established by the Cunard Line, is £7 per ton, and the price of passage £30 per head. While the *United States* was in dock at Liverpool the agents of the Cunard Line, to prevent freight and passengers going on her, reduced the price of freight by the *Hibernia* to £4 per ton and £2 10s. by the *Niagara*, and they offered to take passengers as low as £12 each. It was announced at the same time, in Harden's Liverpool Circular, that the old rates would be resumed immediately after the departure of the American ship. The British line, sustained by the Government, was enabled to adopt this course with impunity in competition with a ship sustained by individual enterprise alone.

"And it must, I suppose, be admitted that our own citizens, if not aided in undertakings of this sort by their own Government, would be quite incapable of competing for any considerable time with so powerful an opposition. This being the case, it must be apparent to anyone who will investigate the subject that in a very short time the most valuable portion of our carrying trade would pass into the bottoms of these British mail packets. The steamer *United States* is strictly a private enterprise. She has proved herself the fastest ocean steamer in the world, and has a greater capacity for the accommodation of passengers and for carrying freight than any commercial steamer hitherto constructed; yet, unaided by the Government, and having such powerful rivals to contend against, she must prove a ruinous undertaking to the owners. It was in view of this state of facts that I offered my second resolution."

Hon. Thomas Butler King, of Georgia, in 1848:

"It is sufficient to show that they (the British statesmen) are resolved, as far as practicable, to monopolize the intercourse between these two important points. This movement shows clearly that the time has arrived when we must decide whether we will yield this essential branch of navigation and this indirect means of extending our naval armament to our great commercial rival, or whether we shall promptly extend to our enterprising merchants the necessary

means to enable them to bring American energy, enterprise, and skill in successful competition with British sagacity and capital. Of all the lines of steam packets which cross the Atlantic, not one is owned in Europe, and it is not doubted that American merchants, properly encouraged, will assuredly excel in them as they have done in sailing vessels; and when we reflect that this may be accomplished to the mutual advantage and advancement of our commercial and military marine, it would seem that no statesman ought to hesitate for a moment to give his support to a measure which is demanded alike by prudence and the necessities of our position."

Hon. Thomas Butler King, of Georgia, in 1849:

"Great Britain is thus enabled by combining commercial enterprise with her naval armaments to keep afloat a steam force more than equal to one-half of our ships in commission and to maintain twenty of these powerful steamers in constant and active service at a cost of $1,000,000 annually. By the Cunard and 'West India' lines of mail steamers Great Britain maintains rapid and certain communication with her colonies on this side of the Atlantic, the United States, Mexico, and her fleets in the Pacific Ocean.

"In the event of war she could readily command this force and concentrate it at any point upon our Atlantic or Gulf coast; and our vast commerce, valued at some $200,000,000, would, without suitable preparation on our part, fall a prey to her arms. It is mortifying to reflect that this force, which may become so formidable against us, is in a great degree supported by the intercourse growing out of our own commercial enterprise. While our commercial marine is unrivaled and our sails whiten every ocean and our steam marine at home is superior to that of all other nations, we have been left in the distance and outmaneuvered by our great commercial rival in the employment of steam upon the ocean.

"If it be asked why Great Britain has thus taken the lead of us in ocean steam navigation while we are so greatly superior in domestic steamers and sailing ships, the answer is that she has anticipated us through the extension of her mail system to foreign countries in combination with her naval arrangements, thus rendering it almost impossible for mere private enterprise to enter into competition with her.

"France has also become alive to the importance of this great system, and her minister of finance has been authorized to treat with companies for the establishment of lines of steamers to Brazil, Habana, New York, La Plata, La Guayra, and such ports in the Gulf of Mexico and the Antilles as may be designated by royal ordinance."

Mr. King had been advocating the expenditure of a million dollars a year for ocean mail service—two lines, one from a northern and one from a southern port to Europe, and two lines to the West Indies and the Isthmus of Panama—the steamers carrying the mails to be built on designs approved by the Navy Department and held at the disposal of the Government in war.

Hon. Lewis Cass, of Michigan, in the United States Senate, May 7, 1852:

"If the line we have established between this country and England should be now abandoned, I take it for granted that the business would be done by the British line. In that event the postal treaty would probably be terminated by notice, which each Government has the right to give, and the postage would be raised at least as high as it was before the reduction occasioned by the results of competition. The same freights of valuable goods would be carried as now, but at enhanced rates of transportation. Therefore, in a financial point of view, it seems to me that there are many considerations that weigh against the abandonment of this line."

Hon. George E. Badger, of North Carolina, in the United States Senate, May 6, 1852, in the debate on the Collins and Cunard steamship services:

"Mr. President, the question submitted for the consideration of the Senate is, we all admit, a question of high and controlling importance. It has been said in the course of this discussion that the contest between these two lines is now becoming a national contest between this country and Great Britain. I desire to amend that statement. From the very moment of the institution of the Collins Line it was a national contest. It has not recently assumed that character. It has always borne it. The enterprise was very far indeed from being in fact, or from being regarded by the country, as a mere contest between two rival companies as shipowners. It was one great active contest in that mighty drama for the mastery of the seas—for superiority in everything that belongs to strength, speed, effective power, and success for war and for commercial purposes, which long has been and ever must be the mightiest contest between this country and Great Britain. After having entered upon this peaceful and at the same time most important contest, the question presented to the American Congress now is, whether we shall dishonorably retrace our steps, whether, when the hand is stretched out to seize the crown of victory, we shall voluntarily forget our advantages, retire from the high and eminent position we now occupy in the eyes of all the civilized world, and voluntarily surrender that which to obtain and perpetuate Great Britain would without any hesitation sacrifice a hundred times the amount of money which is involved in the question now before the Senate."

Hon. Thomas J. Rusk, of Texas, in the United States Senate, March 3, 1853:

"I know that this granting of an increased compensation to these vessels has been a fruitful theme for stump speeches all over the United States, but the system has made an advertisement throughout every sea that the Americans are the best shipbuilders in the world and have distanced their rivals. More than that: It has given you twenty-eight or thirty steamships, fit for war purposes, without additional expense to your Navy, for one-tenth of the sum for which you could build and maintain them in your Navy proper. We owe it to American industry and enterprise, to the hardy citizens of our country, to maintain the system. And we owe it to our national defenses, in my opinion, to maintain it."

Hon. James Shields, of Illinois, United States Senate, May 6, 1852:

"While the competition was between the American people and the English people the American people were successful; but when the English Government and the English people, united with the immense capital of their country, have devoted the whole energies of that nation to the building up and monopolizing of the steam power of the world, it is idle to talk about American citizens entering into competition with them. It is out of the question. You will have to bring home your lines and confine yourselves to your own inland trade and to your interior commerce. But never again, in my humble opinion, if you abandon this line, can you enter into competition with Great Britain on the ocean so far as steam navigation is concerned. Her Government and her people and her capital all unite in sustaining her lines."

Hon. Volney B. Howard, of Texas, House of Representatives, July 6, 1852:

"The support of the Collins Line, therefore, is not a mere local question. It is of direct interest to every man who grows a bale of cotton or consumes a pound of foreign goods or produce. The subject of cheap freights is also one of vital importance to the great Southwest and Northwest. It is to determine whether corn, flour, and other provisions can be exported to Europe to any great extent for a series of years when the crops are not short on the other side of the Atlantic. It involves the question of cheap bread to the toiling and starving millions of the Old World in exchange for clothing for the men of the New. It is a question of no ordinary moment to both, and especially to the exporters and producers of provisions in the Western States. Let their Representatives look to it. As soon as the Collins Line is withdrawn the Cunarders will raise freights to the price they bore previous to the competition created by the American steamers.

"Not only is the South especially interested in this subject as a question of freight, but in the continuance of the system, as it affects her own commerce and navigation. There is no doubt that the great eastern cities, if the British Government did not interpose to support English competition, might establish and maintain a line of steamers to Liverpool. But the southern cities have not at present sufficient commerce to enable them to sustain any line of steamers to a foreign port without the mail pay of the Government. Two or three southern lines have been projected, all of great importance to the country if they can be sustained. I allude especially to the one from New Orleans to Veracruz, and from some southern port to the mouth of the Amazon."

Hon. James A. Bayard, of Delaware, in the United States Senate, May 10, 1852, on Collins steamship subsidy:

"Mr. President, free trade, even by those who advocate it to the utmost extent, must be founded upon the doctrine of reciprocity. Reciprocity is the doctrine of our Government. It is true that foreign governments may force you, by their action, into a course of policy which, if they abstained from action, would be unwise on our part. I am willing to trust American skill and American industry in competition with any people on the globe, when they stand nation opposed to nation, without governmental interference. But if the treasury of a foreign nation is pouring into the laps of individuals for the purpose of destroying either the iron interest of my country or for the purpose of building up the commercial marine at the expense of the commerce and prosperity of the United States, I for one will count no cost in countervailing such governmental action on the part of Great Britain or any other foreign power. * * *

"The necessary result, if you refuse this appropriation, will be the abandonment of the line. Its abandonment yields to Great Britain the entire postal service between England and America certainly, and between a great part of the continent of Europe and America; for if this line goes down your other lines of ocean steamers must follow it. Its abandonment yields to her the entire transportation of passengers, except emigrants. It yields to her a tax upon American industry and upon American property in the shape of freight upon light and costly goods. With success just achieved I am not willing to surrender this prize to the English Government, to which they attach so much importance, and which, if not unprotected in the contest, we are just on the eve of dividing with them. I bear no hostility toward England peculiarly, but whenever I find that the honor, the reputation, the pride, and character of my country is concerned, or her interests, I would assert them without regard to cost, and the more certainly against a haughty and overbearing power like England than against a feebler state. Sir, withdraw this appropriation, let this line be abandoned, and can you tell me that it will not pass into the hands of a foreign government? That it will not pass into the hands of your commercial rivals?

"What would be the feelings of Senators who now oppose this appropriation if, at a future day, in the contingency of war, these derided vessels should make their appearance on your coast with the British flag flying at their foremast and aid in the devastation of your country and the destruction of your commerce? Such a thing is entirely within the range, not of imagination, but, I may say, within the range of probability. If you determine that you will abandon this line, you compel the sale of these magnificent steamers, which have been built at so much cost, in pursuance of the policy indicated in your act of 1847, and you know not to whom that sale will be made. It is from these feelings, and because the deliberate result of my own judgment on this appropriation is that it is a national matter, in which the national interests, national honor, national pride, and national reputation are deeply concerned, I am unwilling, for the sake of $300,000 or $500,000, or for any cost, even though it reach millions, to sacrifice them and give the ascendency in this contest to Great Britain. Admitting the amount to be requisite and the principle of relief in accordance with a wise policy, I shall vote for the amendment as reported by the committee."

(In 1856 the mail subsidy system was broken down. By 1858 this repeal of the previous laws was entirely effective. The Collins Line went into bankruptcy. Its ships were laid up. One, the newest, largest, and finest—the *Adriatic*—was bought by a subsidized British company, and for many years held the Atlantic record under the British flag. The other American trans-Atlantic steamship lines were also abandoned. Commodore Vanderbilt and other shipowners tried to run trans-Atlantic steamers without postal subsidies, and failed. They could not compete with the subsidy of nearly $900,000 paid by Great Britain to the Cunard Line. The American flag had practically vanished from the steam routes of the North Atlantic before the breaking out of the civil war.)

SHIP MATERIALS ALREADY FREE.

All materials of every kind required for the construction, equipment, or repair of vessels built in this country for the foreign trade or for the long-voyage coastwise trade between our Atlantic and Pacific seaports are free of duty under sections 12 and 13 of the free list of the Dingley tariff, as follows:

"DINGLEY TARIFF FREE LIST.

"SEC. 12. That all materials of foreign production which may be necessary for the construction of vessels built in the United States for foreign account and ownership, or for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, and all such materials necessary for the building of their machinery, and all articles necessary for their outfit and equipment, may be imported in bond under such regulations as the Secretary of the Treasury may prescribe, and upon proof that such materials have been used for such purposes no duty shall be paid thereon. But vessels receiving the benefit of this section shall not be allowed to engage in the coastwise trade of the United States more

than two months in any one year, except upon the payment to the United States of the duties of which a rebate is herein allowed: *Provided*, That vessels built in the United States for foreign account and ownership shall not be allowed to engage in the coastwise trade of the United States.

"SEC. 13. That all articles of foreign production needed for the repair of American vessels engaged in foreign trade, including the trade between the Atlantic and Pacific ports of the United States, may be withdrawn from bonded warehouses free of duty under such regulations as the Secretary of the Treasury may prescribe."

Under this law not only steel plates and shapes, but articles of equipment so elaborate and costly as ships' compasses have been imported free of duty for the use of vessels built in this country for the foreign trade and for the coastwise trade between the Atlantic and Pacific.

Nor are there any difficult customs regulations in the way. Arthur Sewall & Co., of Bath, Me., who imported from Great Britain duty free all of the steel plates, shapes, etc., for the construction of a large steel ship, the *Dirigo*, state that so far as the passing of these free materials by the Treasury officials was concerned, there was no trouble whatsoever.

The law is as liberal as it could possibly be made. Nothing which Congress by statute could do to give American shipbuilders the widest freedom of materials for ships for ocean commerce has been left undone. The only criticism which could be made of this free-material legislation is that it is only partially applicable to ships for the coastwise trade—a trade in which American vessels are not subject to competition with foreign ships, because foreign ships are and long have been absolutely prohibited under penalty of forfeiture from carrying freight from one American port to another.

THE COASTWISE RESTRICTION.

But this free-material privilege does apply unconditionally to the important coastwise trade in large and valuable ships between American ports on the Atlantic and American ports on the Pacific Ocean. This coastwise traffic, already a large one, will be increased many-fold by the completion of the Isthmian Canal. Under existing law ships built for this great coast trade through the canal can be constructed, equipped, and repaired entirely with free materials.

Moreover, ships built of free materials can, under existing law, be employed for two months in a year in the general coastwise trade of the United States. This apparent exclusion of free-material ocean ships from the coastwise service for ten months in a year is more of apparent than of real importance. Vessels adapted to ocean service and the long-voyage foreign trade as a rule are not suitable in size, draft, and general arrangement for the ordinary coastwise service, and would not engage in it in any event unless they were driven out of the ocean service for which they were especially designed.

It has happened of recent years in a very few instances that American ocean vessels, forced out of the foreign trade by foreign subsidies or cheap wages, have fallen back upon the coastwise trade, and have found in certain shorter voyages at least that the limitation of two months on free-material ships caused some inconvenience. But if there were a law for the encouragement of American shipping in the foreign trade, like this bill for the establishment of great ocean mail lines, American ocean vessels, having a fair chance in the foreign trade, would not fall back into the shorter coastwise voyages for which they were not designed and are not especially adapted.

"FREE MATERIALS" NOT ENOUGH.

One reason why larger use has not been made in this country of the free-material privilege for ocean shipbuilding is that our laws give no real adequate encouragement to shipowners to employ ocean ships after they are built. Since June, 1901—five years ago—not one order for a steamship for over-seas commerce has been given to any yard in the United States, with the exception of four steamers constructed in the Cramp yard at Philadelphia for the Ward Line to the West Indies and Mexico—a line receiving a moderate mail subvention under the ocean-mail law of 1891. Two of these four steamers, by the way, were built to take the place of two similar liners purchased by the Government.

Yet during all this time, and for years before, any shipowner or builder who desired to send to Scotland for his steel plates and shapes and other materials, not only for the construction but for the equipment and repair of a vessel for the deep-sea trade or for the coastwise trade between our Atlantic and Pacific ports, could have brought in such materials by the shipload, and received a rebate of every penny of the duty. If our ocean fleet has not increased, it has not been for lack of free access to the free materials of the world; it has not been because of the "extortion" of any trust or the "barriers" of a protective tariff.

The truth is that "free materials" alone, as has so often been demonstrated, are not a determining factor in the prosperity of any industry. Take, for example, the manufacture of cotton fabrics. The raw cotton of which they are made is on the free list, for the good and sufficient reason that the United States has had almost a natural monopoly in the production of this important fiber. But nobody has assumed that free cotton was all that was required to make cotton manufacturing prosperous. On the contrary, the cotton manufacturer of New England, the Carolinas, Georgia, and Alabama is protected and encouraged to use this free cotton by tariff duties on the finished product ranging from 25 to 50 per cent ad valorem. But the ocean shipowner has no protection at all.

A PARALLEL INSTANCE.

To put the case in another way: Suppose that the pig iron, the steel, and other materials required for the making of textile machinery were admitted free of duty. Would it be seriously contended that because there were free materials for the making of the machinery of his trade the cotton manufacturer ought therefore to be deprived of all of his tariff protection of 25 to 50 per cent and be compelled to compete under free-trade conditions with the cotton manufacturers of Europe? Dose anybody imagine that if all protection were thus stripped away from the cotton-manufacturing industry there would be much of a demand for new looms, or that very much cotton weaving or spinning machinery would be constructed of free materials or of any other kind of materials in the United States?

The ship is the machinery of the shipowner's trade, just as the loom is the machinery of the trade of the cotton manufacturer. If the manufacturer of cotton were denied all protection and encouragement in this country, he would dismantle his mill and either quit the trade altogether or invest his capital and his skill in manufacturing in Europe.

This is exactly what has been done by some American shipowners. Denied protection at home on their industry of ship sailing and management—that is, on the use of the machinery of their trade—the mere fact that the materials of this machinery can be imported free of duty has proved of absolutely no avail. These shipowners have transferred their capital and their skill to foreign shipping. They have taken advantage of the cheap wages and sometimes of the subsidies of Europe. They are operating ships built, officered, manned, supplied, and repaired by foreigners. Their dividends, if there are any, come to this country, but every dollar expended for labor goes abroad. Their money and their business ability are utilized to develop the shipyards and to strengthen the naval reserves of foreign governments—to create a great alien sea power which could be turned with terrible force against their own country in case of war.

Of course, most of the capital invested in foreign merchant marines is foreign capital, but Americans are part owners in foreign shipping estimated at upward of a million tons. It is a significant fact that the heaviest American owner of foreign ships—the American element in the International Mercantile Marine Company—has been compelled by the British Government to keep these ships beneath the British flag, to build their successors in the United Kingdom, to officer and man them with British subjects, and to maintain the executive control of British tonnage in British hands. Therefore, if a "free-ship" law were passed by the United States it would be entirely ineffective, so thoroughly clinched is this international fleet to its British allegiance.

TO MAKE FREE MATERIALS EFFECTIVE.

In order to make the "free-material" privilege genuinely effective, the United States Government must protect and encourage American shipowners, as it has long protected and encouraged American cotton manufacturers. This can not be done by the tariff, but it can be done, as the history of the whole maritime world demonstrates, by a careful system of ocean-mail subventions, like that proposed in this bill now before the House. It is under such a system as this that Japan has increased her merchant fleet from about 300,000 tons to 1,000,000 tons within a decade. And Japan, unlike the United States, had no shipyards to begin with, no maritime traditions, no experience in long-voyage navigation, no great bodies of skilled labor.

All foreign shipowners, all foreign manufacturers and merchants, all foreign governments, dread the application of the protective principle by the United States to the one great American industry exposed to foreign competition which has thus far remained unprotected. They know well that protection, once adequately applied to American shipowning, will do what it has done for American manufacturing. It is probable that the chief hope of the enemies of the American merchant marine is to obstruct the proposed legislation by exploiting the idea that these subventions, if paid, would largely go to enrich the steel trust, which could charge extortionate prices for the materials of which new American ships were built. Therefore, a thorough understanding of the real facts of the case is of very great importance.

A MISUNDERSTANDING CORRECTED.

There have been some statements that American steel makers were selling ship steel abroad at a lower price than to American shipbuilders. The most explicit and authoritative assertion to this effect was that made on June 28, 1904, by Mr. James C. Wallace, then vice-president of the American Shipbuilding Company (engaged exclusively in lake work) before the Merchant Marine Commission at Cleveland. (Volume II, page 811 of the hearings of the Commission.) Mr. Wallace said:

"Recently one of our largest steel mills sold abroad 100,000 tons of steel plate. They delivered it, I understand, at Belfast at $24 a ton. That would practically mean, with ocean rates as they are, $22 a ton at tide water. They are charging us to-day at Pittsburg $32 a ton."

A little further on:

"Representative GROSVENOR. I want to know who bought the steel you speak of?

"Mr. WALLACE. The Harland & Wolf Company, Belfast.

"Representative GROSVENOR. From whom did they buy it?

"Mr. WALLACE. The United States Steel Corporation."

In one or two other hearings of the Merchant Marine Commission similar statements were made by other persons, but nowhere so definitely as at Cleveland. It has since appeared, however, that all these witnesses were misinformed. On April 11, 1906, Judge Gary, chairman of the board of directors of the United States Steel Corporation, was questioned directly before the House Committee on Merchant Marine and Fisheries as to this testimony of Mr. Wallace. Judge Gary said:

"I notice that Mr. Wallace apparently speaks from information. If he had such information, it was entirely unreliable. The statement is not founded in fact. The companies in which we are interested sold no ship plate in 1905 to Europe, only a little over 3,000 tons in 1904, not any in 1903, and, I think, not any in 1902." (Page 275 of the Hearings before the Committee on the Merchant Marine and Fisheries, April 4 to 13, 1906.)

THE ACTUAL FIGURES.

Further on Judge Gary declared that "the export prices of ship plate at the present time are nearly equal to the domestic prices." There is specific proof of this fact in figures submitted by ocean shipbuilders to Senator J. H. GALLINGER, chairman of the Merchant Marine Commission. While the shipping bill was being considered by the Senate, before its passage, Chairman GALLINGER wrote to two great shipyards on the Delaware River, asking what was the actual difference in cost between American and foreign ship steel, and what proportion this constituted of the cost of the completed vessel.

These were the replies received:

THE WILLIAM CRAMP & SONS SHIP AND ENGINE BUILDING COMPANY,
OFFICE OF THE VICE-PRESIDENT,
*Philadelphia, January 15, 1906.*

DEAR SIR: Referring to your letter of the 11th instant, requesting to be informed as to the number of tons of steel plates and shapes required for the construction of each of four such steamers as we are now building for the New York and Cuba Mail Steamship Company, and how much more the steel would cost if purchased at the ruling prices in this country than if imported from Great Britain, I beg to state as follows:

The amount of steel plates in one vessel is 1,900 tons and the amount of steel shapes in one vessel is 990 tons.

Recently, by reason of the rapid rise in the prices of materials in Great Britain, the foreign builder pays almost as much for plates and

shapes as we do; in fact, the difference in cost between steel purchased in this country and abroad for vessels of this size would be as follows:

| | |
|---|---|
| Plates | $5,328 |
| Shapes | 5,880 |

making a total saving of $11,208 in the material purchased abroad. The steamers referred to will cost complete upward of $900,000 each; so that the difference in the cost of their steel plates and shapes between here and abroad represents only a little more than 1 per cent of the total value of each steamer.

Where vessels have been intended for the foreign trade alone the various steel interests have offered to sell us the materials at the best export prices.

Very truly, yours, EDWIN S. CRAMP, *Vice-President.*

Hon. JACOB H. GALLINGER,
*Chairman Merchant Marine Commission of the United States, Washington, D. C.*

NEW YORK SHIPBUILDING COMPANY,
*Camden, N. J., January 16, 1906.*

SIR: In response to your inquiry of the 11th instant, I beg to say that the last quotation which we have on foreign steel was under date of November 20, 1905, when we obtained prices for the purpose of quoting on a steamer to be built under sections 12 and 13, free list, Dingley law. It was afterwards decided to build the steamer abroad.

The foreign and domestic prices at that date appear below. I may add that the domestic prices of steel are the same at the present time, and I am not advised whether there has been any change in the foreign prices.

[Prices in cents per pound.]

| | |
|---|---|
| Plates: Steel Company of Scotland, f. o. b. Philadelphia, in bond | 1.73¼ |
| Shapes: Steel Company of Scotland, f. o. b. Philadelphia, in bond | 1.64½ |
| Plates: Domestic, f. o. b. Philadelphia | 1.73½ |
| Shapes: Domestic, f. o. b. Philadelphia | 1.83½ |

Difference in cost of plates and shapes for a 500-foot freight and passenger steamer built of foreign and domestic steel at the above prices estimated as follows:

| | Domestic. | | Foreign. | | Difference. |
|---|---|---|---|---|---|
| | Cost per pound. | Total. | Cost per pound. | Total. | |
| | *Cents.* | | *Cents.* | | |
| 8,000,000 pounds plates | 1.73¼ | $138,800 | 1.73½ | $138,600 | $200 |
| 3,000,000 pounds shapes | 1.83½ | 55,050 | 1.64½ | 49,350 | 5,700 |
| Total | | 193,850 | | 187,950 | 5,900 |

We would regard the above as a fair estimate of the amount of steel plates and shapes required in the building of a 500-foot steamer, but the amount, of course, would vary according to the type of vessel. A ship of this size would probably require from 4,500 to 5,000 tons. The completed value in this country of a vessel of this description would be about $800,000 to $900,000.

It is only fair to add that at the time the above foreign quotations were received ship plates and shapes were very high abroad, owing to the great activity there in shipbuilding.

Yours, respectfully, S. M. KNOX,
*Secretary and Treasurer.*

Hon. JACOB H. GALLINGER,
*United States Senator, Washington, D. C.*

In the case of one yard, the difference in the cost of American and foreign material was only a little more than 1 per cent of the entire cost of the completed steamships; in the other yard, about one-half of 1 per cent. Thus both Mr. Cramp and Mr. Knox confirm the statement of Judge Gary that the domestic price and the foreign price of ship steel are very nearly equal. It should be understood that there is an advantage to the shipbuilder in procuring his materials at home, from the fact that he can be in closer touch with the domestic manufacturer a few hundred miles away than with the foreign manufacturer in Scotland, and that changes can be more quickly made and deficiencies rectified. American steel therefore is actually worth a somewhat higher price to American shipbuilders than are foreign materials.

Mr. Cramp, Admiral Bowles, and several other shipbuilders testified at length in April before the House Committee on Merchant Marine and Fisheries, and with the exception of one builder, who acknowledged that he had had no recent experience, these practical men declared that there was little, if any, difference in the price of ship steel between the American and the foreign article.

TESTIMONY OF MR. CRAMP.

Mr. Cramp's evidence on this point was as follows:

"In the case of an ordinary ship, whether it is a cargo boat or a merchant ship, about 33 per cent of its value is in the material that is delivered to the shipyards which the works themselves do not manufacture. That means plates and shapes. We make brass castings, but not the raw pig or the pumps and forgings. Now, in the present condition of prices we can purchase forgings in this country, notwithstanding there is a boom on and notwithstanding that labor is as high as ever it has been in the history of the country—we can buy forgings, steel castings, and such materials in this country for less money than abroad, and we get the other materials for practically the same price.

"Mr. WILSON. What part of the ship's castings and materials can you buy in this country cheaper than abroad?

"Mr. CRAMP. I said the forgings and steel castings.

"Mr. WILSON. What part of the value of the ship does that constitute?

"Mr. CRAMP. Of the materials that enter into the ship I have no details. The forgings represent a certain percentage of the vessel, but we never work it out that way. At present all of the materials that enter into the cost of the construction of a ship can be bought at the same price in this country as abroad. Many details we can buy for less.

"Mr. LITTLEFIELD. Does that mean f. o. b., or delivered here with freight added?

"Mr. CRAMP. That is without the freight added, but that is a very small item, being only about $2.50 or $3 a ton across the ocean.

"Mr. HINSHAW. Please make that plain. You say that a vast majority of the materials which enter into the construction of a ship can be bought in this country as cheaply, at least, as abroad?

"Mr. CRAMP. Yes, sir.

"Mr. HINSHAW. And some cheaper?

"Mr. CRAMP. Yes, sir. A few months ago Senator GALLINGER wrote us a letter and asked what difference it would make had we purchased abroad the materials for some of the Ward Line ships that are going to trade between New York and Cuba and Mexico, and we investigated the matter very carefully, and we found that a ship that would cost us $900,000, the only difference in favor of purchasing abroad at that time was $11,000, and since that time materials have risen over there and practically kept still here.

"Mr. WILSON. According to that there is practically no difference to-day between the cost of foreign-built vessels and American-built vessels?

"Mr. CRAMP. No, sir; the materials that enter into the ship.

"Mr. WILSON. There is no difference in the materials?

"Mr. CRAMP. No, sir.

"Mr. GOULDEN. Does that apply to the coastwise steamers?

"Mr. CRAMP. Yes, sir.

"Mr. GOULDEN. There is no difference whatever?

"Mr. CRAMP. No, sir; but there have been times when the prices went up. For instance, the effect of the steel corporation during the last three or four years has been to steady the price for the market. Previously, in 1896, the price of steel went down under the influence of bad times to 1 cent a pound, the lowest price ever known in this country and very much lower than in England. That was caused by the depression following the panics of 1893 that carried so many steel companies into bankruptcy.

"Mr. GOULDEN. The average cost of the materials that enter into the coastwise steamers is about the same here as abroad?

"Mr. CRAMP. Yes, sir.

"Mr. SPIGHT. At this time the cost of material is no more in this country than in foreign yards.

"Mr. CRAMP. Yes, sir.

"Mr. SPIGHT. And the only difference in the cost of construction in American yards and foreign yards is the labor?

"Mr. CRAMP. Yes, sir; absolutely.

"Mr. SPIGHT. How much is that difference?

"Mr. CRAMP. Practically double.

"Mr. WILSON. What is the cost of the material in a million-dollar ship in this country?

"Mr. CRAMP. It will be from 30 to 35 per cent.

"Mr. WILSON. That is the cost of the material?

"Mr. CRAMP. Yes, sir; and labor is the other two-thirds.

"Mr. HUMPHREY. The material delivered to your yard?

"Mr. CRAMP. Yes, sir. Of course, you must remember that of the 35 per cent we purchase about 95 per cent of that is labor at the other places where they are manufactured."

(Pages 210–211 of the hearings before the Committee on Merchant Marine and Fisheries, April 4 to 13, 1906.)

STATEMENT OF ADMIRAL BOWLES.

Admiral Francis T. Bowles, formerly chief of the Bureau of Construction of the United States Navy, and now president of the Fore River Shipbuilding Company at Quincy, Mass., also made a careful statement as to the cost of materials before the House committee, saying:

"There have been various questions raised here about the influence of the cost of structural steel upon our present situation. I have had an instance within my own knowledge of the building of a vessel in our shipyard from English plans, in which I knew the exact cost of that vessel in an English yard. We took the greatest pains with our ship, not only to keep an accurate account of the cost, but to keep it as low as possible. The actual facts there were that that ship cost us 50 per cent more in our own yard, the cost being kept exactly in the same way as it was on the other side.

"Mr. GOULDEN. How long ago was this? When did this occur?

"Mr. BOWLES. It was for a ship completed last December.

"Mr. GOULDEN. December, 1905?

"Mr. BOWLES. Yes.

"Mr. SPIGHT. I understood you to say a while ago, Admiral, that the difference in the cost of wages and the cost of materials was about equal. Did I understand you correctly?

"Mr. BOWLES. No; I did not make that statement.

"Mr. HINSHAW. This difference of 50 per cent is almost entirely in the wages, is it?

"Mr. BOWLES. I am unable to state exactly, but from what I can find, the wages in our yard are from 50 to 75 per cent higher than they are in the English and Scotch shipyards.

"With regard to materials at the present day, the state of affairs is this: Steel delivered in an English shipyard costs from 15 to 20 per cent less than ours at the present time. On other materials the difference is greater. I want to keep my percentages applied in the same way, so I will say this: The cost of steel delivered in our shipyard is from 15 to 20 per cent greater than the price to-day of steel delivered in an English shipyard.

"Mr. HINSHAW. By English manufacturers?

"Mr. BOWLES. By English manufacturers. For the English steel delivered in our yard the price is almost exactly the same to-day as if we bought it in Pittsburg.

"Mr. GOULDEN. Delivered on the ground?

"Mr. BOWLES. Delivered on the ground.

"Mr. GOULDEN. In both cases?

"Mr. BOWLES. In both cases.

"Mr. WACHTER. What makes that difference, Admiral?

"Mr. GOULDEN. There is not any difference.

"Mr. BOWLES. The difference between the cost——

"Mr. WACHTER. Delivered in London.

"Mr. BOWLES (continuing). Delivered in our yard and delivered in England is covered by the freight and insurance and transfer.

"Mr. WACHTER. But the difference over there, the reason they can deliver it so much more cheaply to the English yard than our manufacturers can to our yards, is because of the difference in the cost of labor, is it not?

"Mr. BOWLES. Yes. Now, the price of steel has not a great influence upon the cost of the vessel, which you can see from the fact that in an ocean-going steamer the proportion of the cost of the structural steel to the whole cost is about 15 per cent. A small variation in the price of steel will, therefore, you see, produce a very small variation in the total cost of the ship.

* * * * * * *

"Mr. SPIGHT. Admiral, did I understand you to say that the cost of English steel in our yards is about the same as the cost of American steel?

"Mr. BOWLES. Yes, sir.

"Mr. SPIGHT. And yet in the British yards English steel costs from 15 to 20 per cent less than ours?

"Mr. BOWLES. Yes.

"Mr. SPIGHT. Now, why is that?

"Mr. BOWLES. That is because that difference to us would be absorbed in freight, insurance, and handling.

"Mr. SPIGHT. It would cost 15 or 20 per cent to get it here?

"Mr. BOWLES. Yes."

(Pages 415, 416, and 417 of the Hearings before the Committee on Merchant Marine and Fisheries, April 4 to 13, 1906.)

These expert witnesses emphasize not only the fact that there is very little difference in cost between the American and the foreign ship steel, but also the fact that the cost of materials is of minor consequence anyway, and that the price of a ship is made up chiefly—two-thirds, Mr. Cramp testified—of the cost of the labor employed in working up the materials and putting them together. To protect and encourage American ocean shipping, therefore, means to benefit American labor and not to enrich the steel trust.

THE REAL DOMINANT FACTOR.

As the Merchant Marine Commission has summed up the question in its memorandum, "Ship materials already free:"

"It is not the price of materials, or only that in relatively small part, which makes an American vessel cost more than a British vessel. The dominating factor is not the materials, but the wages of the skilled workman who fashions the plates, beams, etc., into the finished ship.

* * * * * * *

"Yet this does not mean that American ships will always cost more than British ships. There was a time when American locomotives and railway bridges cost a great deal more than British locomotives and bridges, but that was before locomotive and bridge builders in this country had gathered experience, practiced standardizing, and achieved all the economies of large production. Now we manufacture locomotives and bridges and sell them in competition all over the world. When, by firm and adequate encouragement to shipping, we develop shipbuilding also to a manufacturing business, high wages paid to workmen in constant, not spasmodic, employment will not prevent a steady output of ships as low in cost as they are efficient and economical in operation."

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THE FARMERS AND AMERICAN SHIPPING.

NATIONAL GRANGE, PATRONS OF HUSBANDRY,
*Concord, N. H., January 26, 1907.*

SIR: I regret the duty which devolves upon me to advise you, on behalf of the great national organization of farmers which I have the honor to represent, that the farmers of the nation are for the first time unitedly and steadfastly opposed to the legislative recommendations you have made to Congress in your recent message favoring ship subsidies. For ten consecutive years the Patrons of Husbandry in their national and State conventions have registered their opposition to such legislation. That we have in this opposition the support of a very large majority of the manufacturing and business interests of the nation was evident from the overwhelming defeat which the advocates of ship subsidies met in their efforts to commit the recent convention of the Association for the Advancement of Foreign Commerce of the United States to an indorsement of their ideas. The vote in favor of ship subsidies in that convention, when a standing vote was demanded, was only 41 in a total of over 300 voting delegates present.

We believe it would be impossible for the measure now before Congress to pass the House without the influence of your support. If it is to become a law, we would respectfully submit that the principle of the "square deal," with which your name is so honorably associated, requires that an amendment should be added providing for enforced public accounting of any business or corporation for which such subsidies or subventions are asked, and that no moneys should be paid out of the public Treasury for such purposes without such public accounting and which such public accounting did not show such assistance was necessary to make the business profitable.

We protest most urgently against any future payments of the public funds to any private firm or corporation for any purpose whatsoever without safeguarding such payments by such public accounting of the business of the person, firm, or corporation to whom such payments are to be made, and we most respectfully urge that such public accounting be made a part of any such bill before it receives your approval.

Respectfully submitted.

N. J. BACHELDER,
*Master National Grange Patrons of Husbandry.*

The PRESIDENT, *Washington, D. C.*

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CHAIRMAN GROSVENOR'S REPLY.

DEAR SIR: The President has brought to my attention your letter of January 27, protesting, on behalf of the National Grange, against the shipping bill which has been reported favorably to the House of Representatives by the Committee on Merchant Marine and Fisheries, of which I am chairman.

This is a bill to protect and encourage a part at least of our merchant marine exactly as the Dingley tariff protects and encourages American farmers. I believe in this policy and so, I assume, does a Republican ex-governor of New Hampshire. I believe that a very great majority of the members of the National Grange approve it. Free traders twenty-five years ago used to urge that American farmers needed no protection and could not be benefited by protection. That argument is dead. If the shipowners and sailors of Boston, Philadelphia, or San Francisco came before Congress to demand free wool from Australia and Argentina, free flour from Manitoba, and free dairy products, vegetables, meats, and cattle from Ontario, Quebec, and Nova Scotia, the master of the National Grange, with American farmers solidly behind him, would denounce this as egregious selfishness, and so it would be.

Now, American ship builders and owners and the men who work for them in their shipyards and on their ships have just as good a right to their share in the protective policy as you or I have. Their calling is just as dear to them. They are as absolutely dependent on it for their livelihood. Unfortunately they can not be protected by the tariff, and as a result those of them engaged in the deep-sea trade—one of the manliest, most noble, and most indispensable of all callings—have been left unprotected for half a century by our Republican Government. As a result, this is the only industry which has declined, as it has done almost to the point of destruction.

Now, apparently you would go further and annihilate it by absolutely denying all protection and encouragement. You would make a waste place of our last shipyard and drive our last shipowners and seamen and shipyard mechanics to choose between the poor house and foreign lands. How would you like it if, because of national neglect, American farmers, who were supplying 90 per cent of the farm products consumed by this country, were, through foreign subsidies, bounties, cheap wages, and the neglect of their own Government, brought down to a miserable 10 per cent? How would you like it if the Dingley tariff duties on agricultural products were removed and Canadian farmers, with their cheap labor and cheap lands, supplied the markets of Boston and other New England cities and bankrupted nine out of ten of your New Hampshire farmers? And if when the President of the United States recommended legislation that in some degree would relieve this situation and restore your industry the people of Boston and Portland and other towns who live by and on the sea should send a protest to the President and Congress against this and demand a continuance of the free-trade policy which had destroyed you?

That is exactly what you are doing now against your brethren, the ship owners and builders, the shipyard workmen and sailors, of New England and America.

You are doing it doubtless without intending to do so, and through a sheer misapprehension of the facts. You are permitting your prejudice against former shipping bills to warp you against this one. This is not a general ship-subsidy measure. It is a bill to extend our present inadequate policy of postal payments to regular steamship lines, so that we shall have ocean mail lines of our own to South America, Australia, Japan, China, and the Philippines. To the Orient we have a few ships running, but in most cases the complete lines provided for by this bill will have to be established from the beginning, and as many as twenty-five or thirty new steamships will have to be built under the inspection of the Navy Department as auxiliary cruisers, their owners contracting to turn them over to the Government in war. There is nothing experimental about this. It is the policy of all nations, including free-trade England.

It is the policy of our own nation as embodied in the ocean mail law of 1891, which has created American lines to Europe, the West Indies, etc., but not on the long routes to South America and the Orient.

These lines of American steamers proposed in this bill will benefit the farmers of the National Grange relatively more than any other class of Americans except the shipowners, builders, and seamen, because you supply the greatest proportion of our exports to foreign lands. This makes all the more incomprehensible your opposition to such a policy. There has been evidence before our committee that a foreign steamship trust was ousting our farmers from our markets in Brazil and elsewhere, and was substituting for their products the flour of Austria-Hungary and Argentina.

Because foreign nations have ships and we have almost none Australian farmers are enabled to drive us out of the flour market of the Orient. In other words, these foreign steamship monopolists are deliberately robbing the farmers of America, exactly as they did in the Boer war, when they took their best steamships out of our ports to carry troops out to crush the struggling republics of South Africa, or as when they turned their fast steamers over to Spain to "burn, sink, and destroy" our commerce in 1898. It is these foreign steamship companies, drawing a revenue of $200,000,000 a year from our carrying trade, besides their own enormous subsidies, who are the real bulk of the opposition in this country to the American merchant marine. Why the National Grange should side with these foreigners, who are despoiling them, in fighting against American shipping is something which nobody has ever been able to understand in Washington.

I believe that if all the facts of the case were laid before the farmers of America and they were made to understand the character and purpose of this present shipping bill they would stand by the President, support the Administration, and indorse this bill by an overwhelming majority. But they do not yet know the facts. Naturally the business of ocean shipowning and sailing is as strange and unfamiliar to them as the great industry of agriculture is to the Pennsylvania shipbuilder or the New England seaman. There is absolutely no reason why the farmers of this country should look upon this question differently from the manufacturers or merchants or business men in general.

You say in your letter to the President that in opposing the shipping bill you have the support of "a very large majority of the manufacturing and business interests of the nation." You are absolutely mistaken. There are in the files of the House Committee on Merchant Marine and Fisheries and in the public records of Congress reiterated and emphatic declarations from the greatest commercial bodies of the country in favor of national aid to the merchant marine, and specifically in favor of much broader and more liberal measures than that now pending in the House of Representatives. These declarations have come from the National Association of Manufacturers, the National Board of Trade, the American Bankers' Association, the American Cotton Manufacturers' Association, the Trans-Mississippi Commercial Congress, and from commercial associations of both seaboards and the interior cities. Only the other day the Massachusetts State Board of Trade explicitly approved this present measure by number and by title.

And that very convention for the promotion of foreign commerce which you state as having denounced ship subsidies actually indorsed the bill reported from my committee in these words:

"We believe it imperative that the American merchant marine should be reestablished, and that new steamship lines of direct and speedy communication should be opened, especially with South and Central American and Asiatic ports, for the proper extension of our commerce. To this end we recommend liberal compensation from the Government to American-built and American-manned ships for all services rendered, including the carriage of mails and the right to use the ships in time of war."

This was intended to be, and is, a specific description and indorsement of the bill ordered favorably reported on the previous day by the House Committee on Merchant Marine and Fisheries. This is the bill which President Roosevelt advocates in his special message to Congress. It is the only shipping bill before Congress and the country.

It is simply an extension of existing law. That law has been tried for fifteen years. It has sufficiently protected the interests of the Government. There is no need of forcing American shipowners to show their books and prove their poverty. That fact is notorious. While agriculture, like all other protected industries, has increased enormously, shipping in overseas trade has shrunk to a third of the tonnage of 1861. This is a disgrace to the Republican party, the one great Republican failure, the one deepest blot on Republican Administrations.

President Roosevelt and his Administration and the Republican majority in Congress have set themselves to the task of righting this error

and restoring the American merchant marine. They have begun by a cautious, well-considered measure of ocean mail legislation. The National Grange ought to support the President and stand by the Government in this great and patriotic undertaking, and I am convinced that if you will study the facts and get them fairly before your people the farmers of America will recognize that President Roosevelt is as brave and right in this as he has been in other acts which have made his Administration memorable.

Very truly, yours,

C. H. GROSVENOR,
*Chairman Committee on Merchant Marine and Fisheries, House of Representatives.*

Hon. N. J. BACHELDER,
*Master National Grange, Patrons of Husbandry, Concord, N. H.*

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HOW A FOREIGN STEAMSHIP TRUST DOMINATES OUR SOUTH AMERICAN COMMERCE.

Not one American steamship and only fourteen American sail vessels took cargoes from our whole Atlantic coast for Brazil and Argentina in the first six months of 1906.

So far as steamships are concerned this important American trade is now, and for several years has been, monopolized by a foreign shipping trust or combination, whose weapons are rebates, discriminations, and boycotting, and whose policies are dictated from Liverpool and Hamburg.

Consul-General Seeger, at Rio de Janeiro, spoke thus of this foreign steamship combination in a report in 1903:

"The united steamship companies which control the carrying trade between the United States and Brazil—the Lamport & Holt Line, the Prince Line, the Robert M. Sloman Line, and the Chargeurs Reunis—have agreed to raise their rates on coffee from Santos and Rio de Janeiro from 30 cents and 5 per cent primage per bag of 133 pounds to 35 cents and 5 per cent. This rate will go into force in October, but as the cargoes for the steamships *Byron, Catania, Bellarden,* and *Soldier Prince* have already been in large part purchased, these steamers, leaving in the early part of October, have been excepted from this tariff and will carry their cargoes at the old rate."

Before this, in an earlier report, the consul-general had stated:

"Since last August the freights have been raised and lowered and lowered and raised again to suit the purpose of the trust till they have reached their present level. * * * The trust has an agreement with coffee shippers here to pay them a rebate of 5 per cent at the end of every six months from the date of the agreement on all freights collected; provided, however, that this rebate is forfeited in case the shippers give freight to any vessel not belonging to the trust during the period stipulated. Through this arrangement the trust controls the shippers, and American vessels go home in ballast."

A writer and traveler, Julian Haugwitz, in American Trade, has thus described the situation:

"Our commerce with Brazil and the River Plata countries is at the mercy of such a shipping combine. Ostensibly four lines are competing in 'serving' the route between New York and Pernambuco southward, viz, the Lamport & Holt Line, Prince Line, Norton Line, all British, and the R. M. Sloman Line, which is German. In reality, however, the management of these services is centralized in Liverpool, the freights are pooled, and the spoils divided.

"At the head of this syndicate stands Lamport & Holt, of Liverpool, a powerful firm, owning and managing over a hundred vessels. The ships engaged in the New York-South American service are mostly slow and obsolete, steaming 8 to 10 knots, and yet the rates of freight levied on American cargo are nearly double those charged by the speedy, modern, elegant ships plying between Europe and the east coast of South America. Not a case of kerosene or a bag of coffee can escape paying toll to this freight ring, and there was more truth than comedy in the facetious request sent by a Rio shipper to the syndicate's agents at that port asking for a permit to ship some coffee on an outside vessel over their ocean. Numerous tramps or outsiders have been willing in Brazilian ports to take coffee to New York for 20 cents a bag instead of 40 cents, as now exacted. But whenever such a vessel has been placed on the berth the syndicate has promptly lowered its freight to 10 cents, besides boycotting the shippers patronizing the intruder.

A POLICY OF EXCLUSION.

"Another way by which the syndicate tightens its grip on its victims is to offer them a graduated return on the freights paid at the end of the year, provided no case of infidelity has occurred. An example illustrative of the combine's methods of persuasion and the shippers' liberty of trade happened last fall when a large coffee firm in Santos received an order for 20,000 bags of coffee from New York. The syndicate's freight charge was 40 cents a bag plus 5 per cent, but several outsiders were anxious to carry this cargo at 20 cents, which meant a saving of $4,000 to the exporter on this lot alone, and in the same proportion an economy of $1,000,000 to American coffee drinkers on the 5,000,000 bags imported from Brazil last crop year. The firm in question, having the freight room on hand at 20 cents, asked the syndicate to take the coffee at the same rate, and on the latter's refusal advanced its offer to 30 cents. The combine insisted on its full pound of flesh, and when the exporter accepted the tramp's charter, the former dropped its rates to 15 cents and later to 10 cents for all other shippers, debarring this firm and one or two other strikers from shipping on the combined boats except at the full old rates.

"The enormous advantages enjoyed by their less independent competitors, thanks to the combine's bounty, and worth thousands of dollars a day in a business worked on close margins and daily cable offers, soon brought the insurgents to terms, capitulation followed, and the former rates were restored. One over-conscientious agent at Santos demurred to boycotting his neighbor, and his scruples cost him the loss of the Sloman Line agency."

A New York merchant, familiar with the Brazilian trade, wrote thus on August 19, 1905, in the New York Journal of Commerce:

"I beg leave to call your attention to the very important fact, evidently overlooked by Special Agent Hutchinson and Consul Furniss, that merchants dealing with Brazil have valid and just causes for complaint owing to the fact that all the steam transportation companies carrying freight between United States ports and Brazil formed a combination some years ago, and as they monopolize the trade their rates of freight are so high as to be prejudicial to the business interests of those who are unfortunately obliged to patronize these companies.

"Any independent merchant in this city (New York) or in Brazil—whether importer or exporter—knows that the Lamport & Holt, Prince and Sloman lines, plying between this and Brazilian ports, from Pernambuco southward, exact exorbitantly high rates of freight on merchandise carried either way. In the coffee trade it is a well-known fact that these monopolists, notably Lamport & Holt, discriminate in favor of some of the large importers of coffee by making them substantial concessions in freight, which, of course, is detrimental to the smaller importers. This disgraceful state of affairs certainly calls for a drastic remedy. As a merchant and shipper long connected with Brazil, I most heartily and unqualifiedly indorse Consul Furniss's recommendation concerning the need for an American steamship line between the United States and Brazil. Practically the entire trade between the United States and Amazon ports and Maranham and Ceara is monopolized by the Booth Steamship Company of Liverpool, which, owing to arrangements concluded with other steamship companies, dictates rates, conditions, etc., to suit itself, but always at the expense of the interests of this country. I hope the consul's appeal will result in the establishment of a new line of steamers, which I am positive would speedily secure a very large share of the business between this country and Brazil."

Consul Furniss, at Bahia, alluded to above, said in his annual report for 1904:

"I have to reiterate my oft-repeated report of the need for an American steamship line. The mail service between the United States and this section of Brazil during the year just past has become much worse than heretofore, due to the withdrawal of one or two monthly boats. As a result of the cargo offering here for the United States and the frequent call of vessels to get it, coupled with the fact that Brazil requires all steamers to take mail, there have been frequent calls of vessels to get mails from here, but there is only one regular boat bringing mails from New York. Between times letters are sent hither from New York by various roundabout ways. This has virtually paralyzed the mail service. For this reason it is frequently the case that mail sent from New York in the middle of a month arrives here days after the mail leaving New York on the first of the ensuing month. This causes great prejudice to business, as the mails arriving last often have bills of lading and custom-house documents for goods arriving by the prior steamer, necessitating extra expense, vexatious delays, and great trouble to withdraw from the custom-house here, which seriously hurts our trade.

"It is impossible to maintain trade without frequent and rapid mail service. With the lack of this to contend with and the high freight charges out of New York, it is not to be wondered at that year by year our trade with this section is growing less, while the balance of trade in favor of Brazil is increasing. The present lines from New York seem to prefer high freight and little business, and make up by sending their vessels on a triangular course, viz, from Brazil to the United States, from the United States to Europe, and then from Europe, with European goods, to Brazil, with only a few vessels going and coming between Brazil and the United States direct. The German steamship lines are making preparations for an increased service with Brazil. With the aid given by these lines German trade has increased even more rapidly than ours is decreasing, and with the contemplated further increase in its fleet the outlook for German trade is even brighter than heretofore.

"The manner in which the trade interests of the United States are made to suffer by reason of the inadequacy of the transportation service between this country and South American ports is nothing short of a crime, which must be laid at the doors of Congress. Religiously protecting our interests in every other way, fostering and encouraging our manufacturers and developing home industries for domestic consumption, it makes no provisions for markets for surplus products, and thus paves the way for future industrial stagnation. In the meantime other countries reap the benefits of the trade demands of these nations by establishing steamship lines and commercial agencies in every important city. Is it any wonder that Mr. Lincoln Hutchinson, who is now in Brazil making a study of the conditions there, exclaims: 'The mass of the people scarcely know that such a country as the United States exists!'"

In 1904 Hon. John Barrett, then minister to Argentina, said in an address on our South American trade before the Merchant Marine Commission:

"I wish to explain a little in regard to this point. The question arises, If the business is there, why do not men go into it? Let me remind you that Europe has become established in this trade in the first place, and that she controls it at the present time. All the steamship lines that undertake this business are European steamship lines, and wishing to build up the trade with Europe rather than with America they form combinations and use their influence against the establishment of American lines. You see that in the agreement of the Lamport & Holt Line, which runs a line of passenger to Rio, but does not go on to Buenos Ayres. Because of an agreement with the Royal Mail Steamship Company of England they agree that they will not run their passenger steamers farther than Rio, and yet I was informed in New York and Philadelphia that an American company was already organized that would be willing to undertake to put on a line of steamers between New York and Buenos Ayres, provided they could receive enough money for carrying the mails to insure them against loss while they were establishing a regular trade and traffic."

Mr. Anderson, the present consul-general at Rio de Janeiro, speaks of the foreign steamship combination in the Daily Consular and Trade Reports of September 29, 1906:

"Merchants complain that the high freight rates obtaining on goods from the United States to Brazil generally continue to act as a deterrent to trade in general. The conference rates (the conference is the European steamship trust) on goods from the United States to this part of South America are nearly twice as high as freight rates from Asiatic ports to the United States."

Ambassador Griscom, at Rio de Janeiro, in a report to the State Department, published in the Daily Consular and Trade Reports of October 1, 1906, says:

"The English company of Lamport & Holt have been running a monthly service (between Rio and New York) with a practical monopoly, and without competition the freights have been prohibitive. It is hoped that we are entering upon a new era more favorable to merchants who may desire to reach out for trade with Brazil. The crying need of our relations with Brazil is better steamship communication. Inquiry among our leading financiers and merchants indicates that encouragement by our National Government in the form of a small postal or other subvention would quickly bring about the establishment of a good line of American steamers between New York and Rio. Given a few facilities our trade with Brazil must inevitably go ahead with leaps and bounds."

The Brazilian Government has lately subsidized a small steam line of its own to New York to break this European monopoly. Consul-General Anderson states that the facilities provided by these Brazilian craft "are not such as to offer any improvement over present service," but even such feeble competition has shaken the European steamship

trust as disclosed in this report from Mr. Anderson in the Daily Consular and Trade Reports of December 10, 1906:

"The steamship *Goyaz*, the ship of the Lloyd Brazileiro, which inaugurated a regular service between Brazil and the United States about the latter part of August, took a cargo of coffee at 20 cents per bag, as compared with the price of 35 cents charged by the conference ships, the latter of course being subject to the rebate agreed upon, which is made at the end of the year and is proportionate to the amount of coffee shipped. In addition to this cut in the market made by the Brazilian line, one of the largest shippers of coffee in Rio chartered a ship and furnished her total cargo the past week, making quite a cut in the cargoes expected for several conference ships. The result of the opposition to the ship combine is uncertain, but it seems to be generally agreed that the conference rate is too high.

"Freights between the United States and Brazil are much higher than those obtaining in the rest of the world, the rate from New York to Rio de Janeiro being about twice what the rate is from Hongkong to New York. American exporters are vitally interested in this matter, for even assuming that the rates from Europe to Brazil and from the United States to Brazil are practically the same—a fact which is not yet established—it is yet to be noted that the high freight rates shut American exporters out of markets which otherwise they might have. Low freight rates, for instance, would enable American millers to ship American flour to ports in Brazil far south of their present limit. Freight rates from New York to Brazil similar to those obtaining between New York and the Far East would mean largely increased sales of American flour. What is true of flour is true of other things. The rebate system adopted by the shipping combine also works directly and materially against small shippers, among the latter being most American exporters selling to the Brazilian trade."

A strong American steamship service to South America could utterly smash this European combination against American ships and commerce. As the Merchant Marine Commission said in a memorandum presented by Senator GALLINGER:

"It is possible that if there were American steamship companies in our trade with South America they might form a combination of their own. But in that event, as American companies organized in the United States, they could be held responsible by our Government, while it would be very much more difficult to prosecute and break a combination "in restraint of trade" by foreign companies, which can not so readily be reached by American laws.

"Moreover, if there were American steamship companies, their stock or bonds would be owned or controlled in large measure by American merchants and manufacturers and other business men, who would have a great deal of interest in maintaining favorable rates for our export trade to South America. On the other hand, the foreign steamship companies, whose inferior vessels now run in the South American trade, are owned and controlled primarily in the interests of merchants and manufacturers of Europe."

BRITISH MAIL LINES TO SOUTH AMERICA.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF NAVIGATION,
*Washington, February 1, 1907.*

MY DEAR GENERAL: Referring to your letter of the 27th ultimo on the subject of subsidies paid to British lines to South America, I inclose herewith a complete statement taken from the annual reports of the British postmasters-general.

Sincerely, yours,

E. T. CHAMBERLAIN, *Commissioner.*

Hon. C. H. GROSVENOR,
*House of Representatives.*

*Subsidies paid to British lines to South America.*

| Year. | Royal Mail. | | | | Pacific Steam Navigation Co.; Pacific and West Indies, Callao, Valparaiso, and Panama. |
|---|---|---|---|---|---|
| | West Indies. | West Indies (additional). | West Indies to Brazil and Buenos Ayres. | West Indies (additional), Liverpool to Buenos Ayres. | |
| 1840 | £5,600 | | | | |
| 1841 | 80,000 | | | | |
| 1842 | 240,000 | | | | |
| 1843 | 240,000 | | | | |
| 1844 | 240,000 | | | | |
| 1845 | 240,000 | | | | |
| 1846 | 240,000 | | | | £15,000 |
| 1847 | 240,000 | | | | 20,000 |
| 1848 | 240,000 | | | | 20,000 |
| 1849 | 240,000 | | | | 20,000 |
| 1850 | 240,000 | | | | 20,000 |
| 1851 | 240,000 | | £30,000 | | 25,000 |
| 1852 | 240,000 | | 30,000 | | 25,000 |
| 1853 | 240,000 | | 30,000 | | 25,000 |
| 1854[a] | | | | | |
| 1855[a] | | | | | |
| 1856[a] | | | | | |
| 1857[a] | | | | | |
| 1858 | [b]293,500 | | | | |
| 1859 | [b]293,500 | | | | |
| 1860 | 270,000 | | | | 25,000 |
| 1861 | 270,000 | | | | 25,000 |
| 1862[a] | | | | | |
| 1863[a] | | | | | |
| 1864[a] | | | | | |
| 1865[a] | | | | | |
| 1866[a] | | | | | |
| 1867[a] | | | | | |
| 1868[a] | | | | | |
| 1869[a] | 172,914 | £5,556 | 33,500 | £5,418 | 18,250 |
| 1870[a] | | | | | |
| 1871 | 172,914 | 4,302 | 33,500 | 15,674 | 18,250 |
| 1872 | 172,914 | 11,279 | 33,500 | 15,263 | 15,833 |

[a] No particulars in Postmaster-General's report.
[b] Apparently for all three services.

*Subsidies paid to British lines to South America*—Continued.

| Year. | Royal Mail. | | | | Pacific Steam Navigation Co.; Pacific and West Indies, Callao, Valparaiso, and Panama. |
|---|---|---|---|---|---|
| | West Indes. | West Indies (additional). | West Indies to Brazil and Buenos Ayres. | West Indies (additional), Liverpool to Buenos Ayres. | |
| 1873 | £172,914 | £11,173 | £33,500 | £13,385 | £15,896 |
| 1874 | 86,750 | 3,993 | 20,828 | 11,777 | 17,437 |
| 1875 | 86,750 | 11,030 | 6,976 | 9,701 | 17,263 |
| 1876[a] | | | | | |
| 1877 | 86,750 | 10,650 | 18,609 | [b] | 16,840 |
| 1878 | 86,750 | 10,817 | 14,868 | | 12,616 |
| 1879 | 85,188 | 10,093 | 10,534 | | 5,708 |
| 1880 | 80,500 | 4,282 | 11,760 | | 4,798 |
| 1881 | 80,500 | 3,931 | 11,338 | | 2,942 |
| 1882 | 80,500 | 3,541 | 12,165 | | 2,656 |
| 1883 | 80,500 | 1,757 | 11,725 | | 2,876 |
| 1884 | 80,500 | 3,279 | 13,256 | | 3,417 |
| 1885 | 87,625 | 2,965 | 12,065 | | 3,381 |
| 1886 | 90,199 | 3,022 | 14,822 | | 3,418 |
| 1887 | 90,000 | 3,968 | 16,793 | | 3,160 |
| 1888 | 90,000 | 3,071 | 22,104 | | 3,397 |
| 1889 | 90,000 | 1,510 | 21,132 | | 4,080 |
| 1890 | 92,709 | 559 | 23,817 | | 4,167 |
| 1891 | 85,000 | 532 | 21,907 | | 4,895 |
| 1892 | 85,000 | 354 | 22,475 | | 5,195 |
| 1893 | 85,000 | 374 | 24,290 | | 5,040 |
| 1894 | 85,000 | 409 | 22,725 | | 5,780 |
| 1895 | 81,250 | 410 | 22,838 | | 5,380 |
| 1896 | 80,000 | 440 | 26,145 | | 5,850 |
| 1897 | 80,000 | | 28,807 | | 7,373 |
| 1898 | 79,500 | | 38,907 | | 5,870 |
| 1899 | 80,000 | | 27,859 | | 6,922 |
| 1900 | 80,000 | | 10,539 | | 27,454 |
| 1901 | 79,880 | | 10,505 | | 32,780 |
| 1902[a] | | | | | |
| 1903 | 87,652 | | 10,589 | | 32,000 |
| 1904 | 84,500 | | 11,474 | | 32,000 |
| 1905 | 21,125 | | 11,830 | | 32,000 |
| Total | 7,253,384 | 113,297 | 757,682 | 71,218 | 604,924 |

[a] No particulars in Postmaster-General's report.
[b] Steamers from Liverpool and Southampton both treated as regular steamers.

BRITISH STEAMSHIPS EMPLOYED.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF NAVIGATION,
*Washington, January 28, 1907.*

MY DEAR GENERAL: Referring to my letter of this date, I inclose a list of all the steamers of the Royal Steam Packet Company and the Pacific Steam Navigation Company (British) over 14 knots. The Pacific Steam Navigation Company until last year was engaged in trade with Asia through the Suez Canal as far as Colombo and thence to Australia, as well as maintaining its South American services. The company is now practically devoted entirely to South American trade, east and west coasts.

The Royal Mail Steam Packet Company last year made an arrangement by which it carries on some business with Australia, as well as the trade with the West Indies, Colon, Brazil, and Argentina, which it has maintained for about sixty-five years.

Very truly, yours,

E. T. CHAMBERLAIN,
*Commissioner.*

Hon. CHARLES H. GROSVENOR,
*House of Representatives, Washington, D. C.*

*List of vessels of the Pacific Steam Navigation Company.*

| Name of vessel. | Tonnage (gross). | Speed. | Name of vessel. | Tonnage (gross). | Speed. |
|---|---|---|---|---|---|
| | | *Knots.* | | | *Knots.* |
| Orita | 9,231 | 16½ | Chile | 3,225 | 15 |
| California | 5,547 | 15½ | Columbia | 3,335 | 15 |
| Mexico | 5,549 | 15½ | Guatemala | 3,327 | 15 |
| Oravia | 5,321 | 15½ | Peru | 3,225 | 15 |
| Orissa | 5,326 | 15½ | Santiago | 2,953 | 15 |
| Oriana | 8,000 | 15½ | Corcovada | 4,565 | 14 |
| Oronsa | 8,000 | 15½ | Galicia | 5,896 | 14 |
| Oropesa | 5,303 | 15½ | Pizarre | 2,160 | 14 |
| Ortega | 8,000 | 15½ | Puno | 2,398 | 14 |
| Panama | 5,981 | 15½ | Sorata | 4,581 | 14 |
| Victoria | 5,967 | 15½ | | | |

*List of vessels of the Royal Mail Steam Packet Company.*

| Name of vessel. | Tonnage (gross). | Speed. | Name of vessel. | Tonnage (gross). | Speed. |
|---|---|---|---|---|---|
| | | *Knots.* | | | *Knots.* |
| Aragon | 9,441 | 15 | Tagus | 5,545 | 15 |
| Atrato | 5,347 | 15 | Thames | 5,621 | 15 |
| Clyde | 5,618 | 15 | Trent | 5,525 | 15 |
| Danube | 5,891 | 15 | La Plata | 4,464 | 14 |
| Magdalena | 5,373 | 15 | Orinoco | 4,572 | 14 |
| Nile | 5,855 | 15 | | | |

PROFITS OF FOREIGN STEAMSHIP COMPANIES.

It is often asserted that the ocean shipping trade as carried on by foreigners pays no more, on the average, than 2 or 3 per cent, and that even with the aid of postal payments to regular lines it would

not be profitable for American capital to engage in ocean carrying. This assertion is in conflict with the facts as to the average dividends of the chief foreign steamship companies. These dividends, for certain representative postal lines, as stated by the Commissioner of Navigation in his annual report for 1902 (pp. 87, 88), averaged on the common, not on the preferred stock, as follows:

| Name of company. | Average dividend, 1896–1901. | Name of company. | Average dividend, 1896–1901. |
|---|---|---|---|
| BRITISH. | | FRENCH. | |
| | *Per cent.* | | *Per cent.* |
| Peninsular and Oriental | 11.8 | Messageries Maritimes | 4.7 |
| Union-Castle | 5.5 | Compagnie Générale Transatlantique | 2.5 |
| Pacific Steam | 5.3 | Chargeurs Réunis | 6.2 |
| Cunard (without the new $1,100,000 subsidy) | 4.2 | Average | 4.5 |
| Royal Mail | 5.0 | | |
| Union, of New Zealand | 6.3 | | |
| Orient | 3.8 | OTHER FOREIGN. | |
| Average | 6.0 | Lloyd Austriaco | 3.7 |
| | | Navigazione Generale Italiana | 3.3 |
| GERMAN. | | Compañía Trasatlántica (Spanish) | 6.9 |
| Hamburg-American | 7.7 | Nederland America | 6.6 |
| North German Lloyd | 6.3 | Nippon Yusen (Japanese) | 11.0 |
| Hamburg-South American | 10.3 | | |
| German-Levant | 7.0 | Average | 6.3 |
| German-East Africa | 4.7 | | |
| Average | 7.2 | General average | 6.1 |

A large part of the period from 1896 to 1901 was a period of low freights and of high cost of coal, so that there is nothing unusually favorable in these figures. All of the steamship lines above enumerated perform ocean mail service for their respective governments. The Hamburg-American, which is often said to be unsubsidized, receives pay for carrying the mails, and shares with the other German steamship companies in the benefits of the general imperial policy of encouraging the merchant marine by all manner of legislative expedients. The German Levant Line is especially protected by discriminating railway rates on through merchandise.

The Hamburg-American Line declared a dividend of 11 per cent for 1905, and of 10 per cent for 1906, as against 9 per cent for 1904. The Nippon Yusen Kaisha declared a dividend for the half year ending September 30, 1905, of 12 per cent on its line to Australia. The Messageries Maritimes, one of the great French companies, earned a 5 per cent dividend in 1905, as compared with 4 per cent in 1904. For the half year ending March 31, 1906, the Nippon Yusen Kaisha, on its lines in general, declared a 15 per cent dividend.

Foreign steamship property is profitable enough to have attracted more than $100,000,000 of American capital. This great sum of American money is now invested in shipping under foreign flags, chiefly in the International Mercantile Marine Company, the Morgan combination. But it is a significant fact that the great American investors in foreign ships, when asked by the Merchant Marine Commission in 1904 whether they would bring their foreign vessels under the American flag if a "free ship law" were recommended, all declared that they would not do so. They could not afford to give up the advantage of cheap foreign wages and, in some cases, of foreign subsidies.

AMERICAN SHIPS FOR AMERICAN COMMERCE.

[From pages 555–560 of Hearings Before the Committee on Merchant Marine and Fisheries, April 4–13, 1906.]

One of the most important features of the voluminous testimony taken all over the country by the Merchant Marine Commission was the insistence of practical men of business—merchants and manufacturers and bankers—not themselves interested in any way in shipowning or shipbuilding, that the lack of American ships prevented us from securing an adequate market abroad for the products of American manufacturing, mining, and agriculture.

These practical business men were familiar with the argument of academic free traders and of foreign steamship managers against encouragement to the American merchant marine, that foreigners were carrying our ocean commerce cheaply for us, and that therefore they ought to have a perpetual monopoly of it. But these manufacturers, merchants, and bankers interested in our export trade know, first, that foreign steamship companies do not carry our own products as cheaply as they carry the products of their own countries if they can help it, and that in a great many instances the foreigners do not supply ships to carry our trade at all, or furnish only worn-out, uneconomical vessels, discarded from their own service and sent over here as good enough for the United States, which is helpless because it has no shipping of its own.

These facts are well understood in the seaboard States. They are also understood by the practical business men of the interior, as is demonstrated by the following testimony of middle-western business men before the Merchant Marine Commission.

Mr. James A. Patton, of the Chicago Board of Trade:

"I would be heartily in favor of granting a subsidy to ships sailing from our ports to South America, because our manufacturers have no facilities for shipping there, and we could in that way increase our manufactures all over the country. The shipments of agricultural implements alone from the city of Chicago are enormous."

Mr. Charles L. Pack, of Cleveland, lumberman (at Cleveland, June 28, 1904):

"Most of you know that the region of greatest lumber production in the whole country is the Southern States. The production of lumber there in 1903 was over 10,000,000,000 feet, which is an enormous quantity. If this southern lumber alone were loaded on cars, with the normal load to a car, the train would extend all the way from New York to San Francisco.

"About one-tenth of that lumber is exported. About 1,000,000,000 feet were exported in 1903, and the export trade from the southern ports have been the safeguard of the lumber business in the South for the last twenty years, for the reason that it has taken a good deal of production that we could not well use at home, and the foreign demand has often been good when our demand at home was very poor.

"This export business is very much handicapped because it has to be done to a large extent in tramp steamers. That 1,000,000,000 feet of lumber goes to a very large portion of the world. Last year the exports from the Southern States went to over 150 different foreign ports in Europe, in Asia, as far east as the Straits Settlements, and to both coasts of Africa, and the export would have been very much increased if we had had line steamers running from the southern ports rather than having to depend on occasional tramps as we could pick them up. It often happens that at times we can get more steamers than we have need of, and then there will be weeks and sometimes even months when it is very difficult to get sufficient tonnage to fill the orders. Oftentimes orders are canceled for lack of regular shipping facilities."

Mr. Grasselli, of Cleveland, president of the Grasselli Chemical Company:

"Bear in mind that in order to make shipments to South American ports, with some few exceptions, Americans are compelled to forward the goods to some European port, from which it is sent on to South America. The handicap to American industry becomes a very serious question, and when it is considered that foreign steamship lines are owned and controlled by corporations favorable to the countries to whom they belong and interested in their exports and in their own products, they do not give to the export of the American product the same careful handling and consideration that they naturally do their own; this resulting in the American goods arriving in more or less damaged condition, due to repeated and careless handling, thus causing another serious obstacle in our export business. Besides, with our own flag flying over her, the American ship, in a sense an extension of our own territory, and with her own officers, entering into foreign countries, brings us in physical contact with these countries, insuring our exports in reaching their destination."

Mr. S. A. Upson, of Cleveland, president of the Upson Nut and Bolt Company:

"I want to call your attention very briefly to the fact that a few years since we saw the necessity of increasing our export business, and I concluded that I would take some observations in South America. I found on investigation that in order to get there in any comfort and within a reasonable time I must go by way of England. I found in England two lines of steamers, subsidized by the English Government, being paid liberally for carrying the mail. The two lines ran alternately, so that a fast steamer sailed every week alternately from Southampton and from Liverpool.

"On reaching South America I found English, German, Italian, and French steamers touching semimonthly at nearly all the principal ports, bringing up in Argentina, at the city of Buenos Ayres. In the harbor of Buenos Ayres were many hundreds of ships from all nations, and they have there the finest docks in the world, except, possibly, at Liverpool. This will give you some idea of the immensity of the shipping ariving at that point.

"I learned, on trying to canvass the trade to see what we could do with American goods, that the greatest obstacle to our selling goods was, first, the difference in exchange of about 2 per cent between New York and Liverpool or London. I found also that it was almost an impossibility to expect to get business there on account of the very slow facilities for transportation.

"There were nothing but tramp steamers running between New York and South American ports at that time. These were advertised to leave on perhaps the 1st or the 10th of the month, and they would sail any time within a week or two weeks later, very seldom sailing at the time advertised, while the mail steamers to other countries were all running on regular schedule time, semimonthly, excepting to England, where they were running weekly, and the merchants said that in consequence of the very slow facilities for getting freight and mail to the United States there would be very little use in their trying to do business with the United States. They always knew when they could mail letters to Europe or England particularly and when they could get their replies, as there were steamers going on regular schedule time, while letters sent to the United States would be a month or six weeks en route. In fact, if they wanted to expedite either letters or merchandise they sent them by way of England."

Representative GROSVENOR:

"Mr. Upson, if it does not interrupt your line of thought, do you believe that if a line of fine steamers should be inaugurated from New York to Buenos Ayres it would divert to the United States a large or a considerable part of the business that now goes to Europe?"

Mr. Upson:

"I think it would, for this reason: If we had a regular line of good, first-class, speedy steamers carrying the mail regularly from New York to Buenos Ayres and intermediate ports semimonthly, so that the people of the United States and the people of Argentina and other countries could know that they could get their goods and their mail forwarded promptly, I believe the business would grow very rapidly. I think a great many of our Americans who now visit Europe would take trips to South America, partly as a matter of recreation and partly as a matter of business, and the results would be very great."

Mr. F. F. Prentiss, of the Cleveland Twist Drill Company:

"I want to call your attention to the conditions in South America. I was there several years ago, and the conditions impressed me very strongly. I had to go via Europe to reach South America. The first port at which I stopped—Bahia—and the situation was the same at Rio Janeiro, Montevideo, Buenos Ayres, and at every city where I attempted to market my goods or inquire about the condition of business—I ran against the transportation problem. It was the serious thing that handicapped me in my business, and it handicapped others whose volume would be ten times mine if they had proper facilities.

"While I look, as a manufacturer, at the commercial side of it, I also wish to represent the artisan and the tiller of the soil, who contribute toward the products that we can ship to South America, and we can ship them to other parts of the world, if we have the direct connection, even better than we do to-day. I lay particular stress, however, on the conditions down there, which are due to the lack of transportation facilities."

Mr. Walter D. Sayle, president of the Cleveland Punch and Shear Works Company and president of the Manufacturers' Association:

"It might be proper for me to state to you that I am neither a builder of ships nor to any extent a shipper, nor have I a dollar invested in any of the great steel carrying ships that touch our shores, but I am greatly interested as a citizen, a manufacturer, and a banker, and as one who has given some little thought to this subject.

"One of the commonest arguments of those who are indifferent to the condition of our merchant marine is that it makes no difference in what manner our trade goes abroad, so long as we enjoy rates as low as our competitors.

"This, to my notion, is only a half view of the subject. If we are to regard the mere crossing of the ocean as all, it really makes no difference whatever whether the goods go in American bottoms or in

foreign bottoms, provided they go as cheaply; but if we are to consider the multiplication of American houses in foreign ports, the promotion of American trade in foreign countries, the loss of trade to our own steel and machinery manufacturers, the establishment of American banks in all the quarters of the world, if we are to have within ourselves the means of over-sea transportation in times of war, then we must look to it that American exports go abroad in American ships.

"We can not hope to establish American trade through foreign branch houses and branch banks in foreign countries until the avenues of transportation between the parent houses and their offsprings are entirely independent, absolutely American, and not subject to either the sanction or the forbearance of any nation."

Col. J. J. Sullivan, president of the Central National Bank of Cleveland, ex-president of the Cleveland Chamber of Commerce, and president of the National Board of Trade:

"Blood is thicker than water, and, given the opportunity, a British ship will work for a British house in preference to that of any other nation. Thus it is that the British manufacturer can beat us in the South American markets—a part of our own continent. The great need of South America is agricultural machinery, yet every American reaper and every American harvester must first be dumped on Liverpool docks before it can reach the South American consumer. What chance do you suppose it will stand over there if it comes in competition with a similar product of British manufacture?

"Therefore, I say this question of over-sea shipping is one which concerns us as merchants and manufacturers and business men. We should keep our export trade as nearly as we can within our own hands for the benefit of our own merchants and manufacturers."

Mr. David Harlowe, of Milwaukee, traffic manager of the Allis-Chalmers Company:

"To South America the vessels run very irregularly, possibly at periods of once a month or every six weeks.

"The CHAIRMAN. And they are all foreign steamships?

"Mr. HARLOWE. They are all foreign steamships. The same condition applies to the west coast of America. There are very few vessels sailing from New York or from any other Atlantic port to the west coast of America, and from San Francisco there is only one line of steamers coasting as far as Panama, but none south of Panama. It seems to me that there should be a line of steamships from Pacific coast ports to the west coast of South America, and that there should be steamers sailing oftener than at present from New York and other Atlantic ports to the east coast of South America.

"It appears to me that there would be considerable advantage in having a large American merchant marine by reason of the fact that at present most of the vessels sailing from our ports are owned by foreign capital, and these foreign owners are interested in lines to the same ports from Europe. Consequently they will make no rates from United States ports lower than those that apply from European ports.

"If we could have a marine of our own, it would be cut away from all foreign entanglements, and our steamship agents would be in a position to make a rate to help the home manufacturer as against the foreign manufacturer. Competition is very keen in all manufactured articles, I presume. It is the case in ours, and especially in shipments from England and Germany. We should have a marine of our own that would pay no attention to the rates which are promulgated from the other side, but just go on and enable us to meet competition in the delivery price at destination. I think that point should be borne in mind, gentlemen.

* * * * * * *

"Representative MINOR. You think if we had ships running direct from a few ports in the United States to those ports in South America we would get better dispatch and more regular service?

"Mr. HARLOWE. Yes, sir; and we would be building up a trade as well as taking care of it. Also please bear in mind that there should be service from the Pacific coast to the west coast of South America."

Hon. John Barrett, now minister to Panama, formerly minister to Argentina (at Chicago, June 24, 1904):

"The business men of Buenos Ayres can write to Europe and receive a reply easily in fifty days. It is very seldom that they can ever communicate with New York and Chicago and get an answer in less than eighty days. Anyone who is familiar with business methods and the importance of good mail exchange realizes what a handicap this is to the extension of American commerce. I have heard scores of South American merchants and bankers complain of the wretched mail arrangements between the United States and Argentina. If there were direct and regular service between Buenos Ayres and New York, there is no doubt in my mind that four-fifths of the southern South Americans who travel to the Northern Hemisphere, on either business or pleasure, would come or return via the United States.

* * * * * * *

"The principal reason that we do not have direct steamship communication now of the class which I mention is that no company is willing to undertake it as an experiment or venture unless they can receive a compensation for carrying the mail which will insure them against primary or temporary loss. I have talked with leading steamship men in Buenos Ayres, Paris, Hamburg, and London, as well as in New York, and they have all told me that it would be impossible to initiate a great and important undertaking of this kind unless they could receive sufficient support from the United States and the South American republics to protect them while they were building up sufficent traffic and travel to maintain the line on a paying basis."

APPROVED BY ILLINOIS MANUFACTURERS.

Reading these declarations of middle western men of business that national aid to the American merchant marine is demanded in order that the manufacturers and farmers of Ohio, Indiana, Michigan, Illinois, Wisconsin, and other Middle Western States may secure fair freight rates and adequate shipping facilities to build up their export trade to South America and other foreign markets, it is easy to understand why the Illinois Manufacturers' Association, on April 13, 1906, through its board of directors, formally indorsed the shipping bill of the Merchant Marine Commission and urged the House of Representatives to pass it. The members of the Illinois Manufacturers' Association desire the enactment of this legislation, not as shipowners or shipbuilders, but as American producers, having a surplus which they must sell abroad in competition with the manufacturers of foreign countries whose governments, by subsidy or otherwise, provide ample shipping facilities for them.

STATEMENTS OF AMERICAN REPRESENTATIVES ABROAD.

The declarations of these middle western business men that the failure of our Government to protect and encourage American shipping prevents the manufacturers of the Middle Western States from securing their fair share of the world's markets have been confirmed time and time again by American ministers, consuls, and special commercial agents in foreign countries. About a year ago Special Agent Hutchinson, sent out by the Department of Commerce and Labor, stated in a report, after a brief stay in Brazil, that he did not think that more commercial shipping lines were necessary to South America, though he did think that there was urgent need of an improved mail service. This early report of Mr. Hutchinson, based on brief observation and experience, was eagerly caught up and exploited by those opposed to national aid to the American merchant marine in this country and in Europe. But it is very significant that the farther Mr. Hutchinson traveled in South America and the more he saw and learned the more completely he has come into accord with the opinions of other official observers. In his later reports, based on a fuller understanding of the question, he very frankly declares that our American export trade to South America is seriously hampered by the lack of an American merchant marine and of direct lines of communication.

Thus Mr. Hutchinson states, in a report published on March 23, 1906, by the Department of Commerce and Labor:

"There is no direct passenger service to Chile or the River Plata from the United States. Passengers from New York, for example, wishing to get to Buenos Ayres must either take passage to Rio de Janeiro and there transship to one of the European lines touching at that port en route to the South, or they must cross the Atlantic and transship in some European port to a steamer sailing to Buenos Ayres. If they wish to get to Chile, they may go via the Isthmus of Panama, suffering the inconvenience of transfer to the Panama Railroad and to one of the west coast steamship lines, or they may go to Rio de Janeiro or Montevideo and there transship to a steamer of the Pacific Steam Navigation Company's lines running through the Straits of Valparaiso, or they may go to Liverpool or Hamburg and there take steamer direct to Valparaiso. The passenger from Europe, on the other hand, wishing to go to the River Plata, has the choice of half a dozen first-class lines and several inferior ones. If his destination is Valparaiso, he has at least two direct lines."

This has come about from the liberal policy of European governments, which, by subsidy or state aid in other form, have provided excellent mail and shipping facilities for their manufacturers and merchants.

OUR WRETCHED MAIL SERVICE.

Special Agent Hutchinson adds:

"As in Brazil, so in Chile and the River Plata, there is universal complaint that the mail service to and from the United States is inadequate. If the trouble were only in the length of time required for the delivery of mails, the inconvenience would be sufficiently great, but far more serious is the irregularity, infrequency, and uncertainty of the service."

Speaking of South America in general and of the methods of the foreign steamship companies, Mr. Hutchinson says:

"There is abundant reason for believing that this granting of 'special rates' in actual practice reduces the European rates on many important classes of goods to below the American rates, and that the general impression that our freight charges are somewhat higher than the European is justified. Just what the extent of this excess is it is impossible to say, but the more conservative business men of Valparaiso, for example, place it at about 25 per cent."

Summing up his observations in South America, Special Agent Hutchinson declares:

"The passenger service from the United States is greatly inferior in all respects to that from Europe, and the American people have little inducement to visit and get personally acquainted with commercial and industrial conditions existing in these South American countries. This will remain true until direct lines of first-class passenger steamers ply between New York and the River Plata and a quicker and better service is inaugurated on the west coast from Panama southward to Valparaiso."

As to the American mail service on both the east and west coasts, Mr. Hutchinson says that it is "extremely unsatisfactory."

As to the important matter of cargo steamship service he declared:

"Freighting facilities from New York to Chile and the River Plata are inferior to those from Europe both as regards frequency, regularity, and time required for delivery, and as to rates."

And he concludes:

"Improvements in the interest of new connections, especially in Chile, would be effected by the establishment of a new line doing a strictly shipping business."

AMERICAN SHIPS ALMOST UNKNOWN.

Our pitiable share of the shipping trade of the most important country on the west coast of South America is thus stated, in the Daily Consular and Trade Reports for February 10, 1906, by Consul Mansfield, at Valparaiso:

"In the total number of ships entering and clearing at the several ports of Chile those flying the Chilean flag numbered 5,684, of which 5,041 were steamers and 643 sailing vessels. Of the foreign nations Great Britain represented nearly one-half the total tonnage, with 8,422,000 tons. Germany was second, with 3,000,000 tons. American shipping interests were represented by 33 steamers and 6 sailing vessels, with a tonnage of 131,879 and 3,728 tons, respectively. The total tonnage of all vessels entered was 17,700,000 tons; of the vessels cleared, 17,320."

What is true of Chile is also true of Ecuador. Hon. Archibald J. Sampson, American minister at Quito, states:

"I was informed recently by a prominent merchant here that he would like to deal with New York, but that the freight rates from that city on some of his purchases were fivefold greater when received at Guayaquil than like freight from Hamburg, which was a practical prohibition on American trade."

Germany has steamship lines under her own flag encircling South America. The United States has none at all.

THREE PRESIDENTS SPEAK FOR AMERICAN SHIPPING—BENJAMIN HARRISON.

Our great competitors have established and maintained their lines by government subsidies, until they have now practically excluded us from participation. In my opinion, no choice is left to us but to pursue, moderately at least, the same lines.

WILLIAM M'KINLEY.

I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacturing.

THEODORE ROOSEVELT.

Ships work for their own countries, just as railroads work for their terminal points. * * * From every standpoint it is unwise for the United States to continue to rely upon the ships of competing nations for the distribution of our goods. It should be made advantageous to carry American goods in American-built ships.

Three successive Republican Presidents—two from the Middle West and one from the great commercial State of New York—have urged in the strongest terms, throughout their Administrations, the upbuilding of American shipping in the foreign trade.

One of the three was Benjamin Harrison, of Indiana, who was elected in 1888 on a platform declaring:

"We earnestly recommend that prompt action be taken by Congress in the enactment of such legislation as will best secure the rehabilitation of our merchant marine, and we protest against the passage by Congress of a free ship bill as calculated to work injustice to labor by lessening the wages of those engaged in preparing the materials, as well as those directly employed in our shipyards."

President Harrison, in his first inaugural message to Congress, March 4, 1889, thus proclaimed his devotion to the cause of the American ship:

"We should encourage the establishment of American steamship lines. The exchanges of commerce demand stated, reliable, and rapid means of communication, and until these are provided the development of our trade with the states lying south of us is impossible."

PRESIDENT HARRISON TO CONGRESS.

In his first annual message to Congress, on December 3, 1889, President Harrison enlarged upon this theme with growing emphasis:

"There is nothing more justly humiliating to the national pride and nothing more hurtful to the national prosperity than the inferiority of our merchant marine compared with that of other nations whose general resources, wealth, and seacoast lines do not suggest any reason for their supremacy on the sea. It was not always so, and our people are agreed, I think, that it shall not continue to be so. * * *

"FOREIGN LINES ARE SUBSIDIZED.

"That the great steamship lines sailing under the flags of England, France, Germany, Spain, and Italy, and engaged in foreign commerce, were promoted and have since been and now are liberally aided by grants of public money in some form or another is generally known. That the American lines of steamships have been abandoned by us to an unequal contest with the aided lines of other nations until they have been withdrawn or, in the few cases where they are still maintained, are subjected to serious disadvantages is matter of common knowledge.

"MUST NOW GO VIA ENGLAND.

"The present situation is such that travelers and merchandise find Liverpool even a necessary intermediate point between New York and some of the South American capitals. The fact that some of the delegates from South American states to the conference of American nations, now in session at Washington, reached our shores by reversing that line of travel is very conclusive of the need of such a conference and very suggestive as to the first and necessary step in the direction of fuller and more beneficial intercourse with nations that are now our neighbors upon the lines of latitude, but not upon the lines of established commercial intercourse.

"LIBERAL AID FOR AMERICAN LINES.

"I recommend that such appropriations be made for ocean mail service in American steamships between our ports and those of Central American, China, Japan, and the important islands in both of the great oceans as will be liberally remunerative for the service rendered and as will encourage the establishment and in some fair degree equalize the chances of American steamship lines in the competition which they must meet. That the American states lying south of us will gladly cooperate in establishing and maintaining such lines of steamships to their principal ports I do not doubt.

"OUR NEED OF A NAVAL RESERVE.

"We should also make provision for a naval reserve, to consist of such merchant ships of American construction and of a specific tonnage and speed as the owners will consent to place at the use of the Government in case of need as armed cruisers. England has adopted this policy, and as a result can now, upon necessity, at once place upon her naval list some of the fastest steamships in the world. A proper supervision of the construction of such vessels would make their conversion into effective ships of war very easy.

"BLIND AND FALSE ECONOMY.

"I am an advocate of economy in our national expenditures, but it is a misuse of terms to make this word describe a policy that withholds an expenditure for the purpose of extending our foreign commerce. The enlargement and improvement of our merchant marine, the development of a sufficient body of trained seamen, the promotion of rapid and regular mail communication between the ports of other countries and our own, and the adaptation of large and swift American merchant steamships to naval uses in time of war are public purposes of the highest concern.

"A BENEFIT TO ALL THE PEOPLE.

"The enlarged participation of our people in the carrying trade, the new and increased markets that will be found for the products of our farms and factories, and the fuller and better employment of our mechanics which will result from a liberal promotion of our foreign commerce, insure the widest possible diffusion of benefit to all the States and to all the people. Everything is most propitious for the present inauguration of a liberal and progressive policy upon this subject, and we should enter upon it with promptness and decision."

HARRISON SPEAKS AGAIN.

President Harrison, in his second message to Congress, on December 1, 1890, made the merchant marine again the subject of a most earnest and emphatic recommendation:

"I desire to repeat with added urgency the recommendations contained in my last annual message in relation to the development of American steamship lines. The reciprocity clause of the tariff bill will be largely limited, and its benefits retarded and diminished, if provision is not contemporaneously made to encourage the establishment of first-class steam communication between our ports and the ports of those nations as may meet our overtures for enlargement of commercial exchanges.

"A FIRST CONDITION OF FOREIGN TRADE.

"The steamship, carrying the mails statedly and frequently, offering to passengers a comfortable, safe, and speedy transit, is the first condition of foreign trade. It carries the order or the buyer, but not all that is ordered or bought. It gives to the sailing vessels such cargoes as are not urgent or perishable, and, indirectly at least, promotes that important adjunct of commerce. There is now both in this country and in the nations of Central and South America a state of expectation and confidence as to increased trade that will give a double value to your prompt action upon this question. * * *

"LINES TO SOUTH AMERICA.

"The South Atlantic and Gulf ports occupy a very favored position toward the new and important commerce which the reciprocity clause of the tariff act and the postal shipping bill are designed to promote. Steamship lines from these ports to some northern port of South America will almost certainly effect a connection between the railroad systems of the continents long before any continuous line of railroads can be put into operation. The very large appropriation made at the last session for the harbor of Galveston was justified, as it seemed to me, for these considerations. The great Northwest will feel the advantage of trunk lines to the south as well as to the east, and of the markets found for their surplus food products and for many of their manufactured products."

A NEW LAW PASSED AND SIGNED.

Before another annual message was written President Harrison on March 3, 1891, had the satisfaction of signing a new law, the direct fruit of his earnest and patriotic recommendations, extending national aid to lines of American steamers. But unfortunately the original rates of compensation proposed in this measure, which had been fixed by expert authority at an amount just sufficient for the purpose, were cut down one-third on the solicitation of a few middle western men when the bill passed the House of Representatives. This seriously crippled the efficiency of the new measure so far as South America was concerned.

Though this legislation did create one American line to Europe, two to the West Indies, one to Venezuela, and finally one to Australasia, the experience of fifteen years has now demonstrated that the hasty reduction in the rate of mail subventions was a deplorable error, justifying the remonstrances of the friends of the measure, who predicted that, thus heavily reduced, the law would prove a disappointment.

SOME GOOD RESULTS.

The immediate result, however, was beneficial in creating new lines to near-by markets, and President Harrison was enabled to sound a note of congratulation in his message to Congress on December 6, 1892:

"Ever since our merchant marine was driven from the sea by the rebel cruisers during the war of the rebellion the United States has been paying an enormous annual tribute to foreign countries in the shape of freight and passage moneys. Our grain and meats have been taken at our own docks and our large imports there laid down by foreign shipmasters.

"DIVIDENDS TO FOREIGNERS.

"An increasing torrent of American travel to Europe has contributed a vast sum annually to the dividends of foreign shipowners. The balance of trade shown by the books of the custom-houses has been very largely reduced and in many years altogether extinguished by this constant drain. In the year 1892 only 12.3 per cent of our imports were brought in American vessels. These great foreign steamships maintained by our traffic are, many of them, under contracts with their respective governments by which in time of war they will become a part of their armed naval establishments. Profiting by our commerce in peace, they will become the most formidable destroyers of our commerce in time of war.

"A CHANGE OF POLICY.

"I have felt, and have before expressed the feeling, that this condition of things was both intolerable and disgraceful. A wholesome change of policy and one having in it much promise, as it seems to me, was begun by the law of March 3, 1891. Under this law contracts have been made by the Postmaster-General for eleven mail routes. The expenditure involved by these contracts for the next fiscal year approximates $954,123.33. As one of the results already reached, sixteen American steamships of an aggregate tonnage of 57,400 tons, costing $7,400,000, have been built or contracted to be built in American shipyards. * * *

"SUBSIDIES ARE INDISPENSABLE.

"No subject, I think, more nearly touches the pride, the power, and the prosperity of our country than this of the development of our merchant marine upon the sea. If we could enter into conference with our competitors and all would agree to withhold government aid, we could perhaps take our chances with the rest, but our great competitors have established and maintained their lines by government subsidies until they now have practically excluded us from participation. In my opinion no choice is left to us but to pursue, moderately at least, the same lines."

PRESIDENT M'KINLEY'S COUNSEL.

The next Republican President, William McKinley, of Ohio, was known as a strong champion of the American merchant marine long before his election to this great office. In the debate on the new tariff bill that bore his name, on May 7, 1890, in the House of Representatives, Chairman McKinley had said:

"If the United States would give the same encouragement to her merchant marine and her steamship lines as is given by other nations to their ships, this commerce on the seas under the American flag would increase and multiply. When the United States will spend from her Treasury from $5,000,000 to $6,000,000 a year for that purpose, as do France and Great Britain to maintain their steamship lines, our ships will plow every sea in successful competition with the ships of the world. [Loud applause on the Republican side.] Will you gentlemen join us in encouraging our merchant marine? [Renewed applause on the Republican side.]"

BOTH BUSINESS AND PATRIOTISM.

Holding these earnest opinions, President McKinley avowed them in his first inaugural address, on March 4, 1897:

"Congress should give prompt attention to the restoration of our American merchant marine, once the pride of the seas on all the great ocean highways of commerce. To my mind, few more important subjects so imperatively demand its intelligent consideration. The United States has progressed with marvelous rapidity in every field of enterprise and endeavor until we have become foremost in nearly all of the great lines of inland trade, commerce, and industry. Yet, while this is true, our American merchant marine has been steadily declining until it is now lower, both in the percentage of tonnage and the number of vessels employed, than it was prior to the civil war.

"Commendable progress has been made of late years in the upbuilding of the American Navy, but we must supplement these efforts by providing as a proper consort for it a merchant marine amply sufficient for our own carrying trade to foreign countries. The question is one that appeals both to our business interests and the patriotic aspirations of a great people."

PROGRESS ON THE SEAS.

President McKinley reiterated these views in his first annual message to Congress, on December 6, 1897, and he expressed himself even more positively and at greater length on December 5, 1899, after the illuminating experience of the Spanish war:

"The value of an American merchant marine to the expansion of our commercial trade and the strengthening of our power upon the sea invites the immediate action of the Congress. Our national development will be one-sided and unsatisfactory so long as the remarkable growth of our inland industries remains unaccompanied by progress on the seas. There is no lack of constitutional authority for legislation which shall give to the country maritime strength commensurate with its industrial achievement and with its rank among the nations of the earth.

"IN THE LIGHT OF THE WAR.

"Last year American vessels transported a smaller share of our exports and imports than during any former year in all our history, and the measure of our dependence upon foreign shipping was painfully manifested to our people. Without any choice of our own, but from necessity, the Departments of the Government charged with military and naval operations in the East and West Indies had to obtain from foreign flags merchant vessels essential for those operations.

"OTHER NATIONS DO NOT HESITATE.

"The other great nations have not hesitated to adopt the required means to develop their shipping as a factor in national defense and as one of the surest and speediest means of obtaining for their producers a share in foreign markets. Like vigilance and opportunity on our part can not fail but improve our situation, which is regarded with humiliation at home and with surprise abroad. Even the seeming sacrifices, which at the beginning may be inevitable, will be offset later by more than equivalent gains.

"THE EXPENSE AS NOTHING.

"The expense is as nothing compared to the large object achieved. The reestablishment of our merchant marine involves in a large measure our continued industrial progress and the extension of our commercial triumphs. I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacturing, which, with the increase of our Navy, means more work and wages to our countrymen, as well as a safeguard to American interests in every part of the world."

AMERICAN SHIPS FOR AMERICAN TRADE.

In his fourth and last message to Congress, on December 3, 1900, after his triumphant reelection, President McKinley said:

"American vessels during the past three years have carried about 9 per cent of our exports and imports. Foreign ships should carry the least, not the greatest, part of American trade. The remarkable growth of our steel industries, the progress of shipbuilding for the domestic trade, and our steadily maintained expenditures for the Navy have created an opportunity to place the United States in the first rank of commercial maritime powers.

"WILL REDUCE FREIGHT CHARGES.

"Besides realizing a proper national aspiration this will mean the establishment and healthy growth along all our coasts of a distinctive national industry, extending the field for the profitable employment of labor and capital. It will increase the transportation facilities and reduce freight charges on the vast volume of products brought from the interior of the seaboard for export, and will strengthen an arm of the national defense upon which the founders of the Government and their successors have relied. In again urging immediate action by the Congress on measures to promote American shipping and foreign trade, I direct attention to the recommendation on the subject in previous messages, but particularly to the opinion expressed in the message of 1899:

"THE COUNTRY FAVORS.

"'I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacturing, which, with the increase of our Navy, means more work and wages to our countrymen, as well as a safeguard to American interests in every part of the world.'"

M'KINLEY'S LAST WORDS.

In his very last words to his fellow-countrymen, on that fateful September 5, 1901, at the Pan-American Exposition, just before the bullet of the assassin struck him, President McKinley coupled his memorable plea for wider markets with a fervent demand for an American merchant marine:

"Then, too, we have inadequate steamship service. New lines of steamers have already been put into commission between the Pacific coast ports of the United States and those of the western coast of Mexico and Central and South America. These should be followed up with direct lines between the eastern coast of the United States and South American ports.

"One of the needs of the times is direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in advantage to having the thing to sell is to have the convenience to carry it to the buyer. We must encourage our merchant marine. We must have more ships. They must be under the American flag, built and manned and owned by Americans. These will not only be profitable in a commercial sense; they will be messengers of peace and amity wherever they go."

PRESIDENT ROOSEVELT'S APPEAL.

President Theodore Roosevelt, of New York, in this as in so many other things, followed loyally in the course of his beloved predecessor, his enthusiasm for the Navy inspiring naturally this exhortation of his first annual message on December 3, 1901:

"The condition of the American merchant marine is such as to call for immediate remedial action by the Congress. It is discreditable to us as a nation that our merchant marine should be utterly insignificant in comparison to that of other nations which we overtop in other forms of business. We should not longer submit to conditions under which only a trifling portion of our great commerce is carried in our own ships. To remedy this state of things would not merely serve to build up our shipping interests, but it would also result in benefit to all who are interested in the permanent establishment of a wider market for American products and would provide an auxiliary force for the Navy.

"SHIPS WORK FOR THEIR COUNTRY.

"Ships work for their own countries just as railroads work for their terminal points. Shipping lines, if established to the principal countries with which we have dealings, would be of political as well as commercial benefit. From every standpoint it is unwise for the United States to continue to rely upon the ships of competing nations for the distribution of our goods. It should be made advantageous to carry American goods in American-built ships.

"AMERICAN SHIPPING HANDICAPPED.

"At present American shipping is under certain great disadvantages when put in competition with the shipping of foreign countries. Many of the fast foreign steamships, at a speed of 14 knots or above, are subsidized, and all our ships—sailing vessels and steamers alike, cargo carriers of slow speed and mail liners of high speed—have to meet the fact that the original cost of building American ships is greater than is the case abroad; that the wages paid American officers and seamen are very much higher than those paid to officers and seamen of foreign competing countries, and that the standard of living on our ships is far superior to the standard of living on the ships of our commercial rivals.

"Our Government should take such action as will remedy these inequalities. The American merchant marine should be restored to the ocean."

URGING A COMMISSION.

In his message of December 3, 1903, President Roosevelt offered this specific recommendation:

"A majority of our people desire that steps be taken in the interest of American shipping, so that we may once more resume our former position in the ocean carrying trade. But hitherto the differences of opinion as to the proper method of reaching this end have been so wide that it has proved impossible to secure the adoption of any particular scheme. Having in view these facts, I recommend that the Congress direct the Secretary of the Navy, the Postmaster-General, and the Secretary of Commerce and Labor, associated with such a representation from the Senate and the House of Representatives as the Congress in its wisdom may designate, to serve as a commission for the purpose of investigating and reporting to the Congress at its next session what legislation is desirable or necessary for the development of the American merchant marine and American commerce, and incidentally of a national ocean mail service of adequate auxiliary naval cruisers and naval reserves. While such a measure is desirable in any event, it is especially desirable at this time, in view of the fact that our present governmental contract for ocean mail with the American Line will expire in 1905.

"LINES OF CARGO SHIPS.

"Our ocean mail act was passed in 1891. In 1895 our 20-knot trans-Atlantic mail line was equal to any foreign line. Since then the Germans have put on 23-knot steamers, and the British have contracted for 24-knot steamers. Our service should equal the best. If it does not, the commercial public will abandon it. If we are to stay in the business it ought to be with the full understanding of the advantages to the country on the one hand, and on the other with exact knowledge of the cost and proper methods of carrying it on. Moreover, lines of cargo ships are of even more importance than fast mail lines, save so far as the latter can be depended upon to furnish swift auxiliary cruisers in time of war. The establishment of new lines of cargo ships to South America, to Asia, and elsewhere would be much in the interest of our commercial expansion."

THE ROOSEVELT PLATFORM.

Congress responded with the act of April 28, 1904, creating the Merchant Marine Commission of five Senators and five Representatives. For nearly two years thereafter this Commission was pursuing its appointed work. Meanwhile, in the autumn of 1904, Theodore Roosevelt was elected President on a platform declaring:

"While every other industry has prospered under the fostering aid of Republican legislation, American shipping engaged in foreign trade, in competition with the low cost of construction, low wages, and heavy subsidies of foreign governments, has not for many years received from the Government of the United States adequate encouragement of any kind. We therefore favor legislation which will encourage and build up the American merchant marine, and we cordially approve the legislation of the last Congress, which created the Merchant Marine Commission to investigate and report upon this subject."

Before the inquiry of the Commission was entirely completed, in his message of December, 1904, to Congress, President Roosevelt said:

"I especially commend to your immediate attention the encouragement of our merchant marine by appropriate legislation."

THE COMMISSION AND ITS WORK.

Finally the report and recommendations of the Merchant Marine Commission in comprehensive form were laid before Congress, and in his message of December 5, 1905, President Roosevelt said:

"To the spread of our trade in peace and the defense of our flag in war a great and prosperous merchant marine is indispensable. We should have ships of our own and seamen of our own to convey our goods to neutral markets, and in case of need to reenforce our battle line. It can not but be a source of regret and uneasiness to us that the lines of communication with our sister republics of South America should be chiefly under foreign control. It is not a good thing that American merchants and manufacturers should have to send their goods and letters to South America via Europe if they wish security and dispatch. Even on the Pacific, where our ships have held their own better than on the Atlantic, our merchant flag is now threatened through the liberal aid bestowed by other governments on their own steam lines. I ask your earnest consideration of the report with which the Merchant Marine Commission has followed its long and careful inquiry."

The Senate has duly considered the report of the President's Commission, and, under the leadership of Senator GALLINGER, chairman of the Commission, has passed the bill and sent it to the House of Representatives.

Now the House has in turn its opportunity and its duty to heed the counsel and fulfill the appeals of Harrison, McKinley, and Roosevelt.

Mr. GALLINGER. Mr. President, having said these few words, and without any feeling of hostility or unkindness to

those who have, as I think, unwisely filibustered this bill to death, I am content to let the matter rest for the present. But I want here and now to give notice to my associates in this Chamber and to any citizen of this Republic who cares to know the fact that so long as I am privileged to remain in public life I shall not be quiescent while this condition of things exists, but in the future I will exert myself to the utmost to secure legislation on this most important subject.

I am gratified to have assurances from certain Senators on the other side of the Chamber that they will cooperate with those of us on this side who desire legislation in bringing about the passage of a bill on substantially the same lines upon which the bill under consideration is framed. I have hopes of a satisfactory result in the next Congress, and I know that I shall have the cooperation of some distinguished Senators who have heretofore been in opposition in securing the passage of wise and just legislation for the purpose of rehabilitating the American merchant marine.

I beg to request that the message of the President of the United States to Congress of January 23, 1907, and the address of Secretary Root before the Trans-Mississippi Commercial Congress of November 20, 1906, be inserted in the RECORD without reading.

The VICE-PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, CALLING ATTENTION TO THE GREAT DESIRABILITY OF ENACTING LEGISLATION TO HELP AMERICAN SHIPPING AND AMERICAN TRADE BY ENCOURAGING THE BUILDING AND RUNNING OF LINES OF LARGE AND SWIFT STEAMERS TO SOUTH AMERICA AND THE ORIENT.

*To the Senate and House of Representatives:*

I call your attention to the great desirability of enacting legislation to help American shipping and American trade by encouraging the building and running of lines of large and swift steamers to South American and the Orient.

The urgent need of our country's making an effort to do something like its share of its own carrying trade on the ocean has been called to our attention in striking fashion by the experiences of Secretary Root on his recent South American tour. The result of these experiences he has set forth in his address before the Trans-Mississippi Commercial Congress, at Kansas City, Mo., on November 20 last, an address so important that it deserves the careful study of all public men.

The facts set forth by Mr. Root are striking, and they can not but arrest the attention of our people. The great continent to the south of us, which should be knit to us by the closest commercial ties, is hardly in direct commercial communication with us at all, its commercial relations being almost exclusively with Europe. Between all the principal South American ports and Europe lines of swift and commodious steamers, subsidized by their home governments, ply regularly. There is no such line of steamers between these ports and the United States.

In consequence, our shipping in South American ports is almost a negligible quantity; for instance, in the year ending June 30, 1905, there entered the port of Rio de Janeiro over 3,000 steamers and sailing vessels from Europe, but from the United States no steamers and only seven sailing vessels, two of which were in distress. One prime reason for this state of things is the fact that those who now do business on the sea do business in a world not of natural competition, but of subsidized competition. State aid to steamship lines is as much a part of the commercial system of to-day as state employment of consuls to promote business. Our commercial competitors in Europe pay in the aggregate some twenty-five millions a year to their steamship lines—Great Britain paying nearly seven millions. Japan pays between three and four millions. By the proposed legislation the United States will still pay relatively less than any one of our competitors pays. Three years ago the Trans-Mississippi Congress formally set forth as axiomatic the statement that every ship is a missionary of trade, that steamship lines work for their own countries just as railroad lines work for their terminal points, and that it is as absurd for the United States to depend upon foreign ships to distribute its products as it would be for a department store to depend upon wagons of a competing house to deliver its goods. This statement is the literal truth.

Moreover, it must be remembered that American ships do not have to contend merely against the subsidization of their foreign competitors. The higher wages and the greater cost of maintenance of American officers and crews make it almost impossible for our people who do business on the ocean to compete on equal terms with foreign ships unless they are protected somewhat as their fellow-countrymen who do business on land are protected. We can not as a country afford to have the wages and the manner of life of our seamen cut down; and the only alternative, if we are to have seamen at all, is to offset the expense by giving some advantage to the ship itself.

The proposed law which has been introduced in Congress is in no sense experimental. It is based on the best and most successful precedents, as, for instance, on the recent Cunard contract with the British Government. As far as South America is concerned, its aim is to provide from the Atlantic and Pacific coasts better American lines to the great ports of South America than the present European lines. The South American republics now see only our warships. Under this bill our trade friendship will be made evident to them. The bill proposes to build large-sized steamers of 16-knot speed. There are nearly 200 such steamships already in the world's foreign trade, and over three-fourths of them now draw subsidies—postal or admiralty or both. The bill will encourage our shipyards, which are almost as necessary to the national defense as battle ships, and the efficiency of which depends in large measure upon their steady employment in large construction. The proposed bill is of importance to our Navy, because it gives a considerable fleet of auxiliary steamships, such as is now almost wholly lacking, and also provides for an effective naval reserve.

The bill provides for fourteen steamships, subsidized to the extent of over a million and a half, from the Atlantic coast, all to run to South American ports. It provides on the Pacific coast for twenty-two steamers subsidized to the extent of two millions and a quarter, some of these to run to South America, most of them to Manila, Australia, and Asia. Be it remembered that while the ships will be owned on the coasts, the cargoes will largely be supplied by the interior, and that the bill will benefit the Mississippi Valley as much as it benefits the seaboard.

I have laid stress upon the benefit to be expected from our trade with South America. The lines to the Orient are also of vital importance. The commercial possibilities of the Pacific are unlimited, and for national reasons it is imperative that we should have direct and adequate communication by American lines with Hawaii and the Philippines. The existence of our present steamship lines on the Pacific is seriously threatened by the foreign subsidized lines. Our communications with the markets of Asia and with our own possessions in the Philippines, no less than our communications with Australia, should depend not upon foreign, but upon our own steamships. The Southwest and the Northwest should alike be served by these lines, and if this is done they will also give to the Mississippi Valley throughout its entire length the advantage of all transcontinental railways running to the Pacific coast. To fail to establish adequate lines on the Pacific is equivalent to proclaiming to the world that we have neither the ability nor the disposition to contend for our rightful share of the commerce of the Orient; nor yet to protect our interests in the Philippines. It would surely be discreditable for us to surrender to our commercial rivals the great commerce of the Orient, the great commerce we should have with South America, and even our own communications with Hawaii and the Philippines.

I earnestly hope for the enactment of some law like the bill in question.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *January 23, 1907.*

ADDRESS BY HON. ELIHU ROOT BEFORE THE TRANS-MISSISSIPPI COMMERCIAL CONGRESS, KANSAS CITY, MO., TUESDAY, NOVEMBER 20, 1906.

Mr. PRESIDENT AND GENTLEMEN OF THE CONGRESS:

A little less than three centuries of colonial and national life have brought the people inhabiting the United States, by a process of evolution, natural and with the existing forces inevitable, to a point of distinct and radical change in their economic relations to the rest of mankind.

During the period now past the energy of our people, directed by the formative power created in our early population by heredity, by environment, by the struggle for existence, by individual independence, and by free institutions, has been devoted to the internal development of our own country. The surplus wealth produced by our labors has been applied immediately to reproduction in our own land. We have been cutting down forests and breaking virgin soil and fencing prairies and opening mines of coal and iron and copper and silver and gold, and building roads and canals and railroads and telegraph lines and cars and locomotives and mills and furnaces and schoolhouses and colleges and libraries and hospitals and asylums and public buildings and storehouses and shops and homes. We have been drawing on the resources of the world in capital and in labor to aid us in our work. We have gathered strength from every rich and powerful nation and expended it upon these home undertakings; into them we have poured hundreds of millions of money attracted from the investors of Europe. We have been always a debtor nation, borrowing from the rest of the world, drawing all possible energy toward us and concentrating it with our own energy upon our own enterprises. The engrossing pursuit of our own opportunities has excluded from our consideration and interest the enterprises and the possibilities of the outside world. Invention, discovery, the progress of science, capacity for organization, the enormous increase in the productive power of mankind, have accelerated our progress and have brought us to a result of development in every branch of internal industrial activity marvelous and unprecedented in the history of the world.

Since the first election of President McKinley the people of the United States have for the first time accumulated a surplus of capital beyond the requirements of internal development. That surplus is increasing with extraordinary rapidity. We have paid our debts to Europe and have become a creditor instead of a debtor nation; we have faced about; we have left the ranks of the borrowing nations and have entered the ranks of the investing nations. Our surplus energy is beginning to look beyond our own borders, throughout the world, to find opportunity for the profitable use of our surplus capital, foreign markets for our manufactures, foreign mines to be developed, foreign bridges and railroads and public works to be built, foreign rivers to be turned into electric power and light. As in their several ways England and France and Germany have stood, so we in our own way are beginning to stand and must continue to stand toward the industrial enterprise of the world.

That we are not beginning our new rôle feebly is indicated by $1,518,561,666 of exports in the year 1905 as against $1,117,513,071 of imports, and by $1,743,864,500 exports in the year 1906 as against $1,226,563,843 of imports. Our first steps in the new field indeed are somewhat clumsy and unskilled. In our own vast country, with oceans on either side, we have had too little contact with foreign peoples readily to understand their customs or learn their languages; yet no one can doubt that we shall learn and shall understand and shall do our business abroad, as we have done it at home, with force and efficiency.

Coincident with this change in the United States the progress of political development has been carrying the neighboring continent of South America out of the stage of militarism into the stage of industrialism. Throughout the greater part of that vast continent revolutions have ceased to be looked upon with favor or submitted to with indifference; the revolutionary general and the dictator are no longer the objects of admiration and imitation; civic virtues command the highest respect; the people point with satisfaction and pride to the stability of their governments, to the safety of property, and the certainty of justice; nearly everywhere the people are eager for foreign capital to develop their natural resources and for foreign immigration to occupy their vacant land. Immediately before us, at exactly the right time, just as we are ready for it, great opportunities for peaceful commercial and industrial expansion to the south are presented. Other investing nations are already in the field—England, France, Germany, Italy, Spain; but the field is so vast, the new demands are so great, the progress so rapid, that what other nations have done up to this time is but a slight advance in the race for the grand total. The opportunities are so large that figures fail to convey them. The area of this newly awakened continent is 7,502,848 square miles—more than two and one-half times as large as the United States without Alaska, and more than double the United States including Alaska. A

large part of this area lies within the Temperate Zone, with an equable and invigorating climate, free from extremes of either heat or cold. Farther north in the Tropics are enormous expanses of high table-lands, stretching from the Atlantic to the foothills of the Andes, and lifted far above the tropical heats; the fertile valleys of the western Cordilleras are cooled by perpetual snows, even under the equator; vast forests grow untouched from a soil of incredible richness. The plains of Argentina, the great uplands of Brazil, the mountain valleys of Chile, Peru, Ecuador, Bolivia, and Colombia are suited to the habitation of any race, however far to the north its origin may have been. Hundreds of millions of men can find healthful homes and abundant sustenance in this great territory.

The population in 1900 was only 42,461,381, less than six to the square mile. The density of population was less than one-eighth of that in the State of Missouri, less than one-sixtieth of that in the State of Massachusetts, less than one-seventieth of that in England, less than 1 per cent of that in Belgium.

With this sparse population the production of wealth is already enormous. The latest trade statistics show exports from South America to foreign countries of $745,530,000, and imports of $490,858,600. Of the five hundred millions of goods that South America buys we sell them but $63,246,525, or 12.6 per cent. Of the seven hundred and forty-five millions that South America sells we buy $152,092,000, or 20.4 per cent—nearly two and one-half times as much as we sell.

Their production is increasing by leaps and bounds. In eleven years the exports of Chile have increased 45 per cent, from $54,030,000 in 1894 to $78,840,000 in 1905. In eight years the exports of Peru have increased 100 per cent, from $13,899,000 in 1897 to $28,758,000 in 1905. In ten years the exports of Brazil have increased 66 per cent, from $134,062,000 in 1894 to $223,101,000 in 1905. In ten years the exports of Argentina have increased 168 per cent, from $115,868,000 in 1895 to $311,544,000 in 1905.

This is only the beginning; the coffee and rubber of Brazil, the wheat and beef and hides of Argentina and Uruguay, the copper and nitrates of Chile, the copper and tin of Bolivia, the silver and gold and cotton and sugar of Peru, are but samples of what the soil and mines of that wonderful continent are capable of yielding. Ninety-seven per cent of the territory of South America is occupied by ten independent republics living under constitutions substantially copied or adapted from our own. Under the new conditions of tranquillity and security which prevail in most of them their eager invitation to immigrants from the old world will not long pass unheeded. The pressure of population abroad will inevitably turn its streams of life and labor toward those fertile fields and valleys. The streams have already begun to flow; more than 200,000 immigrants entered the Argentine Republic last year; they are coming this year at the rate of over three hundred thousand. Many thousands of Germans have already settled in southern Brazil. They are most welcome in Brazil; they are good and useful citizens there, as they are here; I hope that many more will come to Brazil and every other South American country, and add their vigorous industry and good citizenship to the upbuilding of their adopted home.

With the increase of population in such a field, under free institutions, with the fruits of labor and the rewards of enterprise secure, the production of wealth and the increase of purchasing power will afford a market for the commerce of the world worthy to rank even with the markets of the Orient as the goal of business enterprise. The material resources of South America are in some important respects complementary to our own; that continent is weakest where North America is strongest as a field for manufactures; it has comparatively little coal and iron. In many respects the people of the two continents are complementary to each other; the South American is polite, refined, cultivated, fond of literature and of expression, and of the graces and charms of life, while the North American is strenuous, intense, utilitarian. Where we accumulate, they spend. While we have less of the cheerful philosophy which finds sources of happiness in the existing conditions of life, they have less of the inventive faculty which strives continually to increase the productive power of man and lower the cost of manufacture. The chief merits of the peoples of the two continents are different; their chief defects are different. Mutual intercourse and knowledge can not fail to greatly benefit both. Each can learn from the other; each can teach much to the other, and each can contribute greatly to the development and prosperity of the other. A large part of their products find no domestic competition here; a large part of our products will find no domestic competition there. The typical conditions exist for that kind of trade which is profitable, honorable, and beneficial to both parties.

The relations between the United States and South America have been chiefly political rather than commercial or personal. In the early days of the South American struggle for independence the eloquence of Henry Clay awakened in the American people a generous sympathy for the patriots of the South as for brethren struggling in the common cause of liberty. The clear-eyed, judicious diplomacy of Richard Rush, the American minister at the Court of St. James, effected a complete understanding with Great Britain for concurrent action in opposition to the designs of the Holy Alliance, already contemplating the partition of the Southern Continent among the great powers of continental Europe. The famous declaration of Monroe arrayed the organized and rapidly increasing power of the United States as an obstacle to European interference and made it forever plain that the cost of European aggression would be greater than any advantage which could be won even by successful aggression.

That great declaration was not the chance expression of the opinion or the feeling of the moment; it crystallized the sentiment for human liberty and human rights which has saved American idealism from the demoralization of narrow selfishness, and has given to American democracy its true world power in the virile potency of a great example. It responded to the instinct of self-preservation in an intensely practical people. It was the result of conference with Jefferson and Madison and John Quincy Adams and John C. Calhoun and William Wirt—a combination of political wisdom, experience, and skill not easily surpassed. The particular circumstances which led to the declaration no longer exist; no Holy Alliance now threatens to partition South America; no European colonization of the west coast threatens to exclude us from the Pacific. But those conditions were merely the occasion for the declaration of a principle of action. Other occasions for the application of the principle have arisen since; it needs no prophetic vision to see that other occasions for its application may arise hereafter. The principle declared by Monroe is as wise an expression of sound political judgment to-day, as truthful a representation of the sentiments and instincts of the American people to-day, as living in its force as an effective rule of conduct whenever occasion shall arise, as it was on the 2d of December, 1823.

These great political services to South American independence, however, did not and could not in the nature of things create any relation between the people of South America and the people of the United States except a relation of political sympathy.

Twenty-five years ago Mr. Blaine, sanguine, resourceful, and gifted with that imagination which enlarges the historian's understanding of the past into the stateman's comprehension of the future, undertook to inaugurate a new era of American relations which should supplement political sympathy by personal acquaintance, by the intercourse of expanding trade, and by mutual helpfulness. As Secretary of State under President Arthur he invited the American nations to a conference to be held on the 24th of November, 1882, for the purpose of considering and discussing the subject of preventing war between the nations of America. That invitation, abandoned by Mr. Frelinghuysen, was renewed under Mr. Cleveland, and on the 2d of October, 1889, Mr. Blaine, again Secretary of State under President Harrison, had the singular good fortune to execute his former design and to open the session of the first American conference at Washington. In an address of wisdom and lofty spirit, which should ever give honor to his memory, he described the assembly as—

"an honorable, peaceful conference of seventeen independent American powers, in which all shall meet together on terms of absolute equality; a conference in which there can be no attempt to coerce a single delegate against his own conception of the interests of his nation; a conference which will permit no secret understanding on any subject, but will frankly publish to the world all its conclusions; a conference which will tolerate no spirit of conquest, but will aim to cultivate an American sympathy as broad as both continents; a conference which will form no selfish alliance against the older nations from which we are proud to claim inheritance—a conference, in fine, which will seek nothing, propose nothing, endure nothing that is not, in the general sense of all the delegates, timely, wise, and peaceful."

The policy which Blaine inaugurated has been continued; the Congress of the United States has approved it; subsequent Presidents have followed it. The first conference at Washington has been succeeded by a second conference in Mexico, and now by a third conference in Rio de Janeiro; and it is to be followed in years to come by further successive assemblies in which the representatives of all American States shall acquire better knowledge and more perfect understanding and be drawn together by the recognition of common interests and the kindly consideration and discussion of measures for mutual benefit.

Nevertheless, Mr. Blaine was in advance of his time. In 1881 and 1889 neither had the United States reached a point where it could turn its energies away from its own internal development and direct them outward toward the development of foreign enterprises and foreign trade, nor had the South American countries reached the stage of stability in government and security for property necessary to their industrial development.

Now, however, the time has come; both North and South America have grown up to Blaine's policy; the production, the trade, the capital, the enterprise of the United States have before them the opportunity to follow, and they are free to follow, the pathway marked out by the far-sighted statesmanship of Blaine for the growth of America, North and South, in the peaceful prosperity of a mighty commerce.

To utilize this opportunity certain practical things must be done. For the most part these things must be done by a multitude of individual efforts; they can not be done by government. Government may help to furnish facilities for the doing of them, but the facilities will be useless unless used by individuals. They can not be done by resolutions of this or any other commercial body; resolutions are useless unless they stir individual business men to action in their own business affairs. The things needed have been fully and specifically set forth in many reports of efficient consuls and of highly competent agents of the Department of Commerce and Labor, and they have been described in countless newspapers and magazine articles; but all these things are worthless unless they are followed by individual action. I will indicate some of the matters to which every producer and merchant who desires South American trade should pay attention:

1. He should learn what the South Americans want and conform his product to their wants. If they think they need heavy castings he should give them heavy castings and not expect them to buy light ones because he thinks they are better. If they want coarse cottons he should give them coarse cottons and not expect them to buy fine cottons. It may not pay to-day, but it will pay to-morrow. The tendency to standardize articles of manufacture may reduce the cost and promote convenience, but if the consumers on the River Plate demand a different standard from the consumers on the Mississippi, you must have two standards or lose one market.

2. Both for the purpose of learning what the South American people want and of securing their attention to your goods you must have agents who speak the Spanish or Portuguese language. For this there are two reasons: One is that people can seldom really get at each other's minds through an interpreter, and the other is that nine times out of ten it is only through knowing the Spanish or Portuguese language that a North American comes to appreciate the admirable and attractive personal qualities of the South American and is thus able to establish that kindly and agreeable personal relation which is so potent in leading to business relations.

3. The American producer should arrange to conform his credit system to that prevailing in the country where he wishes to sell goods. There is no more money lost upon commercial credits in South America than there is in North America, but business men there have their own ways of doing business; they have to adapt the credits they receive to the credits they give. It is often inconvenient and disagreeable, and it is sometimes impossible, for them to conform to our ways, and the requirement that they should do so is a serious obstacle to trade.

To understand credits it is, of course, necessary to know something about the character, trustworthiness, and commercial standing of the purchaser, and the American producer or merchant who would sell goods in South America must have some means of knowledge upon this subject. This leads naturally to the next observation I have to make.

4. The establishment of banks should be brought about. The Americans already engaged in South American trade could well afford to subscribe the capital and establish an American bank in each of the principal cities of South America. This is, first, because nothing but very bad management could prevent such a bank from making money; capital is much needed in those cities, and 6, 8, and 10 per cent can be obtained for money upon just as safe security as can be had in Kansas City, St. Louis, or New York. It is also because the American bank would furnish a source of information as to the standing of the South American purchasers to whom credit may be extended, and because American banks would relieve American business in South America from the disadvantage which now exists of making all its financial transactions through Europe instead of directly with the United States. It

is unfortunately true that among hundreds of thousands of possible customers the United States now stands in a position of assumed financial and business inferiority to the countries through whose banking houses all its business has to be done.

5. The American merchant should himself acquire, if he has not already done so, and should impress upon all his agents, that respect for the South American to which he is justly entitled and which is the essential requisite to respect from the South American. We are different in many ways as to character and methods. In dealing with all foreign people it is important to avoid the narrow and uninstructed prejudice which assumes that difference from ourselves denotes inferiority. There is nothing that we resent so quickly as an assumption of superiority or evidence of condescension in foreigners; there is nothing that the South Americans resent so quickly. The South Americans are our superiors in some respects. We are their superiors in other respects. We should show to them what is best in us and see what is best in them. Every agent of an American producer or merchant should be instructed that courtesy, politeness, and kindly consideration are essential requisites for success in the South American trade.

6. The investment of American capital in South America under the direction of American experts should be promoted, not merely upon simple investment grounds, but as a means of creating and enlarging trade. For simple investment purposes the opportunities are innumerable. Good business judgment and good business management will be necessary there, of course, as they are necessary here; but, given these, I believe that there is a vast number of enterprises awaiting capital in the more advanced countries of South America, capable of yielding great profits, and in which the property and the profits will be as safe as in the United States or Canada. A good many such enterprises are already begun. I have found a graduate of the Massachusetts Institute of Technology, a graduate of the Columbia School of Mines, and a graduate of Colonel Roosevelt's Rough Riders smelting copper close under the snow line of the Andes; I have ridden in an American car upon an American electric road, built by a New York engineer, in the heart of the coffee region of Brazil, and I have seen the waters of that river along which Pizarro established his line of communication in the conquest of Peru harnessed to American machinery to make light and power for the city of Lima. Every such point is the nucleus of American trade—the source of orders for American goods.

7. It is absolutely essential that the means of communication between the two countries should be improved and increased.

This underlies all other considerations and it applies both to the *mail*, the passenger, and the freight services. Between all the principal South American ports and England, Germany, France, Spain, Italy lines of swift and commodious steamers ply regularly. There are five subsidized first-class mail and passenger lines between Buenos Ayres and Europe; there is no such line between Buenos Ayres and the United States. Within the past two years the German, the English, and the Italian lines have been replacing their old steamers with new and swifter steamers of modern construction, accommodation, and capacity.

In the year ending June 30, 1905, there entered the port of Rio de Janeiro steamers and sailing vessels flying the flag of Austria-Hungary 120, of Norway 142, of Italy 165, of Argentina 264, of France 349, of Germany 657, of Great Britain 1,785, of the United States no steamers and 7 sailing vessels, 2 of which were in distress.

An English firm runs a small steamer monthly between New York and Rio de Janeiro; the Panama Railroad Company runs steamers between New York and the Isthmus of Panama; the Brazilians are starting for themselves a line between Rio and New York; there are two or three foreign concerns running slow cargo boats, and there are some foreign tramp steamers. That is the sum total of American communications with South America beyond the Caribbean Sea. Not one American steamship runs to any South American port beyond the Caribbean. During the past summer I entered the ports of Para, Pernambuco, Bahia, Rio de Janeiro, Santos, Montevideo, Buenos Ayres, Bahia Blanca, Punta Arenas, Lota, Valparaiso, Coquimbo, Tocopilla, Callao, and Cartagena—all of the great ports and a large proportion of the secondary ports of the Southern Continent. I saw only one ship, besides the cruiser that carried me, flying the American flag. The mails between South America and Europe are swift, regular, and certain; between South America and the United States they are slow, irregular, and uncertain. Six weeks is not an uncommon time for a letter to take between Buenos Ayres or Valparaiso and New York. The merchant who wishes to order American goods can not know when his order will be received or when it will be filled. The freight charges between the South American cities and American cities are generally and substantially higher than between the same cities and Europe. At many points the deliveries of freight are uncertain and its condition upon arrival doubtful. The passenger accommodations are such as to make a journey to the United States a trial to be endured, and a journey to Europe a pleasure to be enjoyed. The best way to travel between the United States and both the southwest coast and the east coast of South America is to go by way of Europe, crossing the Atlantic twice. It is impossible that trade should prosper or intercourse increase or mutual knowledge grow to any great degree under such circumstances. The communication is worse now than it was twenty-five years ago. So long as it is left in the hands of our foreign competitors in business we can not reasonably look for any improvement. It is only reasonable to expect that European steamship lines shall be so managed as to promote European trade in South America rather than to promote the trade of the United States in South America.

This woeful deficiency in the means to carry on and enlarge our South American trade is but a part of the general decline and feebleness of the American merchant marine, which has reduced us from carrying over 90 per cent of our export trade in our own ships to the carriage of 9 per cent of that trade in our own ships, and dependence upon foreign shipowners for the carriage of 91 per cent. The true remedy and the only remedy is the establishment of American lines of steamships between the United States and the great ports of South America, adequate to render fully as good service as is now afforded by the European lines between those ports and Europe. The substantial underlying fact was well stated in the resolution of this Trans-Mississippi congress three years ago:

"That every ship is a missionary of trade; that steamship lines work for their own countries just as railroad lines work for their terminal points, and that it is as absurd for the United States to depend upon foreign ships to distribute its products as it would be for a department store to depend upon wagons of a competing house to deliver its goods."

How can this defect be remedied? The answer to this question must be found by ascertaining the cause of the decline of our merchant marine. Why is it that Americans have substantially retired from the foreign transport service? We are a nation of maritime traditions and facility; we are a nation of constructive capacity, competent to build ships; we are eminent, if not preeminent, in the construction of machinery; we have abundant capital seeking investment; we have courage and enterprise shrinking from no competition in any field which we choose to enter. Why, then, have we retired from this field in which we were once conspicuously successful?

I think the answer is twofold:

1. The higher wages and the greater cost of maintenance of American officers and crews make it impossible to compete on equal terms with foreign ships. The scale of living and the scale of pay of American sailors are fixed by the standard of wages and of living in the United States, and those are maintained at a high level by the protective tariff. The moment the American passes beyond the limits of his country and engages in ocean transportation he comes into competition with the lower foreign scale of wages and of living. Mr. Joseph L. Bristow, in his report upon trade conditions affecting the Panama Railroad, dated June 14, 1905, gives in detail the cost of operating an American steamship with a tonnage of approximately 3,500 tons, as compared with the cost of operating a specified German steamship of the same tonnage, and the differences aggregate $15,315 per annum greater cost for the American steamship than for the German; that is, $4.37 per ton. He gives also in detail the cost of maintaining another American steamship, with a tonnage of approximately 2,500 tons, as compared with the cost of operating a specified British steamship of the same tonnage, and the differences aggregate $18,289.68 per annum greater cost for the American steamship than for the British; that is, $7.31 per ton. It is manifest that if the German steamship were content with a profit of less than $15,000 per annum and the British with a profit of less than $18,000 per annum the American ships would have to go out of business.

2. The principal maritime nations of the world, anxious to develop their trade, to promote their shipbuilding industry, to have at hand transports and auxiliary cruisers in case of war, are fostering their steamship lines by the payment of subsidies. England is paying to her steamship lines between six and seven million dollars a year. It is estimated that since 1840 she has paid to them between two hundred and fifty and three hundred millions. The enormous development of her commerce, her preponderant share of the carrying trade of the world, and her shipyards crowded with construction orders from every part of the earth indicate the success of her policy. France is paying about $8,000,000 a year; Italy and Japan, between three and four millions each. Germany, upon the initiative of Bismarck, is building up her trade with wonderful rapidity by heavy subventions to her steamship lines and by giving special differential rates of carriage over her railroads for merchandise shipped by those lines. Spain, Norway, Austria-Hungary, Canada, all subsidize their own lines. Is is estimated that about $28,000,000 a year are paid by our commercial competitors to their steamship lines.

Against these advantages to his competitor the American shipowner has to contend; and it is manifest that the subsidized ship can afford to carry freight at cost for a long enough period to drive him out of business.

We are living in a world not of natural competition, but of subsidized competition. State aid to steamship lines is as much a part of the commercial system of our day as state employment of consuls to promote business.

It will be observed that both of these disadvantages under which the American shipowner labors are artificial; they are created by governmental action—one by our own Government in raising the standard of wages and living, by the protective tariff; the other by foreign governments in paying subsidies to their ships for the promotion of their own trade. For the American shipowner it is not a contest of intelligence, skill, industry, and thrift against similar qualities in his competitor; it is a contest against his competitors and his competitors' governments and his own Government also.

Plainly these disadvantages created by governmental action can be neutralized only by governmental action, and should be neutralized by such action.

What action ought our Government to take for the accomplishment of this just purpose? Three kinds of action have been advocated:

1. A law providing for free ships—that is, permitting Americans to buy ships in other countries and bring them under the American flag. Plainly this would not at all meet the difficulties which I have described. The only thing it would accomplish would be to overcome the excess in cost of building a ship in an American shipyard over the cost of building it in a foreign shipyard; but since all the materials which enter into an American ship are entirely relieved of duty, the difference in cost of construction is so slight as to be practically a negligible quantity and to afford no substantial obstacle to the revival of American shipping. The expedient of free ships, therefore, would be merely to sacrifice our American shipbuilding industry, which ought to be revived and enlarged with American shipping, and to sacrifice it without receiving any substantial benefit. It is to be observed that Germany, France, and Italy all have attempted to build up their own shipping by adopting the policy of free ships, have failed in the experiment, have abandoned it, and have adopted in its place the policy of subsidy.

2. It has been proposed to establish a discriminating tariff duty in favor of goods imported in American ships—that is to say, to impose higher duties upon goods imported in foreign ships than are imposed on goods imported in American ships. We tried that once many years ago and have abandoned it. In its place we have entered into treaties of commerce and navigation with the principal countries of the world expressly agreeing that no such discrimination shall be made between their vessels and ours. To sweep away all those treaties and enter upon a war of commercial retaliation and reprisal for the sake of accomplishing indirectly what can be done directly should not be seriously considered.

3. There remains the third and obvious method—to neutralizing the artificial disadvantages imposed upon American shipping through the action of our own Government and foreign governments by an equivalent advantage in the form of a subsidy or subvention. In my opinion this is what should be done; it is the sensible and fair thing to do. It is what must be done if we would have a revival of our shipping and the desired development of our foreign trade. We can not repeal the protective tariff; no political party dreams of repealing it; we do not wish to lower the standard of American living or American wages. We should give back to the shipowner what we take away from him for the purpose of maintaining that standard; and unless we do give it back we shall continue to go without ships. How can the expenditure of public money for the improvement of rivers and harbors to promote trade be justified upon any grounds which do not also sustain this proposal? Would anyone reverse the policy that granted aid to the Pacific railroads, the pioneers of our enormous internal commerce,

the agencies that built up the great traffic which has enabled half a dozen other roads to be built in later years without assistance? Such subventions would not be gifts. They would be at once compensation for injuries inflicted upon American shipping by American laws and the consideration for benefits received by the whole American people—not the shippers or the shipbuilders or the sailors alone, but by every manufacturer, every miner, every farmer, every merchant whose prosperity depends upon a market for its products.

The provision for such just compensation should be carefully shaped and directed so that it will go to individual advantage only so far as the individual is enabled by it to earn a reasonable profit by building up the business of the country.

A bill is now pending in Congress which contains such provisions; it has passed the Senate and is now before the House Committee on Merchant Marine and Fisheries; it is known as Senate bill No. 529, Fifty-ninth Congress, first session. It provides specifically that the Postmaster-General may pay to American steamships, of specified rates of speed, carrying mails upon a regular service, compensation not to exceed the following amounts: For a line from an Atlantic port to Brazil, monthly, $150,000 a year; for a line from an Atlantic port to Uruguay and Argentina, monthly, $187,500 a year; for a line from a Gulf port to Brazil, monthly, $137,500 a year; for a line from each of two Gulf ports and from New Orleans to Central America and the Isthmus of Panama, weekly, $75,000 a year; for a line from a Gulf port to Mexico, weekly, $50,000 a year; for a line from a Pacific coast port to Mexico, Central America, and the Isthmus of Panama, fortnightly, $120,000 a year. For these six regular lines a total of $720,000. The payments provided are no more than enough to give the American ships a fair living chance in the competition.

There are other wise and reasonable provisions in the bill relating to trade with the Orient, to tramp steamers, and to a naval reserve; but I am now concerned with the provisions for trade to the south. The hope of such a trade lies chiefly in the passage of that bill.

Postmaster-General Cortelyou, in his report for 1905, said:

"Congress has authorized the Postmaster-General, by the act of 1891, to contract with the owners of American steamships for ocean mail service and has realized the impracticability of commanding suitable steamships in the interest of the postal service alone by requiring that such steamers shall be of a size, class, and equipment which will promote commerce and become available as auxiliary cruisers of the Navy in case of need. The compensation allowed to such steamers is found to be wholly inadequate to secure the proposals contemplated; hence advertisements from time to time have failed to develop any bids for much-needed service. This is especially true in regard to several of the coutries of South America with which we have cordial relations and which, for manifest reasons, should have direct mail connections with us. I refer to Brazil and countries south of it. Complaints of serious delay to mails for these countries have become frequent and emphatic, leading to the suggestion on the part of certain officials of the Government that for the present and until more satisfactory direct communication can be established important mails should be dispatched to South America by way of European ports and on European steamers, which would not only involve the United Stafes in the payment of double transit rates to a foreign country for the dispatch of its mails to countries of our own hemisphere, but might seriously embarrass the Government in the exchange of important official and diplomatic correspondence.

"The fact that the Government claims exclusive control of the transmission of letter mail throughout its own territory would seem to imply that it should secure and maintain the exclusive jurisdiction, when necessary, of its mails on the high seas. The unprecedented expansion of trade and foreign commercee justifies prompt consideration of an adequate foreign mail service."

It is difficult to believe, but it is true, that out of this faulty ocean mail service the Government of the United States is making a large profit. The actual cost to the Government last year of the ocean mail service to foreign countries other than Canada and Mexico was $2,965,624.21, while the proceeds realized by the Government from postage between the United States and foreign countries other than Canada and Mexico was $6,008,807.53, leaving the profit to the United States of $3,043,183.32; that is to say, under existing law the Government of the United States, having assumed the monopoly of carrying the mails for the people of the country, is making a profit of $3,000,000 per annum by rendering cheap and inefficient service. Every dollar of that three millions is made at the expense of the commerce of the United States. What can be plainer that that the Government ought to expend at least the profits that it gets from the ocean mail service in making the ocean mail service efficient. One quarter of those profits would establish all these lines which I have described between the United States and South and Central America and give us, besides a good mail service, enlarged markets for the producers and merchants of the United States who pay the postage from which the profits come.[a]

In his last message to Congress President Roosevelt said:

"To the spread of our trade in peace and the defense of our flag in war a great and prosperous merchant marine is indispensable. We should have ships of our own and seamen of our own to convey our goods to neutral markets, and in case of need, to reenforce our battle line. It can not but be a source of regret and uneasiness to us that the lines of communication with our sister republics of South America should be chiefly under foreign control. It is not a good thing that American merchants and manufacturers should have to send their goods and letters to South America via Europe if they wish security and dispatch. Even on the Pacific, where our ships have held their own better than on the Atlantic, our merchant flag is now threatened through the liberal aid bestowed by other governments on their own steam lines. I ask your earnest consideration of the report with which the Merchant Marine Commission has followed its long and careful inquiry."

The bill now pending in the House is a bill framed upon the report of that Merchant Marine Commission. The question whether it shall become a law depends upon your Representatives in the House. You have the judgment of the Postmaster-General, you have the judgment of the Senate, you have the judgment of the President; if you agree with these judgments and wish the bill which embodies them to become a law, say so to your Representatives. Say it to them individually and directly, for it is your right to advise them and it will be their pleasure to hear from you what legislation the interests of their constituents demand.

The great body of Congressmen are always sincerely desirous to meet the just wishes of their constituents and to do what is for the public interest; but in this great country they are continually assailed by innumerable expressions of private opinion and by innumerable demands for the expenditure of public money; they come to discriminate very clearly between private opinion and public opinion, and between real public opinion and the manufactured appearance of public opinion; they know that when there is a real demand for any kind of legislation it will make itself known to them through a multitude of individual voices. Resolutions of commercial bodies frequently indicate nothing except that the proposer of the resolution has a positive opinion and that no one else has interest enough in the subject to oppose it. Such resolutions by themselves, therefore, have comparatively little effect; they are effective only when the support of individual expressions shows that they really represent a genuine and general opinion.

It is for you and the business men all over the country whom you represent to show to the Representatives in Congress that the producing and commercial interests of the country really desire a practical measure to enlarge the markets and increase the foreign trade of the United States, by enabling American shipping to overcome the disadvantages imposed upon it by foreign governments for the benefits of their trade, and by our Government for the benefit of our home industry.

[a] There would be some modification of these figures if the cost of getting the mails to and from the exchange offices were charged against the account; but this is not separable from the general domestic cost and would not materially change the result.

SUCCESS IN THE NEAR FUTURE.

Mr. GALLINGER. I thank the Senate for listening to me in this closing hour of the session. While I acknowledge defeat to-day, my faith in the good sense and patriotism of the American people leads me to see success in the not distant future. We need American ocean mail lines to South America and other distant markets, and we shall have them. We shall have an American merchant marine and a naval reserve. We shall not go on forever, as we are going now, paying $200,000,000 every year in freight, mail, and passenger money to the shipowners of foreign nations, our rivals in trade and possible enemies in war.

JAMESTOWN TERCENTENNIAL EXPOSITION.

The VICE-PRESIDENT appointed as the members of the committee to attend the opening of the Jamestown Tercentennial Exposition, on the 26th of April next, Mr. DANIEL, Mr. BURROWS, Mr. MARTIN, Mr. FORAKER, Mr. KEAN, Mr. SCOTT, Mr. WARNER, Mr. BRANDEGEE, Mr. BERRY, and Mr. CARMACK.

THE MERCHANT MARINE.

On motion of Mr. GALLINGER, it was

*Ordered*, That 1,000 copies of the Development of the Foreign Mail Service, the American Merchant Marine, and American Commerce be printed for use in the Senate document room.

DEVELOPMENT OF RAMIE FIBER.

On motion of Mr. HEYBURN, it was

*Ordered*, That Senate Report No. 6460, Fifty-ninth Congress, second session, being on the development and encouragement of the ramie-fiber silk, etc., be reprinted as a Senate document, with additional matter, including illustrations.

STATEMENT OF APPROPRIATIONS.

Mr. ALLISON. Mr. President, at this time I ask leave to present tables, carefully prepared by the clerks of the Committees on Appropriations, showing the condition of the appropriation bills at the close of the present session. The tables show all the appropriations made during this session and during the Fifty-ninth Congress and also give comparisons with former Congresses as respects appropriations.

It is worth while, perhaps, for me to say a word or two in connection with the tables.

The total appropriations for the session, available for the fiscal year 1908, are $919,948,679.63. These include, of course, the annual appropriations and also the permanent appropriations which are not made in the annual bills. Of the permanent appropriations, $57,000,000 is to meet sinking-fund obligations for 1908, provided for by statute; also $20,000,000 estimated redemption of national-bank notes in 1908 out of deposits by banks for that purpose. That is a constant fund, replenished from day to day by deposits of the national banks and drawn from as national-bank notes are redeemed. So the $20,000,000 is not a charge upon the revenues of the Government.

There is also included in the $919,948,679.63, $13,439,685.36 of appropriations under deficiency bills, all of which will be expended during the present fiscal year and will not run into the next fiscal year. These items make in all $90,439,685.36 that should be deducted from the $919,948,679.63, making a total appropriation of $829,508,994.27 chargeable to the revenue for the next fiscal year. The estimated revenue from all sources for the next fiscal year is $850,000,000, and if this revenue is realized there will be a surplus of $20,000,000 in round numbers at the end of the fiscal year 1908, and not a deficit.

The increase of appropriations for the year 1908 over the year 1907 amounts to $40,359,494.47. Those increases over the current fiscal year arise chiefly from three or four sources, which I will name. First, the Army appropriations are increased $6,700,000. This may be accounted for by the increase of the Army at the present session by the provision for coast artillery. The fortification bill for the next fiscal year amounts to $1,800,000 in excess of the appropriation for fortifications during the current year. The appropriations for legislative,

executive, and judicial expenses for the next fiscal year have been increased $2,400,000. The increase in the post-office appropriations for next year over the current year amounts to $20,000,000. The pension appropriation bill is increased $5,700,000. The river and harbor appropriation exceeds that of the current year by $37,000,000. That is accounted for by the fact that for the current year we passed no river and harbor bill. It is said, and I have seen it stated, that we appropriate $90,000,000 for rivers and harbors. As a matter of fact, the appropriation bill for rivers and harbors for the next year amounts to $37,183,093. If I am not correct in that statement, the chairman of the Committee on Commerce, the Senator from Maine, will correct me.

Mr. FRYE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Maine?

Mr. ALLISON. Certainly.

Mr. FRYE. It may be as well to state right here that, from a very careful computation made, the expenditure of eighty-six or eighty-seven million dollars carried by the river and harbor bill will not exceed $27,000,000 a year, many of the appropriations running even up to six years.

Mr. ALLISON. In the statement I have included only the appropriations recommended by the Committee on Commerce and embraced in the river and harbor bill, and have excluded the appropriations which are carried for this purpose in the sundry civil bill.

The sundry civil bill carries $12,000,000 more than the sundry civil act of last year, largely accounted for by various items which are not very large individually.

The permanent appropriations this year are increased $9,800,000 in round numbers. These increases are caused, first, by the appropriations for meat inspection of $3,000,000; second, for forest reserves of $1,200,000; and, third, for the Reclamation Service of $4,000,000. The reclamation fund, of course, is a separate and distinct fund and this $4,000,000 will be taken from that fund.

The clerks have made up another table, which I think is worth inserting in the RECORD. It shows the appropriations made by this Congress, now about to expire, as compared with previous Congresses. The appropriations for the Fifty-ninth Congress exceed those for the Fifty-eighth Congress by $198,180,854. It is interesting to note the items that make up this increase—rivers and harbors, $21,200,000; pensions, 5,600,000; post-office appropriations, $50,300,000. I emphasize the latter item to show how rapidly our appropriations for the postal service have increased, amounting to $50,000,000 more for this Congress than for the Fifty-eighth Congress. It may be worth while to note that this increase is not objected to by any Senator, so far as I know, or by the House of Representatives.

The Panama Canal appropriation for the Fifty-ninth Congress also shows an increase of $69,500,000 over the Fifty-eighth Congress. I know of no one who objects to this appropriation; at least the appropriation for the Panama Canal is supposed to be made by the unanimous judgment of both Houses of Congress, with the approval of the American people. It is also worth while to note as I pass, when we hear so much said about a deficit in the Treasury, that by the act of 1902 the policy was entered upon of constructing the canal by means of loans. The cost of construction was not to be paid out of the current revenues of the Government. Therefore, in any statement that is made, the appropriation should not be charged to the current revenues of the Government.

I will not trouble the Senate further in calling attention to the details of these appropriations. I have only done so for the purpose of showing that while apparently they are very large, they all arise from laws which have been passed by the two Houses of Congress and approved by the President as necessary for the purposes of our Government from year to year.

Mr. President, I ask leave to have these tables printed in the RECORD, so that Senators may have an opportunity to examine them more in detail.

The VICE-PRESIDENT. Without objection, permission is granted.

The tables referred to are as follows:

*Chronological history of appropriation bills, second session of the Fifty-ninth Congress; estimates and appropriations for the fiscal year 1907–8, and appropriations for the fiscal year 1906–7.*

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

| Title. | Estimates, 1908. | Reported to the House. | Passed the House. | Reported to the Senate. | Passed the Senate. | Law, 1907–8. | Law, 1906–7. |
|---|---|---|---|---|---|---|---|
| Agriculture | $7,954,680.00 | $8,125,790.00 | $8,108,010.00 | $8,808,210.00 | $9,457,810.00 | $9,447,290.00 | $9,930,440.00 |
| Army | 79,301,303.82 | 73,344,289.65 | 72,291,876.89 | 81,698,610.54 | 81,787,610.54 | 78,535,282.75 | 71,817,165.08 |
| Diplomatic and consular | 3,254,077.72 | 3,085,477.72 | 3,085,477.72 | 3,085,477.72 | 3,071,277.72 | 3,092,333.72 | 3,091,094.17 |
| District of Columbia [a] | 11,598,222.00 | 10,112,234.63 | 10,037,234.63 | 10,724,532.63 | 10,766,562.63 | 10,454,118.63 | 10,138,672.16 |
| Fortifications | 15,068,559.00 | 5,411,883.00 | 5,411,883.00 | 7,253,589.00 | 7,453,589.00 | 6,898,011.00 | 5,051,993.00 |
| Indian | 7,970,168.23 | 8,161,668.23 | 8,233,476.53 | 14,590,909.76 | 12,876,110.76 | 9,227,876.15 | 9,263,599.98 |
| Legislative, etc | 31,215,525.80 | 30,529,863.80 | 30,630,383.80 | 30,855,833.80 | 30,847,533.80 | 32,094,013.80 | 29,681,919.30 |
| Military Academy | 2,389,283.42 | 1,913,983.42 | 1,913,983.42 | 1,947,383.42 | 1,947,383.42 | 1,929,703.42 | 1,664,707.67 |
| Navy | 115,444,950.33 | 95,404,717.00 | 95,027,481.50 | 100,727,807.50 | 101,108,007.50 | 98,958,007.50 | 102,091,670.27 |
| Pension | 138,243,000.00 | 138,138,500.00 | 137,734,000.00 | 145,987,000.00 | 145,937,000.00 | 145,137,000.00 | 140,245,500.00 |
| Post-office [b] | 206,662,190.00 | 209,416,802.00 | 209,716,802.00 | 212,174,393.60 | 212,234,393.00 | 212,129,393.00 | 191,695,998.75 |
| Rivers and harbors | [c] 25,414,231.76 | 35,181,612.00 | 35,396,612.00 | 40,081,908.00 | 40,123,908.00 | [d] 37,183,093.00 | [e] |
| Sundry civil | [f] 101,288,131.60 | 103,872,540.23 | 104,531,314.13 | 114,578,861.80 | 115,416,161.30 | [g] 110,736,551.30 | [h] 98,538,770.32 |
| Total | 745,804,323.68 | 722,699,361.68 | 722,118,535.42 | 772,614,516.67 | 773,027,347.67 | 756,622,674.27 | 673,210,530.70 |
| Urgent deficiency, 1907 and prior years | [i] 16,000,000.00 | 581,500.00 | 581,500.00 | 581,500.00 | 581,500.00 | 581,500.00 | [j] 39,129,035.45 |
| Urgent deficiency, additional, 1907 and prior years | | 329,650.00 | 264,650.00 | 1,329,650.00 | 1,329,650.00 | 1,329,650.00 | |
| Deficiency, 1907 and prior years | | 9,847,396.04 | 9,918,698.74 | 10,739,754.36 | 11,262,375.36 | 10,528,535.36 | |
| Total | 761,804,323.68 | 733,457,907.72 | 732,883,384.16 | 785,265,421.03 | 786,200,873.03 | 769,062,359.63 | 712,339,566.15 |
| Miscellaneous | [i] 31,500,000.00 | | | | | 1,000,000.00 | 27,173,299.01 |
| Total, regular annual appropriations | 793,304,323.68 | | | | | 770,062,359.63 | 739,512,865.16 |
| Permanent annual appropriations | [k] 149,886,320.00 | | | | | [k] 149,886,320.00 | 140,076,320.00 |
| Grand total, regular and permanent annual appropriations | 943,190,643.68 | | | | | 919,948,679.63 | [l] 879,589,185.16 |

[a] One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1908 at $136,616), which are payable from the revenues of the water department.

[b] Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

[c] This amount is exclusive of $7,439,511.10 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1908.

[d] In addition to this amount, the sum of $6,392,730 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1908.

[e] No river and harbor act passed for 1907, but the sum of $17,254,050.04 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1907.

[f] This amount includes $7,439,511.10 to carry out contracts authorized by law for river and harbor improvements and $25,406,258.73 for construction of the isthmian canal for 1908.

[g] This amount includes $6,392,730 to carry out contracts authorized by law for river and harbor improvements and $27,161,367.50 for construction of the isthmian canal for 1908.

[h] This amount includes $17,254,050.04 to carry out contracts authorized by law for river and harbor improvements and $25,456,415.08 for construction of the isthmian canal for 1907.

[i] This amount is approximated.

[j] This amount includes $16,990,786 for the isthmian canal, which, added to the appropriation of $25,456,415.08 in the sundry civil act for this purpose, makes the total appropriations passed at the first session of the Fifty-ninth Congress for the isthmian canal $42,447,201.08.

[k] This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1908, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of $57,000,000 to meet sinking-fund obligations for 1908 and $20,000,000 estimated redemptions of national-bank notes in 1908 out of deposits by banks for that purpose.

[l] In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the Army act, $750,000; by the District of Columbia act, $40,000; by the Military Academy act, $1,700,000; by the naval act, $2,750,000; by the sundry civil act, $905,000; by the deficiency act, $270,000; by the urgent deficiency act, $803,700; by the public buildings act, $13,368,500; in all, $20,587,200.

*Comparison of appropriations, Fifty-seventh, Fifty-eighth, and Fifty-ninth Congresses, covering fiscal years 1903, 1904, 1905, 1906, 1907, and 1908.*

| Title of act. | Fifty-seventh Congress. | | Fifty-eighth Congress. | | Fifty-ninth Congress. | |
|---|---|---|---|---|---|---|
| | Fiscal year 1903. | Fiscal year 1904. | Fiscal year 1905. | Fiscal year 1906. | Fiscal year 1907. | Fiscal year 1908. |
| Agriculture | $5,208,960.00 | $5,978,160.00 | $5,902,040.00 | $6,882,690.00 | $9,930,440.10 | $9,447,200.00 |
| Army | 91,730,136.41 | 77,888,752.83 | 77,070,300.88 | 70,396,631.64 | 71,817,165.08 | 78,535,282.75 |
| Diplomatic and consular | 1,957,925.69 | 1,968,250.69 | 2,020,100.69 | 2,123,047.72 | 3,091,094.17 | 3,092,333.72 |
| District of Columbia | 8,544,469.97 | 8,638,097.00 | 11,018,540.00 | 9,801,197.62 | 10,138,672.16 | 10,454,118.63 |
| Fortifications | 7,298,955.00 | 7,188,416.22 | 7,518,192.00 | 6,747,893.00 | 5,053,993.00 | 6,898,011.00 |
| Indian | 8,986,028.10 | 8,540,406.77 | 9,447,961.40 | 7,923,814.34 | 9,260,599.98 | 9,227,876.15 |
| Legislative, etc | 25,396,681.50 | 27,598,653.66 | 28,558,258.22 | 29,136,752.06 | 29,681,919.30 | 32,094,013.80 |
| Military Academy | 2,627,324.42 | 652,748.67 | 973,947.26 | 673,713.38 | 1,664,707.67 | 1,929,703.42 |
| Navy | 78,856,363.13 | 81,876,791.43 | 97,505,140.94 | 100,336,679.94 | 102,091,670.27 | 98,958,007.50 |
| Pensions | 139,842,230.00 | 139,847,600.00 | 138,360,700.00 | 138,250,100.00 | 140,245,500.00 | 145,937,000.00 |
| Post-office | 138,416,598.75 | 153,511,549.75 | 172,545,998.75 | 181,022,093.75 | 191,695,998.75 | 212,129,393.00 |
| Rivers and harbors | 26,771,442.00 | ..... | 3,000,000.00 | 18,181,875.41 | ..... | 37,183,093.00 |
| Sundry civil | 60,163,359.13 | 82,372,360.10 | 57,840,211.34 | 66,813,450.66 | 98,538,770.32 | 110,736,551.30 |
| Total | 595,800,474.10 | 596,061,787.12 | 611,761,391.48 | 638,289,939.52 | 673,210,530.70 | 756,622,674.27 |
| Deficiencies | 28,050,007.32 | 21,465,660.25 | 26,771,890.18 | 31,683,288.72 | 39,129,035.45 | 12,439,685.36 |
| Total | 623,850,481.42 | 617,527,447.37 | 638,533,281.66 | 669,973,228.24 | 712,339,566.15 | 769,062,359.63 |
| Miscellaneous | 52,852,795.13 | 2,941,238.65 | 1,167,273.52 | 3,375,086.72 | 27,173,299.01 | 1,000,000.00 |
| Total, regular annual appropriations | 676,703,276.55 | 620,468,686.02 | 639,700,555.18 | 673,348,314.96 | 739,512,865.16 | 770,062,359.63 |
| Permanent annual appropriations | 123,921,220.00 | 132,589,820.00 | 141,471,820.00 | 146,836,320.00 | 140,076,320.00 | 149,886,320.00 |
| Grand total, regular and permanent annual appropriations | 800,624,496.55 | 753,058,506.02 | 781,172,375.18 | 820,184,634.96 | 879,589,185.16 | 919,948,679.63 |
| Total appropriations by Congresses | 1,553,683,002.57 | | 1,601,357,010.14 | | 1,799,537,864.79 | |

*Comparison of appropriations, Fifty-eighth and Fifty-ninth Congresses.*

| Title of act. | Fifty-eighth Congress, fiscal years 1905 and 1906. | Fifty-ninth Congress, fiscal years 1907 and 1908. | Increase, Fifty-ninth Congress over Fifty-eighth Congress. | Decrease, Fifty-ninth Congress under Fifty-eighth Congress. |
|---|---|---|---|---|
| Agriculture | $12,784,730.00 | $19,377,730.10 | $6,593,000.10 | ..... |
| Army | 147,466,932.52 | 150,352,447.83 | 2,885,515.31 | ..... |
| Diplomatic and consular | 4,143,148.41 | 6,183,427.89 | 2,040,279.48 | ..... |
| District of Columbia | 20,819,737.62 | 20,592,790.79 | ..... | $226,946.83 |
| Fortifications | 14,266,085.00 | 11,952,004.00 | ..... | 2,314,081.00 |
| Indian | 17,371,775.74 | 18,488,476.13 | 1,116,700.39 | ..... |
| Legislative, etc | 57,695,010.28 | 61,775,933.10 | 4,080,922.82 | ..... |
| Military Academy | 1,647,660.64 | 3,594,411.09 | 1,946,750.45 | ..... |
| Navy | 197,841,820.88 | 201,049,677.77 | 3,207,856.89 | ..... |
| Pensions | 276,610,800.00 | 286,182,500.00 | 9,571,700.00 | ..... |
| Post-office | 353,568,092.50 | 403,825,391.75 | 50,257,299.25 | ..... |
| Rivers and harbors | 21,181,875.41 | 37,183,093.00 | 16,001,217.59 | ..... |
| Sundry civil | 124,653,662.00 | 209,275,321.62 | 84,621,659.62 | ..... |
| Total | 1,250,051,331.00 | 1,429,833,204.97 | 182,322,901.90 | 2,541,027.83 |
| Deficiencies | 58,455,178.90 | 51,568,720.81 | ..... | 6,886,458.09 |
| Total | 1,308,506,509.90 | 1,481,401,925.78 | 182,322,901.90 | 9,427,485.92 |
| Miscellaneous | 4,542,360.24 | 28,173,299.01 | 23,630,938.77 | ..... |
| Total regular annual appropriations | 1,313,048,870.14 | 1,509,575,224.79 | 205,953,840.67 | 9,427,485.92 |
| Permanent annual appropriations | 288,308,140.00 | 289,962,640.00 | 1,654,500.00 | ..... |
| Grand total regular and permanent annual appropriations | 1,601,357,010.14 | 1,799,537,864.79 | 207,608,340.67 | 9,427,485.92 |

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 22182) to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs.

The message also announced that the Speaker of the House had appointed Mr. CHARLES B. LANDIS, Mr. JAMES B. PERKINS, and Mr. JAMES M. GRIGGS members of the Joint Printing Commission authorized by the legislative appropriation act.

The message further announced that the House had passed a resolution appointing a committee of three members to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses had completed the business of the present session, and were ready to adjourn unless the President has some other communication to make to them.

The message also announced that the Speaker of the House had appointed Mr. PAYNE, Mr. WATSON, and Mr. DE ARMOND members of the joint committee on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

S. 1032. An act to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.;

S. 5133. An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon;

S. 8614. An act to amend an act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896;

H. R. 8727. An act for the relief of James W. Kenney and the Union Brewing Company;

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs; and

H. J. Res. 211. Joint resolution authorizing the transfer of the files, books, and pamphlets of the Industrial Commission.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following acts:

On March 2:

S. R. 92. Joint resolution to authorize the Secretary of War to permit José March Duplat to receive instruction at the Military Academy at West Point;

S. 5660. An act for the relief of Capt. William N. Hughes;

S. 6729. An act authorizing the President to appoint Webb C. Maglathlin a second assistant engineer in the Revenue-Cutter Service;

S. 7550. An act for the relief of Harry A. Young;

S. 7840. An act granting an increase of pension to Lewis A. Towne;

S. 8303. An act to establish the Foundation for the Promotion of Industrial Peace;

S. 5869. An act for the relief of Larvan Gordon;

S. 6134. An act providing for the conveyance to the State of North Dakota of certain tracts of lands for the use and benefit of the North Dakota State Historical Society;

S. 8580. An act granting land to Anna Johnson; and

S. 8622. An act granting an increase of pension to William N. Brunson.

On March 4:

S. 7812. An act to amend section 591 of the Revised Statutes of the United States, relative to the assignment of district judges to perform the duties of a disabled district judge;

S. 8427. An act to annul certain titles to land acquired by judicial proceedings in the courts of the United States in Texas, and for other purposes;

S. 8189. An act granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single-track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, Upper White River, Arkansas;

S. 8526. An act permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river;

S. 6249. An act to provide for the establishment of an agricultural bank in the Philippine Islands; and

S. 8498. An act to amend sections 16, 17, and 20 of an act entitled "An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 16, 1906, and for other purposes.

On March 4:

S. 360. An act to relinquish the interest of the United States in and to certain land in the city of Pensacola, Fla., to the Right Rev. Edwin P. Allen, Catholic bishop of the diocese of Mobile, Ala., and his successors, in trust for the Catholic congregation of Pensacola, Fla.;

S. 1032. An act to aid in the completion of a monument at Monterey, Cal., to commemorate the taking possession of the Pacific coast by Commodore John D. Sloat, United States Navy;

S. 5133. An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon;

S. 6447. An act to authorize the appointment of Acting Asst. Surg. George R. Plummer, United States Navy, as an assistant surgeon in the United States Navy;

S. 6704. An act to amend an act entitled "An act for the relief of certain homestead settlers in the State of Alabama," approved February 24, 1905;

S. 7247. An act to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city, on a site to be selected for said station, of a public building;

S. 8012. An act to erect a monument on the Tippecanoe battle ground in Tippecanoe County, Ind.;

S. 8119. An act to readjust the boundaries of the naval reservations in Porto Rico established in pursuance of the act of July 1, 1902;

S. 8230. An act for the relief of Harold D. Childs;

S. 8292. An act providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the battle of New Orleans at Chalmette, La., and making the necessary appropriation therefor;

S. 8299. An act to confer certain civic rights on the Metlakahtla Indians of Alaska;

S. 8327. An act to provide for the establishment of an immigration station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building;

S. 8568. An act granting an increase of pension to Rosanna A. May;

S. 8585. An act for the relief of Charles W. Spalding;

S. 8614. An act to amend the act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896;

S. R. 29. Joint resolution authorizing the selection of a site and the erection of a pedestal for the Stephenson Grand Army memorial in Washington, D. C.; and

S. R. 98. Joint resolution granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany.

ESTATE OF SAMUEL LEE, DECEASED.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (H. R. 850) making appropriation to pay to the legal representatives of the estate of Samuel Lee, deceased, to wit, Samuel Lee, Anna Lee Andrews, Clarence Lee, Robert Lee, Harry A. Lee, and Phillip Lee, heirs at law, in full for any claim for pay and allowances made by reason of the election of said Lee to the Forty-seventh Congress and his services therein.

Mr. LATIMER. I ask that the bill be read.

The VICE-PRESIDENT. The Senator from North Dakota asks unanimous consent for the present consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LATIMER. I object.

The VICE-PRESIDENT. Objection is made.

Mr. McCUMBER. I move that the Senate proceed to the consideration of the bill; and I wish to say one word in reference to it.

Twenty-five years ago, in a closely contested election, Samuel Lee was elected from one of the South Carolina districts—at least the House of Representatives so decided after a long contest. After it was determined that he was entitled to his seat a little filibuster was kept up for the remainder of the session, so that it was impossible to swear him in. Twenty-five years have elapsed since that time. Mr. Lee died a poor man in the struggle to get the salary that was due him during that time. The Senator from South Carolina [Mr. TILLMAN] has heretofore objected to the consideration of the bill.

After this number of years, when we have done so much during the present session in the changing of words which are to describe a great war and in many other ways to eliminate entirely from our memory all of the old bitterness which gathered around us during those days of struggle between the two sections of the country, I think it would be an act of justice to pass this bill.

This election occurred while that strife was still very warm indeed, but all feeling has now passed away. The House of Representatives declared that Mr. Lee was entitled to his seat. The House of Representatives twenty-five years thereafter has declared by its vote that the little sum of $10,000 for his salary during the two years, to which he would have been entitled had he been seated, according to the decision of the House, shall at last be paid.

I appeal to the Senator from South Carolina to allow us to crown the last hours of this session by this act of justice long delayed to the heirs of Samuel Lee. It is but a small amount. It is justly due according to all precedents of both Houses, and there can be no just reason for longer delaying it. The Representative himself has been dead for many years. He kept up the struggle, being supported by others, until he died, practically a pauper. His children have kept up the struggle to get what they consider justly and honestly their due. We have granted pensions very freely to the old soldier during this session. We have been liberal in a thousand different ways. Now let us combine our liberality with our sense of justice, and at last, after a quarter of a century, pay to the heirs of Mr. Lee the sum that rightfully belonged under every precedent to their ancestor.

Mr. LATIMER. Is the Senator from North Dakota through?

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. McCUMBER. I yield to the Senator from South Carolina.

Mr. LATIMER. I wish to take the floor in my own right.

Mr. McCUMBER. Let me ask the Senator if he still intends to object to the consideration of the bill?

Mr. LATIMER. I do.

Mr. McCUMBER. I yield to the Senator then, and I should like to reply to him.

Mr. LATIMER. Mr. President, the Senator from North Dakota, in his plea for justice to this contestant, and in the remarks that he has made with regard to the feeling which should exist in the South on account of the treatment of the South by the present Congress, appeals to me with force. But this is a case where, in my opinion, the contestant had no right to the seat. The certificate of election was given to Mr. Richardson, of South Carolina, and he came here and served out the two years as a Member of the House. These contested-election cases in the South have continued since the war until within

the last two or three years largely for the purpose of getting the fee that is given in contested-election cases.

I should like to read to the Senate the speech of the elected Member, Mr. Richardson, delivered on the occasion when the contest was up. Mr. Richardson, of South Carolina, said:

Mr. Speaker, the time for which I was elected to this Congress is about expiring. It is true it would matter but little to me personally whether I continue to hold this seat for a few hours longer or whether you take it from me. It is true it would matter but little to the constituency I represent if you deprive them of their Representative upon this floor for the few remaining hours of this Congress.

Perhaps it might be thought that I could well afford to remain quiet and let this case be decided as you may see proper to decide it. But behind all these considerations there is this question: Is it right to do so? And then there is another question: Is it right to take from this Government $10,000 or $12,000 and pay it to one who is not at all entitled to it?

I therefore come before you almost an utterly impartial advocate in this case. I have no interest except to see that the right is done and that my constituency are not placed in any false light.

Now, Mr. Speaker and gentlemen of the House, this election was had; the election officers ascertained who was elected, and they gave to the contestee the certificate. The contestant filed his complaint, claiming that a number of things had been done which ought not to have been done, by which he had been deprived of a number of votes. What did the contestee do? When the contestant claimed that certain votes and polls which had not been counted should be counted, the contestee's answer was "Count the whole poll in the district; count the last voter who voted, and let the result decide this election." Then the contestant comes up and presents his case. He goes through every box after every poll in the Congressional district had been restored to the count, restored by the consent of the contestee. He goes into the count, and says "These boxes have not been purged as they ought to be," though they were purged according to the law of South Carolina. In purging them, when the contestant comes to add up the result, lo and behold! by his own purging, by his own count, the contestee still has a majority. He who in the outset came to the Elections Committee and said, "Oh, it is wrong to throw out the vote of any freeman, or to throw out any poll," turns from his position and claims that now, in order to give him the seat, you must throw out the vote of Darlington precinct; you must not count it.

I will stop but a moment to call the attention of the House to the methods resorted to by the contestant and by the honorable gentleman who presented the report in his behalf to reach the result that they did. Take, for example, the poll at Timminsville; and this is but one of many. There the vote was some 800 or 900. The election officers in returning the vote returned that there was in that box an excess of only 11 votes. Both the United States supervisors of election signed a report saying that there were only 11 votes in excess in all that box. When that box was purged under the law of South Carolina, which requires that some one blindfolded shall draw from the box the number of votes in excess, only 4 Republican votes were drawn and 7 Democratic votes. The Republican and Democratic United States supervisors certified to this. But there was standing by that box a friend of the contestant, a bystander, who swore on his examination that he was certain there went into that box for the contestant 199 votes, when the count gave him only 75 votes.

I only bring up that case for the purpose of showing that from the count of that box the contestant and the honorable gentleman who makes the minority report deduct 124 votes of the contestee and give that number to the contestant, making a difference of 248 votes. That is the way the result is reached in this case—reducing the vote of the contestee enough to give the seat to the contestant if you throw out the vote of Darlington precinct. I will not waste time in showing the other methods resorted to in order to bring down the vote of the contestant to a point from which, if you deduct the vote of Darlington Court House, the seat will be given to the contestant. I address myself at once to the single question involved in this case. After purging the poll, as has been done, after resorting to such means as I have mentioned to bring down the vote of the contestee, the question then turns, as I am willing to concede, upon the vote at Darlington Court House. What was the vote there? As has been said, it gave the contestee some 1,100 majority. The contestant asked to have it thrown out, not on account of fraud, for no fraud was charged against it.

One word as to the charge in regard to tissue ballots. They were used only in Georgetown County, and the authorities of South Carolina threw out every box in that county but one because there were tissue ballots.

Now, as to the Darlington poll, what is the proof? The proof is that there was not a single gun fired or exhibited. There was no violence threatened. The colored people who met there in the morning, having been accustomed at election after election to have possession of the polls, were incensed because on this occasion the election was held where the law of South Carolina required in so many words that it should be held—in the court-house, instead of at the market-place, where it had been held before. Under these circumstances the order was given to the negroes by their leader that they should go away, and they did go away; they did not vote, or at least only 117 of them voted. There is no proof that they did not vote elsewhere, or at least that most of them did not vote elsewhere. The contestant presents the names of 240 persons who he claimed did not vote there.

Mr. CLAPP. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Minnesota?

Mr. LATIMER. With pleasure.

Mr. CLAPP. Will the Senator yield that I may make a request for the publication of a document?

Mr. LATIMER. I will.

Mr. LODGE. I desire to ask what question is now before the Senate.

The VICE-PRESIDENT. The question is on the motion of the Senator from North Dakota [Mr. McCUMBER] to take up House bill 850.

Mr. LODGE. I make the point of order that a motion to take up a bill is not debatable.

The VICE-PRESIDENT. It is not, except by unanimous consent. Is there objection?

Mr. McLAURIN. I wish to say to the Senator from Massachusetts that the Senator from North Dakota, who made the motion, debated it, and I think it would be but fair to have permission given to the objector.

The VICE-PRESIDENT. The debate is proceeding by unanimous consent.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. LATIMER. Yes, sir.

Mr. McCUMBER. I simply would like to ask the Senator in all candor whether it is his intention to proceed to talk on the bill, if necessary, until 12 o'clock?

Mr. LATIMER. I think, Mr. President, that this is a measure of sufficient importance to ask that it be postponed until after 12 o'clock.

Mr. McCUMBER. If that is the intention of the Senator, I certainly will not impose the burden upon him of having to do it.

Mr. LATIMER. That is very kind of the Senator.

Mr. McCUMBER. That being the case, I will withdraw the motion.

The VICE-PRESIDENT. The Senator from North Dakota withdraws the motion to proceed to the consideration of the bill.

### ELECTION OF SENATORS.

Mr. CLAPP. I present a paper which is an abstract of the laws relating to the election of United States Senators, and I move that it be printed as a document.

The motion was agreed to.

### AFFAIRS IN INDIAN TERRITORY.

On motion of Mr. CLARK of Wyoming, it was

*Ordered*, That 300 additional copies of Senate Report No. 5013, parts 1 and 2, Fifty-ninth Congress, second session, being the report of the select committee to investigate matters connected with affairs in the Indian Territory, be printed for the use of the select committee.

### NOTIFICATION TO THE PRESIDENT.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That a committee of two Senators be appointed by the Vice-President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some other communication to make to them.

The VICE-PRESIDENT appointed Mr. HALE and Mr. PETTUS members of the committee on the part of the Senate.

### PROTECTION OF GAME IN ALASKA.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the bill (H. R. 25032) to amend an act entitled "An act for the protection of game in Alaska, and for other purposes," approved June 7, 1902.

Mr. CULBERSON. Let it be read.

The VICE-PRESIDENT. The bill will be read.

Mr. BEVERIDGE. I think the bill has been read once.

The VICE-PRESIDENT. The Senator from Texas requests the reading of the bill.

Mr. BEVERIDGE. Very well.

Mr. CULBERSON. I will ask the Senator from Indiana from what committee the bill comes?

Mr. BEVERIDGE. From the Committee on Territories.

The VICE-PRESIDENT. The bill has been reported from the Committee on Territories.

Mr. CULBERSON. Is it a unanimous report?

Mr. BEVERIDGE. It is a unanimous report, and the bill has been on the Calendar for some days. It is a House bill, I will say to the Senator, and that Senators living in the direction of Alaska whose States are directly interested, as well as the Delegate from Alaska and all the people who have said anything to our committee from that district, urge the very great and immediate necessity of this law for the protection of game there.

Mr. CARMACK. It has passed the House?

Mr. BEVERIDGE. Oh, yes; it has passed the House.

Mr. CULBERSON. Let it be read, Mr. President.

The VICE-PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

Mr. CARTER. Mr. President, I suggest to the Senator from Indiana that it will be quite impossible to have this bill enrolled and presented to the presiding officers of the respective Houses and to the President before the hour of adjournment.

Mr. BEVERIDGE. That is very clear.

Mr. CARTER. While I do not wish to object to the bill, I suggest that it is quite useless to continue the reading. It is

obvious that the bill can not become a law at the present session.

Mr. BEVERIDGE. That is quite true; and when I asked for the immediate consideration of the bill the fact that it had already been read once I thought would obviate the necessity of reading it again. Under those circumstances, of course, the bill could have been passed. Since the Senator from Texas has asked for the reading of the bill, it is clear to everyone that it is quite useless to proceed further.

Mr. NEWLANDS. I should like to inquire whether if the reading were discontinued and the bill should be now passed there would be time to have it enrolled and presented to the President?

Mr. BEVERIDGE. No; that is the very point.

Mr. NEWLANDS. I know the sentiment of the committee was unanimous in favor of the bill, and it was carefully examined with a view to prevent the evil possib. of dilettante sportsmanship in Alaska.

Mr. BEVERIDGE. We now have ten minutes until the time when the present session expires. It is manifestly impossible to enroll the bill and send it to the presiding officers and the President in ten minutes. We might have passed the bill if the additional reading had not been demanded.

Mr. CLAPP. If the Senator will yield, I will state that it would be impossible to pass the bill, for there must be two amendments made to it. It makes no provision for the protection of woodchucks nor for protecting men against the penalty of the law where they kill ducks and prairie chickens in self-defense. [Laughter.]

Mr. BEVERIDGE. I will say to the Senator and to the Senate that that omission was made by the Committee on Territories, but it was an oversight, and it would not have occurred had we had the assistance of the junior Senator from Minnesota.

I withdraw the bill.

The VICE-PRESIDENT. The bill is withdrawn.

BUSINESS OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. Mr. President, I desire to put in the RECORD a statement of the number of bills referred to the Committee on the District of Columbia during the Fifty-ninth Congress and the action taken on those bills. It is important for the reason that the committee is legislating for this great District, and while the committee has been somewhat criticised I think if the citizens of the District will take the trouble to read this statement they will find that they have been faithfully served. As an illustration, there were 245 Senate bills referred to the committee, 3 Senate resolutions, and 84 House bills, making a total of 332 all told. I ask that the statement may be printed in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

Statement showing the number of bills referred to the Committee on the District of Columbia during the Fifty-ninth Congress, and the action taken thereon:

| | |
|---|---|
| Senate bills referred | 245 |
| Senate resolutions referred | 3 |
| House bills referred | 84 |
| Total | 332 |
| Senate bills favorably reported | 81 |
| House bills favorably reported | 66 |
| Senate bills adversely reported | 53 |
| Senate bills which have passed the Senate and are pending in the House | 21 |
| Senate and House bills approved by the President | 99 |
| Bills awaiting approval | 7 |

In addition, there have been received and considered by the committee thirty amendments to appropriation bills.

Following are some of the important laws which have been placed on the statute books:

Condemnation of insanitary buildings.

General law governing proceedings relating to condemnation of land for streets.

Providing for compulsory education.

Regulating employment agents and agencies.

Classifying officers and members of the fire department.

Classifying officers and members of the police department.

Reorganizing the public school system.

Creating a juvenile court.

Regulating the abatement of nuisances.

Regulating the practice of veterinary medicine.

Regulating practice of pharmacy and sale of poisons.

Regulating building lines.

NOTIFICATION TO THE PRESIDENT.

Mr. HALE and Mr. PETTUS, the committee appointed to wait on the President, appeared; and

Mr. HALE said: Mr. President, the committee of the Senate, with a like committee of the House, have waited upon the President, have informed him that the business of Congress is at an end, and have asked him if he has any further communications to make, to which he replied that he has no communication to make.

THANKS TO THE VICE-PRESIDENT.

Mr. BLACKBURN. Mr. President, coming to the discharge of my last official act as a Senator, speaking for the minority side of this Chamber, it affords me peculiar pleasure to submit and send to the desk a resolution which expresses fully the experience I have had, and which I am quite sure expresses the sentiment of every Senator, bearing testimony to the courtesy, the fairness, and the ability with which our presiding officer has discharged the functions of his office. In asking for the unanimous approval of the resolution by the Senate, I am sure that I am not taxing the generosity of any Senator.

The PRESIDING OFFICER (Mr. ALLISON in the chair). The Secretary will read the resolution submitted by the Senator from Kentucky.

The resolution was read and unanimously agreed to, as follows:

*Resolved*, That the thanks of the Senate are hereby tendered to Hon. CHARLES W. FAIRBANKS, Vice-President of the United States and President of the Senate, for the dignified, impartial, and courteous manner in which he has presided over its deliberations during the present session.

FINAL ADJOURNMENT.

The Vice-President having resumed the chair, and the hour of 12 o'clock meridian having arrived,

The VICE-PRESIDENT said:

SENATORS: The Chair is sensible of the fact that the resolution you have adopted is a courtesy to the Chair, sanctioned by immemorial usage rather than to the occupant of that exalted station.

If the Chair has been able to convince the Senate of his impartiality in the discharge of the duties which devolve upon him, and which are often delicate and difficult, he is gratified in full measure. He fully appreciates that whatever success may have attended him in the performance of his duties during the session which is now closing has been largely due to the patience and generous cooperation of the members of the Senate, all of which he gratefully acknowledges.

The Chair desires to place upon the permanent records of the Senate his testimony in behalf of those Senators whose service in the Senate is about to terminate for their unwavering devotion to the public interest while here, and to wish them many years of further usefulness to their countrymen.

The Chair wishes for those who remain in the Senate and now enter upon their vacation after their arduous public duty health and a safe return. They have well earned the approving judgment of their large constituencies by their intelligent and complete consecration to the public service.

The Senate of the United States has well vindicated its claim to the popular approval by its wise, careful, and patriotic consideration of many questions of large concern to the Government and the people. Each passing session justifies the wisdom of the fathers, who established the Senate as one of the essential safeguards to American institutions and one of the assurances of the political welfare of the people.

Permit the Chair to thank you, Senators, each and all, for your uniform kindness and to bid you godspeed.

The hour of 12 o'clock, which by law terminates the second session of the Fifty-ninth Congress, having arrived, the Chair declares the Senate adjourned without day. [Applause on the floor and in the galleries.]

## NOMINATIONS.

*Executive nominations received by the Senate March 2, 1907.*

POSTMASTERS.

HAWAII.

George F. Renton to be postmaster at Ewa, in the county of Oahu and Territory of Hawaii. Office became Presidential January 1, 1907.

MARYLAND.

Mary J. Perkins to be postmaster at Hancock, in the county of Washington and State of Maryland, in place of Mary J. Perkins. Incumbent's commission expired January 22, 1907.

OHIO.

Mary M. Carey to be postmaster at Lexington, in the county of Richland and State of Ohio. Office became Presidential January 1, 1907.

PENNSYLVANIA.

Thomas E. Pyatt to be postmaster at Youngwood, in the county of Westmoreland and State of Pennsylvania. Office became Presidential January 1, 1907.

WEST VIRGINIA.

James B. Campbell to be postmaster at New Cumberland, in the county of Hancock and State of West Virginia, in place of James B. Campbell. Incumbent's commission expired February 26, 1907.

## HOUSE OF REPRESENTATIVES.

### MONDAY, *March 4, 1907.*

[*Continuation of legislative day of Saturday, March 2, 1907.*]

The recess having expired, the House was called to order by the Speaker at 9.30 a. m.

PEONAGE IN FLORIDA.

Mr. JENKINS. Mr. Speaker, I ask that the Committee on the Judiciary be discharged from the further consideration of House resolution 886.

Mr. RANDELL of Texas. Mr. Speaker, a parliamentary inquiry. Is it not time to dispose of the appeal pending at the time the recess was taken?

The SPEAKER. The Chair will suggest to the gentleman that on yesterday the gentleman from Wisconsin [Mr. JENKINS] was on the floor and was taken off his feet by a conference report. As the Chair recollects, there was an understanding that the gentleman should have the floor temporarily, and the gentleman from New York [Mr. FITZGERALD] should have fifteen minutes. The gentleman from New York concluded to print. The gentleman from Florida was also to have ten minutes. The Chair would be glad to see that understanding carried out; and the gentleman from Wisconsin desires to yield to the gentleman from Florida ten minutes. There is not yet a quorum. In these closing hours the Chair suggests that the gentleman temporarily wait. This matter may develop a quorum, and the gentleman will be recognized a little later, if that is agreeable.

Mr. RANDELL of Texas. Very well, sir.

Mr. JENKINS. Mr. Speaker, I have asked that the Committee on the Judiciary be discharged from the further consideration of resolution 886, and I ask, Mr. Speaker, that a letter from the Attorney-General with reference to this resolution be read in my time.

Mr. MANN. May we have the resolution reported?

The resolution was reported, as follows:

House resolution No. 886.

*Resolved*, That the Attorney-General of the United States be, and he is hereby, directed to furnish the House of Representatives, at the earliest practicable day, with the following information, namely:

First. How much money has been expended during the present Administration by the Department of Justice in and about the ferreting out and prosecution of alleged peonage cases in the State of Florida?

Second. What connection with the Department of Justice has one Mrs. Quackenboss, who has been prominently connected with the prosecution of these alleged peonage cases in the State of Florida; what official position under the Government does she hold, if any; what salary does she receive, if any; what are her duties; and what instructions, if any, were given her by the Department of Justice?

Third. Why were special attorneys employed to aid in the prosecution of these alleged peonage cases in the State of Florida; why was it necessary to send an Assistant Attorney-General to the State of Florida to assist in the prosecution of these alleged peonage cases; are not the regularly appointed and duly qualified United States attorneys for the two judicial districts of Florida and their assistants amply able to care for the interests of the Government in that State?

Mr. PAYNE. Mr. Speaker, how does this matter come up?

The SPEAKER. The gentleman from Wisconsin calls it up.

Mr. PAYNE. Is that a question of privilege?

The SPEAKER. It was called up yesterday. The Chair calls the attention of the gentleman from New York, as he has called the attention of the gentleman from Texas, to the fact that upon yesterday, as the Chair recollects, there was an understanding that the gentleman from Wisconsin would yield fifteen minutes to the gentleman from New York [Mr. FITZGERALD]. The gentleman from New York occupied a portion of his time, and stated to the Chair that he does not care to occupy further time. And also the understanding, stated in the House, as the Chair recollects, was that the gentleman from Florida [Mr. CLARK] should have ten minutes; and the Chair is trying to carry out that understanding.

Mr. PAYNE. Of course if that understanding was had yesterday it was had when I was not present.

Mr. MANN. Unanimous consent was given.

Mr. PAYNE. That being the case, a point of order would not lie against it; otherwise it would.

The letter was read, as follows:

DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY-GENERAL,
*Washington, D. C., February 27, 1907.*

MY DEAR MR. JENKINS: Your letter of the 26th instant, inclosing a copy of the resolution submitted by Mr. CLARK of Florida, in relation to the recent and pending prosecutions for peonage in that State, has been duly received. Without of course wishing in any wise to anticipate the action which your committee may take on this resolution, I am very happy to furnish you the following information as to its subject-matter:

It would be impossible to give even an approximately correct answer to the first question without devoting more time to the subject than its importance warrants. The expenses connected with prosecutions for peonage in the State of Florida could not be segregated from the general expenses incurred in the prosecution of all forms of offenses in that State, the same officers being in large part employed in all prosecutions for crime. Moreover, those officers particularly charged with the investigation of offenses against the laws forbidding peonage have been employed in other States besides Florida; and it would be difficult, if not impracticable, to determine in what proportion their compensation should be charged to work of this character in that particular State. Nevertheless, I think it is right to say that the Department has incurred some appreciable expense in connection with prosecutions for peonage in the State mentioned, and that it contemplates further expenditure of public money for the same purpose. The crime in question amounts substantially to selling into or retaining in involuntary servitude persons who fail to pay alleged debts, which pretended debts are often fictitious, extortionate, or fraudulent. Such action not only involves a flagrant violation of the statute law and of constitutional rights, but is repugnant to the enlightened opinion of modern times in all civilized countries. Moreover, the testimony taken in recent cases, and other credible information furnished the Department, show that the treatment of these captives is often brutal and revolting to every instinct of humanity. In view of these facts, the Department has felt confident that it would receive a cordial support from the Congress and from public opinion in doing all that might lie in its power to prevent crimes of this nature and to bring those guilty of them to adequate punishment.

The lady mentioned in the second question embodied in Mr. CLARK'S resolution is Mrs. Mary Grace Quackenbos, who is employed as a special assistant to the United States attorney for the southern district of New York. She is a member of the bar of that State and, according to the information of the Department, a person of independent means. From philanthropic motives she has established an office intended to furnish legal advice to persons too poor to pay adequately for the same in the city of New York, which has grown to large proportions. She thus gained information as to the operations of certain employment agencies in the city of New York which were used to secure helpless and ignorant immigrants as peons in certain Southern States. Criminal proceedings having been begun against one or more of these offenders, Mrs. Quackenbos was employed as special assistant to the United States attorney in that city to aid in their prosecution, the understanding of the Department being that her compensation amounts only to what she is obliged to pay a competent person for taking her place in the office she has established as above described, her own services being rendered gratuitously. In connection with her duties as such assistant she visited Florida, primarily to secure evidence for use in the New York prosecutions, but while there, in accordance with the practice of the Department requiring its subordinates to assist when occasion offers in any of its work, she rendered such services as she could appropriately to Assistant Attorney-General Russell, then engaged in the prosecution of certain cases at Jacksonville. She has since returned to New York.

In answer to the third question, I think it must be left to the discretion of the Department under what circumstances special counsel shall be employed to assist in the prosecution of crimes and what duties, consistent with law, shall be required of the several Assistant Attorneys-General. As a matter of fact, Assistant Attorney-General Russell was designated by the late Attorney-General to exercise a general supervision over prosecutions for peonage, and in the discharge of the duties thus imposed upon him he visited several other States besides Florida. It so happened that during part of his stay in Florida the United States attorney for the southern district of that State, Mr. John M. Cheney, was seriously ill, and Assistant Attorney-General Russell for this reason took part personally in the trials of certain alleged offenders against the peonage laws. It also so happens that the assistant United States attorney for the same district, Mr. Richard P. Marks, is disqualified to take charge of certain prosecutions instituted against officials of a railroad company in Florida, because he has been for some years counsel for the said railroad company, and this fact made it necessary for Mr. Russell to devote personal attention to these particular cases. The Department considers the United States attorneys and their assistants in the two judicial districts of Florida fully qualified to discharge the duties of their respective offices, and the part taken by other counsel in the prosecutions above mentioned involves no more reflection upon these officers than does the similar service of special counsel in New York, Chicago, St. Louis, and numerous other localities with respect to the permanent representatives of the Government in those places.

Pray believe me, as ever,
Yours, very respectfully and truly,
CHARLES J. BONAPARTE,
*Attorney-General.*

Hon. JOHN J. JENKINS,
*Chairman Committee on the Judiciary,*
*House of Representatives.*

Mr. JENKINS. I yield ten minutes to the gentleman from Florida.

Mr. CLARK of Florida. Mr. Speaker, as I will only have ten minutes, I desire to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. Mr. Speaker, to deal with a "muckraker" is always unpleasant. It is at no time agreeable to engage

in disputation with that product of our present-day civilization known as "yellow journalism," which for a few pennies and an opportunity to keep in the lime light does not hesitate to calumniate an entire community. It is disagreeable because of the fact that the creature in question is generally so lacking in character and so bereft of the essential attributes of real manhood that he will resort to any and every form of falsehood to bolster up his original libel. In submitting to this House and to the American people a few remarks that I shall make upon the subject of "Peonage in Florida," as treated in a recent article in the Cosmopolitan Magazine for March, 1907, and partly copied in the New York Evening Journal of February 25, 1907, I know that I shall bring down on my humble self the relentless fury of the owner of those publications, who happens to be a Member of this body, but who, I do not believe, has occupied his seat for ten full days during the entire life of the Fifty-ninth Congress. But be that as it may, Mr. Speaker, I would be unworthy of the high and honorable position I hold if I should silently sit here and permit a Member of this body, either from his place on this floor or through the columns of his publications, to slander and malign my people. I represent in this great deliberative assembly a constituency which is just as honest, just as intelligent, just as patriotic, just as moral, just as law-abiding, just as liberty loving, and just as God-fearing as any people beneath the shining canopy of heaven. There is hardly a State in all the Union that has not furnished citizens for the great district which I have the honor to represent here; and if you desire to find the robust American citizen in his fullest development, just join me in a journey over the Second Congressional district of Florida. Injustice and wrong can not flourish among such a people; and while I feel that no defense against the attacks of this man through his paid hirelings is really necessary, yet I desire to call attention to some of the falsehoods contained in the article referred to. The article seems to have been written by one Richard Barry. I do not know this man Barry, and I must confess that I never heard of him before. This may be my misfortune; but, without having seen the man, I am constrained to say that he has either been easily duped by some designing person or else he is a right considerable liar himself.

I shall confine my remarks to my own district, only mentioning the fact that the conviction of officers of the Jackson Lumber Company, of Pensacola, in the district of my colleague [Mr. LAMAR], was had in the court presided over by Charles Swayne, whose record as a judge is known of all men.

Here is what this man Barry says:

> It was all proved incontestably in the courts that the men were enticed to their work by glowing and fraudulent representations; that once on the job they were held to it by threats; that when a few of spirit rebelled and tried to run away they were intimidated with firearms; that when some finally did get away they were tracked with hounds and brought back at the point of a pistol; that when the law intervened in the person of the local justice and tried to set them free they were shown to be in debt to their employers and the strenuous incident of their keep justified on the score of an ancient statute which gave a debtor's body to the creditor until the debt was satisfied.

There is no such statute in Florida as permits a creditor to hold the debtor's body until the debt is satisfied. This was a deliberate and unqualified falsehood on the part of the writer, and the fact that he did not take the time to examine the statute law of the State is evidence of the recklessness with which he libels a whole people.

Again I ask you to listen to the words of this adept in the art of libel:

> A dozen tramp immigrants ran away from the O'Hara camp, at Buffalo Bluff, and startled the inhabitants of Palatka with their story of frightful wrongs.

The O'Hara camp he refers to is in my district, and the head of the firm operating it is Mr. F. J. O'Hara, a citizen of character and standing in the State of Florida. Mr. O'Hara and his business associates were indicted for peonage at Jacksonville by the grand jury of the United States court for the southern district of Florida. They were put upon trial last December, and after weeks spent in taking testimony the case was submitted to the jury and a verdict of "not guilty" promptly returned. They were immediately put on trial in the same court on a second indictment, and after several more weeks spent in taking testimony the second jury promptly returned a verdict of "not guilty." This man Barry knew, or should have known, when he penned his infamous libel against our people, that O'Hara and his associates had been vindicated by two different juries in the Federal court at Jacksonville; yet in the face of this he holds up O'Hara and his associates to the whole world as demons in human form. We are blessed in the southern district of Florida with a pure and just judge.

I have known Judge James W. Locke for many years, and no man ever wore the ermine who was more honest, fair, and just than he. We also have an able, fearless, honest district attorney, and with the machinery of the law in such hands the innocent will not suffer. I say the innocent will not suffer, Mr. Speaker, but when I say that I mean that these upright officials will not permit an innocent man to suffer by reason of an unjust conviction; but they will suffer, as O'Hara and his associates have suffered, in loss of time and money in making defense against these false and outrageous accusations, as well as suffering the humiliation of criminal prosecutions. Mr. O'Hara is not a wealthy man, and my information is that in protecting his honor and his liberty in the two cases upon which he has already been tried and acquitted he has had to expend about $15,000 of his earnings. If his persecution is to be continued and he is to be tried on the remaining indictments which stand against him, the probability is that, while he will walk forth from the Federal court a free man, he will be bankrupted by these infamous proceedings. There is some strange but powerful influence behind these cases. What is it? Why should the machinery of the law in this great Government of ours be used to hound down and bankrupt honorable, law-abiding citizens? Two different juries, composed of twenty-four good and lawful men, under the sanction of their solemn oaths as jurors, after listening to all the testimony, the argument of counsel, and the charge of the court, have declared to all the world that O'Hara and his associates were not guilty as charged; yet we are told it is the purpose of Assistant Attorney-General Russell and his assistant, one Mrs. Quackenboss, to again put these people on trial on other indictments making substantially the same charges as these of which they have been acquitted. This Assistant Attorney-General and his female assistant certainly know that these people are not guilty as charged; they know that no honest jury will convict them; they know that it is their sworn duty to protect the innocent; they know that the prosecution of the citizen should not be allowed to sink into a persecution; they ought to know that when a prosecution for alleged crime is persisted in when its only effect is to bankrupt innocent people the Government is dishonored and the pure stream of justice polluted. How many times can a citizen be put in jeopardy upon the same charge? I have always been taught that only once could a citizen, under our benign form of Government, be put in jeopardy on a particular charge; yet we find these extremely zealous officials—one of them a female lawyer from New York and, I understand, from the east side—forcing defendants to trial on indictment after indictment, charging practically the same offense and using substantially the same set of witnesses to establish identically the same set of facts.

I suppose, Mr. Speaker, that this female lawyer from the east side, who seems to be the controlling force in these prosecutions, gets around this question of former jeopardy upon her theory that our people are a barbarous tribe to whom the ordinary principles of law do not apply. She has come from the slums of the east side of New York to prosecute correct ideas into the heads of our benighted people. But who is behind her? Why should the Department of Justice at Washington seemingly ignore our very capable district attorney and turn over to this woman the entire machinery of the law in the southern judicial district of Florida? The honorable Attorney-General of the United States, in his lengthy letter just read to the House by the Clerk, does not tell us, and he evades the question of the cost to the Government of these prosecutions for peonage which I sought in my resolution. He also seeks to convey the impression that this Mrs. Quackenboss is a very philanthropic person, and that she is so moved by pity for persons held in slavery in Florida that she is devoting her time and means as a gratuity for their liberation. But the honorable Attorney-General will not say what salary she is receiving, although he does admit, in the face of his statement as to her great work of charity, that she does get a salary from the Government. How much does she get? The Attorney-General says:

> The understanding of the Department being that her compensation amounts only to what she is obliged to pay a competent person for taking her place in the office she has established as above described, her own services being rendered gratuitously.

Now, Mr. Speaker, it seems to me it would have been an easy thing for the Attorney-General to have told us how much money he was allowing this woman lawyer. Why evade it? Nobody who ever saw this female lawyer believes for one moment that she is working for nothing. No one believes she is working for actual expenses only. Why keep the amount she receives from the Government a secret? Is anyone else paying for her services? Is she employed and paid by some one other than the Government? If so, who is it?

And again I ask, Mr. Speaker, why are our people being so relentlessly pursued in the courts on these unfounded charges?

What is the purpose? Is some one using the courts and the press for the purpose of keeping immigrants from the State of Florida? We have within the State of Florida millions of acres of rich unoccupied lands that can be had by actual bona fide settlers at an extremely low figure per acre. The honest, industrious farmer within a very few years can reach a state of independence by tilling a few acres of our fertile lands; we need the honest, industrious immigrant to help us develop our wonderful State, and our people are now taking steps to acquaint the world with the splendid possibilities of Florida. Can it be that these prosecutions and these libelous stories have a common origin, and that the object is to impress the prospective citizen with the idea that life, liberty, and property are not safe in Florida? Why, Mr. Speaker, there is no State in all this glorious Union that has within her borders a more law-abiding and justice-loving citizenship than you will find beneath the clear blue skies of Florida.

Churches of every denomination stand in every portion of our fair State, their tall spires pointing toward heaven in silent protest against the charge that we are a lawless people; on every hand can be seen a building erected with money appropriated from the taxes cheerfully paid by our people and dedicated to the education of our youth in order to fit them for the duties of citizenship in a Christian State. That in spite of all the precautions taken there are occasional violations of the law no man will deny, but that our people wink at these violations and encourage a system of slavery is as base a calumny as ever was charged against any people, and I hurl it back in the teeth of our detractors as a willful, deliberate, and unvarnished lie.

Mr. Speaker, in the Cosmopolitan article a picture of the governor of Florida is presented, and underneath the picture this "muckraker" states that our governor "is willing but powerless to put an end to peonage in his State." I wired the governor to know if this man had correctly stated his position, and I am in receipt of the governor's answer, in which he flatly denies the assertion of this man, and, on the contrary, declares that the State of Florida is not only willing, but amply able, to enforce all her laws. This man has not only slandered our people, but has deliberately misrepresented the honored chief executive of our State.

Again, Mr. Speaker, this perverter of truth and wholesale "penny-a-line" slanderer places in his libelous communication a picture of Mr. H. M. Flagler, a citizen of Florida and who is president of the Florida East Coast Railway Company, and underneath that picture says:

Henry M. Flagler, of the Standard Oil clique, whose Florida East Coast Railway is largely responsible for slavery conditions in Florida.

Mr. Flagler has builded about 600 miles of railway within the State of Florida, and this system was built through a veritable wilderness; he has builded a system of hotels along his line of road which has made the east coast of Florida the Riviera of America. On the pay roll of his company in the State of Florida to-day are from eight to ten thousand employees, and it is notorious in that State that no man was ever more kind to or considerate of those in his employ than is this man Henry M. Flagler. His enterprises in Florida have been the direct cause of providing happy and contented homes for full 50,000 people, and yet this miserable libel peddler charges him with establishing a system of slavery in the State of Florida.

I thank God, Mr. Speaker, that He gave me the courage in this day of indiscriminate and riotous assault on wealth to deal justly with the rich man. This rich man is now, at the very moment when "yellow journalism" is painting him as a monster, at an expenditure of millions of dollars, engaged in the work of linking the city of Key West to the mainland of Florida with bars of steel, and it will not be many months before under the magic touch of his enterprise the snort of the iron horse will be heard in the Island City of the Gulf.

Well, Mr. Speaker, I have already taken up too much time with this creature Barry and the miserable publications which act as sewers to carry away the "muck rakings" of such as he. I will content myself with attaching to my remarks clippings from certain newspapers in Florida, which show how our people regard the dirty attacks of this irresponsible scribbler.

The Live Oak Democrat, under date of February 28, 1907, speaks as follows on this subject:

The Cosmopolitan Magazine is likely to get into legal trouble because of the malicious and lying article it published in its late issue, reflecting on several prominent Marion County citizens and the county officials. Mr. H. L. Anderson has been retained by some of the citizens whose names were used in the article.—Ocala Star.

That is the way to get at it. Mr. Hearst is used to them, but, nevertheless, the more he has of them the less he likes damage suits. And his hired liar, Barry, who wrote the slanderous article, should be given the hot end of a prosecution for criminal libel. We may set our newspaper columns afire with indignation down here in Florida, but, except to relieve our feelings, it doesn't amount to much. Somebody should go into court and prove the Cosmopolitan Magazine a deliberate and malicious slanderer of Florida and her people, and its tool, Barry, a sneaking, two-faced liar, who purposely sought to create a false and injurious impression in the article he wrote. Barry said things about some of those Ocala people which certainly call for something more than hot air by way of reply.

The Florida Times-Union, under date of February 26, 1907, says:

The Washington Post "does not believe the American people will stand for the settlement" the President has made with Japan. Why not? It is "standing for" other "settlements" made by the President which touch them much nearer—the settlement with the life insurance associations by which a political party holds the money of policyholders; the settlement with Morton for rebates, while others are being prosecuted for "crimes" to which he pleaded guilty; the settlement with "agents," by which business men in Florida are tried for peonage without reasonable evidence, and find themselves ruined in pocket and business when declared innocent. Why not stand for subservience to a foreign power when we stand for these?

The St. Augustine Evening Record, under date of February 28, 1907, thus gives expression to its views of this foul libel:

PROCURING TESTIMONY.

When the Government sought to fasten the crime of peonage upon certain of our fellow-citizens its witnesses were kept in jail, being paid $1 per day as compensation for the confinement. In some instances it is possible that not even confinement was considered sufficiently safe, for some witnesses were sent out of the State and returned when needed at Government expense. Why? If reply be made that the prosecution feared the defense would tamper with them, how unstable or corrupt must be such characters and how little reliance should be placed on their testimony? In these cases the liberty and property of citizens who had lived reputable lives among us for years depended upon the evidence of men the Government was afraid to leave at liberty, however closely watched. They must be jailed. They were not unwilling witnesses, who might put themselves beyond the jurisdiction of the court. The complaints were ostensibly made by them and their interests were supposed to depend upon the verdict to be given. Why could not they be trusted? In every case they were grossly ignorant. In the cases first brought some of them supposed they were working for the East Coast Railway, when they had been sentenced in court and were working out penalties on the chain gang, though they testified they were chained and guarded by their employer's agents. A majority of the witnesses in the Jacksonville peonage cases gave their testimony through an interpreter, being unable to make themselves intelligible in English. What conception did these have of the meaning of their actions or the effects on others of the testimony they gave? One of them swore he had been whipped till has back was scored but recently, and that he had called in a physician to treat his wounds. The physician said he found no wounds and treated the patient for an internal trouble. He was stripped before the jury, and no scars found.

How far is this "care of witnesses" to go? Mr. Jerome "guards and watches his witnesses" in New York while they are waiting to testify in the Thaw case; detectives followed the jurors during the first week of that trial. In all the cities and in many counties officials put persons arrested on suspicion or suspected of criminal knowledge through "the third degree," a torture that frequently means "sweating" in air-tight chambers and often solitary confinement on bread and water till the desired testimony is given. Jones, the valet to Rice, says he gave the testimony which secured the conviction of a lawyer to escape torture and upon threats that he would be prosecuted as principal to the murder if he did not implicate another.

Whose life or reputation is safe when credence is given to witnesses who can not be trusted by their friends or who testify under compulsion? Would an American citizen knowing his rights submit to imprisonment for $1 per diem or to exile from the State? Should not such practices be punished before it is too late? Americans in Cuba say the worst evil in the island is the impotence of the courts growing out of the fact that each witness is expected to "stand by his friend," so that two will swear against another without punishment for perjury. Are we coming to this? The Chinaman new to this country is bound by his oath only if he swears by the head of a white cock; others must be kept in jail to make sure of the right story.

From the Jacksonville Metropolis is clipped the following:

GREAT INJURY TO FLORIDA IS DONE BY IRRESPONSIBLE SCRIBBLER—INEXCUSABLE FALSEHOODS—RICHARD BARRY IN COSMOPOLITAN MAGAZINE LIBELS THIS STATE—THE TAMPA EVENING NEWS IN A FORCEFUL WAY SHOWS UP SOME OF THE LIES THROWN INTO THIS PUBLICATION BY THIS IMAGINATIVE WRITER.

Replying to an unwarranted attack on Florida by an irresponsible scribbler, the Tampa News says:

"His name is Richard Barry. His medium is the Cosmopolitan Magazine. Mr. Barry is a very fanciful gentleman, and he has the art of turning out 'yellow copy' down to a nicety.

"Mr. Barry has been in Florida—'investigating.' He says he has, and the magazine which stands sponsor for his statements corroborates the claim. It is well that the announcement is made, for from a perusal of his articles one at all conversant with Florida would be led to believe that they could have been written just as truthfully in Kamschatka or Iloilo.

"POSITIVELY FALSE.

"Mr. Barry and the Cosmopolitan are engaged in the task of 'showing up slavery.' The 'showing up' is done with all the facilities that a manufactory of lurid sensationalism can afford. In his article in the March Cosmopolitan some striking pictures are used. There is a full page startler representing a convict prostrate, evidently from the exhaustion of a long chase, with bloodhounds about to tear his throat. Mr. Barry's article, as overdrawn, as extravagant, as monstrously untrue as it is, doesn't record the incident which the picture is supposed to represent. Why should he overlook such a horrible incident if he knew of it? Would it not have gone far toward clinching the case he is striving to establish? Evidently he didn't possess the facts; but that did not interfere with the publication of the picture, which, filling a vacant page with a shameful libel on Florida, was doubtless made to order by a 'yellow' artist to heighten the effect of a 'yellow' fabrication.

"Mr. Barry's absolute knowledge of Florida, gained from 'close, personal observation,' is fittingly made manifest in his statement that Orange County is the 'center of the orange growing industry of the

State.' Are all Mr. Barry's declarations based on similar familiarity with this State?

"SURPRISING AUDACITY.

"The audacity of some of Mr. Barry's statements is surprising even to those acquainted with the methods of his stamp of journalists. He gravely assures the readers of the Cosmopolitan that in Marion County negroes who have been arrested for various offenses and bound over for trial are turned over to turpentine operators, who work them in their camps pending their 'day in court.' It only needs a little thought to demonstrate that such a thing would be impossible in this or any other State. No man can be subjected to penal servitude before he is convicted of crime. Should such a thing be attempted the hue and cry that would be raised could not be suppressed by any amount of influence. No such thing happened in Marion County nor in any other county. Its absurdity is patent on its face.

"Not content with the libels which Mr. Barry sends forth into the world under his own name, the editor of the Cosmopolitan prefaces the article with a number of comments, in bold-faced type, in which 'slavery' and 'serfdom' are freely used as descriptive of labor conditions in Florida. All these comments, so destructive to the good name of the State, are based on a few harum-scarum stories told by irresponsible and indolent adventurers and accepted as true by overzealous officials of the Government. As in the two O'Hara trials recently conducted in Jacksonville, these stories fall to the ground when subjected to the test of the courts. But their proven unreliability is immaterial to the Cosmopolitan and its ilk. In the hope of creating a sentiment, however falsely developed, these 'muck rakers' are content to impeach the character of a whole State to embellish their fabrications with lurid pictures, to send forth their conscienceless libels upon their mission of misrepresentation and detraction.

"The people of Florida should have some redress against such gratuitous slanders. There should be some effective means of checking such torrents of abuse."

I call attention to another editorial utterance of the Live Oak Democrat in its issue of February 25, 1907:

Every bum, dead beat, rogue, and swindler in Florida now feels that the Cosmopolitan Magazine is his very own, the true organ of his sentiments and defender of his methods, since it published the defamatory yarn of one Richard Barry about peonage in Florida. The vagabond negroes and degraded whites in this State who obtain money and goods and grub under false pretenses and then "jump" their contracts and laugh in the faces of the "suckers" who trusted them feel that in Barry they have a friend indeed, and in the Cosmopolitan a noble advocate to tell the world of their cruel wrongs and manufacture the public sentiment to justify and protect them in keeping up their rascally practices. The new view of the peonage laws is a direct encouragement to a large class of human vermin with no more moral sense than professional pickpockets, and they make no concealment of their insolent exultation over this unexpected and powerful ally to shield them while they prey upon honest men and avoid all penalty for their knaveries.

Col. Walter P. Corbett, a very prominent and influential citizen of Jacksonville, Fla., recently delivered an address in that city to what is known as the "Florida State Board of Trade," which represents the business life of the State of Florida, and among other things he said:

THE PEONAGE CASES.

And just here I take the liberty of drawing your attention to a matter I consider of vital importance in its bearing upon this question, and directly concerning our citizenship. We have had enough of that class of labor that has been, I may say, "emigrated" at us from New York.

A reputable, honorable, God-fearing citizen of Florida has just gone through the ordeal of trial in the United States court, at a cost estimated by himself at more than $12,000, on this question of peonage. And in the face of the fact that the Government had sent here special officers to gather the facts and to prosecute this man; in face of the fact that, at the advice of its learned counsel, the Government tried this man first on what he believed to be its strongest and its best case; in face of the fact that twelve good men and true, the peers and equals of this defendant and citizens of Florida and the United States, acquitted him of this charge; in face of all this the United States, through its biased representatives, actuated by some cause that is as yet unknown to us, placed him again on trial, heaped upon him an additional expense, confronted him with the same witnesses with only the same stories to tell, charged him with the same facts, imprisoned twelve citizens of this State in a jury box for twenty-one days, demanding that they pass upon the same facts as had a former jury. And these twelve men, like that first twelve, declared this defendant not guilty! [Sustained applause.]

No man can say this is something which does not concern him. No one of us can say, "This is that man's own business, it is nothing to me." It is something to each and every one of you, whether you employ many laborers or one, whether you employ a cook, a coachman, or a gardener. If this practice is to continue, if this principle is to prevail, no man's liberty is safe.

In the Savannah, Ga., News of February 24, 1907, appeared a communication over the signature of Mr. J. H. Benjamin, of Ocala, Fla., and which is as follows:

"FOUNDATION OF FACT WITH SUPERSTRUCTURE OF FICTION"—A FLORIDIAN'S REPLY TO THE COSMOPOLITAN'S "SLAVERY IN THE SOUTH."

OCALA, FLA., *February 23, 1907.*

Considerable comment has been caused here by the March issue of the Cosmopolitan Magazine, which contains an article by Richard Barry entitled "Slavery in the South to-day." It relates to the convict lease system in the South in general and in Florida in particular, and has special interest to Ocala, because this town is at present the headquarters of the State convict system, and many of the parties referred to live here.

From an acquaintance with the people and affairs referred to, I would say that the article has a foundation of fact and a superstructure of fiction. There are certain matters, either grave errors or deliberate untruths, that are obvious to all. For instance, the statement: "This might be all right if it were a business proposition. Instead it is politics, which means graft. Last year the 1,200 convicts were leased to C. H. Barnes & Co., of Jacksonville. Barnes was the only bidder."

WERE HALF A DOZEN BIDDERS.

It is a matter of public record that there were at least half a dozen bidders, some of them among the most prominent men in Florida. One of the firms that bid was the Florida Naval Stores and Commission Company, which held the lease the four years previous and built the Marion Farms Hospital near Ocala. There were several other bidders, and the lease finally went to C. H. Barnes & Co. because their bid was undoubtedly the best. The Morning News files could give enough evidence of that fact to satisfy any reasonable person.

S. A. Rawls & Co., of Ocala, subleased the convicts from C. H. Barnes & Co. By their lease they had to take every convict, man or woman, old or young, sick or well, able-bodied or not, at a high price—how much I have not the figures for, but more than $207.70 per annum. This company does not sublease any but able-bodied convicts. All that are too old or too feeble to do good work are kept on the company's farms near Ocala to do work that is within their ability.

WORK IN THE OPEN FIELDS.

These convicts are in the open fields all day long, where they can be seen by hundreds of people, and no word has ever been heard of inhuman treatment to them. All sick convicts are cared for in the hospital, and the hospital can be seen any day by any respectable person that chooses to visit it. To my personal knowledge scores of intelligent men have visited it and came away speaking highly of the good care and the good food given to the inmates.

Further on Mr. Barry says: "The State inspects its camps; the counties do not have even that formality." Mr. Barry might have learned by asking any ordinary well-informed citizen that it is the duty of the State inspector of convicts to inspect camps of county convicts as well as those of the State, and a little more research would have convinced him that such inspection is often made. When a man is so careless of his facts, is it not reasonable to doubt some of his conclusions?

THE ALLEGED FALSE ARRESTS.

Another statement that seems absolutely foolish is that it is the practice of certain officers to arrest able-bodied men and take them before justices of the peace, by whom they are held for the criminal or circuit court; that some turpentine operator will then come forward, go security for the accused, in consideration of which the negroes work in the turpentine camps without pay until court meets, from six months to a year. Those turpentine negroes know their rights as well as any people on earth. When a man accused is out on bond, he is as free as any man, and no man can make him work against his will.

PICTURES THAT MISREPRESENT.

The article is embellished with a number of pictures, one of which is a group of convict guards. The evident intention of the artist was to hold them up as horrible examples. The fact is that they are all young white men, country boys of a type seen all over America, and it would not occur to anyone that they were anything but decent looking had the picture appeared in an article of different purpose. One of the young men is well known to me, and I can certify that he is as kind-hearted a boy as ever lived.

Another shows Deputies Hutson and Bishop and Policeman Dean, all of Ocala. Hutson is the man referred to as bringing in negroes at $5 a head. Will Hutson has been deputy here a number of years. He has certainly landed a number of evildoers, some of them desperate criminals, behind the bars. Contrary to Mr. Barry's assertion, he does not show any evidence of "expensive tastes" or undue prosperity.

ONE OF THE GUARDS.

Homer Dean is a big, good-natured Cracker boy, who has been night policeman of Ocala for a year or two. He is a very vigilant officer, has arrested many desperate characters, and isn't tender with anyone who resists him, but would protect a woman or child or fight for a friend as quickly as any member of the "finest."

The people who read the Cosmopolitan would look at these pictures differently if they all knew that they were obtained under false pretenses; that the man who took them obtained them by posing as the friend of the men whom he intended to pillory in print.

There may be some truth in the article. I only call attention to these matters I know of from personal observation or the word of those who I believe do know.

J. H. BENJAMIN.

I now desire to call attention to an editorial from the pen of Mr. Claude L'Engle, editor of the Florida Sun, who had a personal interview with this man Barry, and which demonstrates beyond question that Barry knowingly and deliberately lied on the people of Florida:

[The Sun, Saturday, February 23, 1907.]

THE MILD-EYED LIAR BOILS HIS POT.

Well, the "thriller" has appeared.

That mild-eyed young man named Richard Barry, who had the boastful vocabulary of a campaigner and the manner and appearance of a schoolboy, who came to Tallahassee last summer and announced that he had been commissioned by McClure's to write a story about white slavery in the South, has succeeded in getting a publisher to print his stuff.

Like all reachers after the sensational, Mr. Barry has the color of truth with which to save his narrative from rejection as a lie out of whole cloth.

He has some pictures of bona fide citizens of Florida which lend some air of probability to his story. In the middle of the story, which appears in the March Cosmopolitan, is a picture that would do credit to the illustrations that I imagine adorn the pages of that monumental slander on the South, which I have never read, Uncle Tom's Cabin. A white man, mounted on horseback, with a rifle in his hands, and ahead of him a pack of hounds running down two negroes, is shown in this picture.

Now that Mr. Barry has had his say, I think that I am released from any restraint due to professional courtesy, and will let a little more light into the inspiration that sent him to Florida.

Barry confessed while in my office, where he came after paying his visit to the governor, that when Mr. McClure gave him this assignment that he did not doubt there were abuses practiced by employers on their employees in Florida, as well as in other States, but why should he go to Florida for a story of white slavery, when he could write a story about 5,000 white slaves without going outside of New York City?

He said Mr. McClure told him:

"Oh, well, that's very true; you might write a story of white slavery in New York, but it is the picturesque details and the heart interest surrounding the slavery in the South that have the makings of a good magazine article."

Mr. Barry told his story to the governor, but he did not tell it as he wrote it for the Cosmopolitan Magazine. Mr. Barry came to get a story, and he was going to get it.

What he got did not impress the man who sent him, so McClure turned it down, doubtless because he did not think the story worth the space and was not so anxious to publish a "thriller" as to allow it to induce him to do an injustice to a State.

Mr. Barry, therefore, had to go to another market to sell his wares. He found it in one of the places where WILLIAM RANDOLPH HEARST does business.

The whole thing is overdrawn, and the few evils that came to Mr. Barry's attention have been magnified, and with studied design have been made to produce an effect on the minds of northern readers totally different from the one that a calm, straight statement of conditions would make.

There are abuses in Florida, as there are everywhere, but it takes a magazine writer with an atrophied conscience to present them in the shape that Mr. Barry does in his article in the March Cosmopolitan, because his only purpose has been to startle the minds and play on the passions of the people who will read this story without an opportunity of knowing that it is a purposely overdrawn picture.

Sprinkled here and there through the story are lies which stand boldly out, one of which I quote:

"The corruption begins with the convict system. Instead of an expense, her (Florida's) convicts are a source of income. This would be all right if it were a business proposition. Instead it is politics, which means graft. Last year the 1,200 convicts were leased to C. H. Barnes & Co., of Jacksonville. Barnes was the only bidder. He had no competitor. The others knew it was useless."

This statement is wholly untrue. Politics had nothing to do with the leasing of the convicts. It was done by sealed proposals submitted to the board of State institutions, which were opened in the presence of all the bidders. The contract was awarded to Barnes & Jesup, who do not agree in politics with the present administration, thus disproving the imputation of graft made by Mr. Barry. There were many bids besides the one made by the successful one, and competition, instead of being absent, was active, plentiful, and keen.

Another statement of Mr. Barry's, which any "cracker" in the woods knows to be false, is as follows. I quote again: "Laceration from the saw palmetto, when exposed to the dews of the forest, goes into inflammation, sometimes blood poison, even death. There is always intense pain."

Saw palmetto scratches. It doesn't lacerate. It never produces blood poison, unless the person is so diseased that an antiseptic needle would produce gangrene.

It is a clean scratch and never "intensely painful." The rabbit told the fox he was born and bred in the briar patch. Put a "cracker" in a bunch of palmettoes and he is at home, and what won't hurt the "cracker" isn't likely to hurt the Bowery tough, the class of people who told such heartrending tales about being enslaved.

Mr. Barry is willing to put in a fairly good word for Florida. He doesn't want to be too terribly severe. He says in another paragraph: "The horrors of the convict system have become so heartrending in Florida during the past few years that respectable people, of whom there are a goodly number, have at last arisen in revolt."

Thanks for those few kind words, "a goodly number."

The Northern readers of Mr. Barry's article may believe that the people of Florida are terribly wrought up about the evils of the convict system, but no one who knows the true condition is wrought up about it at all. The fact is that Florida's convicts are better treated than the shop girls are in New York, where the Cosmopolitan is printed.

As I said before, Mr. Barry was in my office. He was there several times. I talked "peonage" with him at length, and plied him skillfully with questions. He seemed anxious to impress me with his thorough knowledge of the subject, but he was not able to tell me anything definite about it.

This story is a studied one on the part of a hired man to earn his pay, without any regard for the truth or for the injustice that his biased handling of the few shreds of truth will do a great State, composed of as good people as there are in any State. It is about on a par with the wild stuff that has been printed in western newspapers, and is calculated to do a great deal of harm.

Any condition skillfully worked up can be presented in a bad light if the desire is great and an opportunity to sell it is presented.

If the man Barry who penned this infamous libel, or his "muckraking" boss who published it, had any visible property that could be reached to satisfy judgments, civil suits would undoubtedly be brought. If either of them will come into the jurisdiction of Florida, they will undoubtedly be given an opportunity to establish the truth of the charges they have made. But they have not the courage to face in the courts the people whom they have maligned and libeled. They will hide in a bomb proof, as is the custom of their kind.

Mr. JENKINS. I move that the resolution lie on the table.

The motion was agreed to.

### CORRECTION OF ENROLLED BILL.

Mr. HEPBURN. Mr. Speaker, I present the following resolution, and ask for its present consideration.

The Clerk read as follows:

*Resolved*, That in enrolling the bill S. 5133, "to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," the enrolling clerk be directed to correct the engrossed amendment of the House to the Senate bill by striking out all after the word "*Provided*," in section 2 of said amendment, and inserting:

"*Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week."

The SPEAKER. Is there objection?

Mr. BARTLETT. If the gentleman will yield a moment—I do not want to object. That is the exact language of the instructions that were voted in the House directing the conferees to have this language put in the bill. It is not only the exact language, but the physical paper which was voted on by the House.

The SPEAKER. The Chair hears no objection.

Mr. HEPBURN. In a word of explanation I will say that in the hurry of last night the report of the committee as it was presented reads:

In line 15, page 2, strike out all after the word "*Provided*" to and including the word "daytime," in line 24, and insert the following.

"The following" is that matter.

But instead of saying "strike out all after the word '*Provided*' to and including the word 'daytime,' in line 24," we should have said all of the paragraph following the word "proviso." Now, the matter that we did strike out is this:

Except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in the twenty-four-hour period of not exceeding three consecutive days in any week.

You will observe that in this order of the House that language is used, with the exception that the word "consecutive" does not appear in the order. As it now stands, we would have a repetition of that language, varying only by the word "consecutive" appearing in one part and being omitted in the other. It would not change the general effectiveness of the law, but it would be an ugly repetition in the statute. I ought to say, in justice to my associates, that it is my blunder and not theirs.

The question being taken, the concurrent resolution was agreed to.

### W. D. CLAY AND OTHERS.

The SPEAKER laid before the House the bill (H. R. 22182) to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs, with a Senate amendment thereto.

Mr. BURNETT. I move to concur in the Senate amendment.

The motion was agreed to.

### MEDICINE AND SURGERY IN THE DISTRICT OF COLUMBIA.

Mr. GREENE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 8614) to amend the act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896.

The bill was read, as follows:

*Be it enacted, etc.*, That section 6 of chapter 313 of the Twenty-ninth Statutes at Large, approved June 3, 1896, be amended so as to read as follows:

"SEC. 6. That each member of said boards of medical examiners of the District of Columbia shall, before entering upon the discharge of his duties, take an oath to administer, fairly and impartially, the provisions of this act. Each board shall elect from its own members a president and a secretary. Each board shall hold a meeting for examination in the city of Washington on the second Tuesday in January, April, July, and October of each year, and continuing so long as may be necessary to examine all applicants, and other meetings shall be held at such times as the board of medical supervisors shall direct. Each of said boards shall examine, at the meeting immediately following the receipt of the proper certificates from the board of medical supervisors, all applicants for licenses to practice medicine and surgery in the District of Columbia so certified.

Mr. WILLIAMS. Mr. Speaker——

Mr. MANN. Reserving the right to object——

Mr. GREENE. I will explain the situation.

Mr. WILLIAMS. What committee does this bill come from?

Mr. GREENE. It would ordinarily go to the Committee on the District of Columbia, but this bill has just passed the Senate, and I will explain the reasons for it.

Mr. MANN. Let me ask the gentleman a question. The District of Columbia has had a day in the House. Now, what injury will there be if this is postponed until it can receive consideration by that committee?

Mr. GREENE. I will explain it if the gentleman will give me the time.

Mr. MANN. Certainly.

Mr. GREENE. The present law provides that the board of examiners shall hold meetings for these examinations in the city of Washington, beginning on the second Thursday in January. This simply substitutes the word "Tuesday" for "Thursday," and it is for the accommodation of a number of Seventh Day Adventists in this community, who will not take the examination upon Saturday. The law provides for four continuous days' sitting of the examiners, and by changing the date to

Tuesday it simply accommodates these gentlemen who have conscientious scruples on the subject.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

REAR-ADMIRAL M'CALLA.

Mr. COUSINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution No. 98, granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany, which I send to the desk and ask to have read.

The Clerk read as follows:

*Resolved by the Senate and House of Representatives of the United States in Congress assembled*, That permission is hereby granted to Rear-Admiral B. H. McCalla, United States Navy, to accept the China war medal with Peking clasp, tendered to him by the King of Great Britain, and the Order of the Red Eagle with swords, tendered to him by the Emperor of Germany.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I will ask the gentleman to give us some statement of the matter.

Mr. COUSINS. Mr. Speaker, the officer in whose behalf this resolution was passed this morning by the Senate is now in such precarious health by reason of very great and effective service rendered in the salvation of the city of San Francisco, or what was left of it after the recent earthquake and fire, that his life is despaired of. He is the man who led the marines of the United States a few years ago from the shore to Peking and rescued, if I may say that, the minister and his family, who at that time were and had been in very great danger for many weeks. He is now in serious condition. The late recognition that is proposed by this resolution is merely a recognition by two distinguished nations, two of the then allies—Great Britain and Germany. I should like to have that great and noble man's heart thrilled by this one recognition before he dies. You will all remember when I remind you of his utterance when the marines started for Peking. After the conference of the allies he said:

We seem to have come to no conclusion in this conference, gentlemen, but my minister is in danger at Peking, and I am going there.

[Applause.]

Mr. FINLEY. Does not the gentleman think that if this officer of the United States Government on account of his deeds shall live in the hearts of the American people that that will be sufficient and the greatest recognition and reward that could possibly come to him? Mr. Speaker, I object.

Mr. COUSINS. Then, Mr. Speaker, I move to suspend the rules and pass the joint resolution.

The SPEAKER. The gentleman from Iowa moves to suspend the rules and pass the resolution. Is a second demanded?

Mr. FINLEY. Mr. Speaker, I demand a second.

Mr. COUSINS. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Iowa is entitled to twenty minutes and the gentleman from South Carolina is entitled to twenty minutes.

Mr. COUSINS. Mr. Speaker, I reserve my time for the present.

Mr. FINLEY. Mr. Speaker, all I have to say is this: That without an act of Congress decorations conferred by foreign governments can not be received by an American officer, and I am one of those who believe that the highest honor that can be paid an American citizen is that which is paid to him by his own country and by his own countrymen. I think the framers of the Constitution acted wisely in prohibiting distinctions of this kind. That is why I oppose this resolution. [Cries of "Vote!" "Vote!"]

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended and the joint resolution was passed.

Mr. ADAMSON. Mr. Speaker, I desire to place in the RECORD the following telegram:

ATHENS, GA., *March 4, 1907.*

Hon. W. C. ADAMSON,
*Member of Congress, Washington, D. C.:*

Please state for record that I left House Friday on account of serious illness of my daughter, and was paired with BOUTELL, of Illinois.

J. M. GRIGGS.

QUESTION OF PRIVILEGE.

Mr. RANDELL of Texas. Mr. Speaker——

The SPEAKER. The gentleman from Texas [Mr. RANDELL] calls up his appeal from the decision of the Chair sustaining a point of order, just before the recess was taken, a little after midnight.

Mr. DALZELL. I move to lay that appeal on the table.

Mr. WILLIAMS. Mr. Speaker, I suggest that the gentleman withhold his motion for about ten minutes.

Mr. DALZELL. For what purpose?

Mr. WILLIAMS. So that the gentleman from Texas may explain the character of his resolution.

Mr. DALZELL. Does he want to withdraw his appeal?

Mr. RANDELL of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANDELL of Texas. If this appeal was withdrawn, would it be in order to strike out the preamble, and thus remove the objection to the resolution?

The SPEAKER. No; that would not be in order. The Chair understands the gentleman from Texas only desires ten minutes.

Mr. DALZELL. I understand the gentleman wants ten minutes, and I ask unanimous consent that he may have that time pending my motion to lay the appeal on the table.

The SPEAKER. Is there objection?

Mr. RANDELL of Texas. Mr. Speaker, as I understand, if the appeal is withdrawn, the point of order is withdrawn, and I may speak ten minutes on the resolution.

The SPEAKER. No; the Chair does not understand that the point of order is withdrawn.

Mr. MANN. The proposition is to allow the gentleman from Texas ten minutes on any subject to which he desires to address himself.

The SPEAKER. The gentleman from Pennsylvania moves to lay the appeal on the table, but asks unanimous consent pending that motion that the gentleman from Texas have ten minutes on the resolution. Is there objection?

There was no objection.

Mr. RANDELL of Texas. Mr. Speaker, the object of this resolution was to protect the privileges of this House and the interests of the people of this country. It seems to me that when our forefathers formed this Government and in the Constitution made the legislative, executive, and judicial departments, it was an act of wisdom, and that each department should attend to the duties pertinent thereto and not infringe on the rights or duties of another department of the Government.

We understand from the public prints and from general knowledge that at present there are negotiations going on between the executive department of this Government and the Government of the German Empire relative to tariff duties and tariff regulations directly affecting the commerce and the revenues of this country. This resolution was addressed in good faith, and it seems that when it was referred to the Committee on Ways and Means the chairman of that committee addressed some sort of a communication to the Secretary of State and received the following reply:

DEPARTMENT OF STATE,
*Washington, February 14, 1907.*

MY DEAR MR. PAYNE: I should hardly think it would be useful for the House to pass resolution No. 829, calling for information regarding negotiations with Germany.

No agreements have been made between this country and Germany since the modus vivendi established last year and communicated to Congress. As matters now stand the maximum tariff will take effect as against imports from this country on the 30th of June next unless something is done to prevent it, but it would not be compatible with the public interests at present to make public any of the papers involved in this negotiation.

Very truly, yours, ELIHU ROOT.

Hon. S. E. PAYNE,
*Chairman Committee on Ways and Means,*
*House of Representatives.*

Here we have it admitted from the highest authority of this Administration, the Secretary of State, that the situation is such that unless something is done Germany will impose upon the imports from this country the highest tariff rates. It interferes with all of our trade with Germany, and that trade, as far as our exports are concerned, affects the products of the farmer, the products of the agricultural classes, the products of those that raise grain and live stock, and all those that produce foodstuffs. These people are the ones who get less from legislation in this country and suffer most from class legislation.

When their interests are affected we have this picture before the American people: That the Congress of the United States, not the representatives of the people here in Congress assembled, but the President, the Secretary of State, the executive department itself, handles this question, and our tariff laws must be made, revised, corrected, changed in effect by regulation, by agreement, by stipulation outside of law and by the prostitution of the powers of the Executive; and

this, too, while Congress is in session and the representatives of the people sit here inactive, even ignorant of what is being done. The Administration says it is *against public policy that this House should have the information as to what the status of negotiations are between the countries!* I submit the proposition that the people, through their representatives in the Congress, should have full control and full power in reference to the raising of revenue in this country and of all things that affect the Treasury. [Applause on the Democratic side.]

Where will this thing stop? It is evident—we know it is a matter of public information—that the object of the Republican party is to keep from touching the tariff question. You on that side of the House are afraid to take hold of the tariff question, and therefore you go to the executive department and have it to make regulations affecting the estimates as to the values of goods coming into this country, the estimates as to what shall be the appraised value of imports. Thus you regulate, simply by agreeing to certain new regulations, the rate of duty, a power that should be exercised by the Congress only, or by express law. What right has the executive department, directly or indirectly, to change the tariff?

Mr. Speaker, the country ought to know, and I believe the country does know, that this is simply an attempt on the part of the Republican Administration to avoid the tariff issue, to hold it down and not permit the representatives of the people in the Congress even to consider what action shall be taken in a matter of the greatest importance to our people. Especially is it important to the great agricultural classes in the South, in the West, in the great Mississippi Valley, affecting them to the amount of many millions of dollars annually in addition to the effect on the public Treasury, and yet the Republican machine must hold the reins so tightly that the question can not come up in this House.

Not only that, gentlemen, but you must not know—it is against public policy for you to know—the situation of what is being done! Let the American people understand this. Let the people understand that no longer their representatives control the question of taxation, no longer is the matter of tariff legislation in the hands of Congress, but at the White House, in the State Department, in the Republican party machine. The trusts and the party leaders have the question in hand, and it is solely one of party expediency and class interest.

Who is interested in preventing tariff legislation? Not the people interested in just laws, not the people who pay more for farm implements than foreigners, but class interests that now are robbing the people every year by reason of the tariff, which in many cases is absolutely exclusive and therefore brings in no revenue; but which puts up a tariff wall whereby the favored classes can exact such price from the people for their products as they see proper, limited only by the tariff rate.

Mr. Speaker and gentlemen of this House, I submit to you, and I submit to the people of the country, that the record of this Congress, the record of the Republican Administration during this term of Congress, simply means this, that the tariff in this country shall remain as it is; that the people shall have no corrections from its evils; that you do not propose to correct the iniquities of the tariff until "after the next election;" that then *it is to be done "by its friends;"* and after the next election the same situation will be here; and then you will revise the tariff after the next succeeding election, and that revision *must be by its friends!* [Applause on the Democratic side.]

Mr. Speaker, in order to avoid the creation of another precedent as to the point of order which was raised against my resolution, and having called the attention of the country to the methods of those preventing tariff reform, I withdraw my appeal from the Speaker's decision. [Applause.]

The SPEAKER. The gentleman withdraws his appeal.

Mr. DALZELL. Mr. Speaker, in view of the speech that has been made by the gentleman from Texas [Mr. RANDELL], I ask unanimous consent that the gentleman from Ohio [Mr. GROSVENOR] may have five minutes.

Mr. GROSVENOR. Mr. Speaker, I think under the circumstances the matter better end where it is.

JOHN ALLEN.

The SPEAKER laid before the House the bill (H. R. 13122) to correct the military record of John Allen, with the following message from the President:

*To the House of Representatives:*

I refuse my signature to this bill, on the recommendation of the Secretary of War, for the reasons set forth in the following report of The Military Secretary:

"The official records show that John Allen, private, Company I, Thirty-second Infantry United States Volunteers, was tried and convicted by a general court-martial of the crime of murdering a native Filipino; that he was sentenced to be dishonorably discharged from the service of the United States and to be confined at hard labor for the period of twenty years; that he was dishonorably discharged in accordance with the terms of the sentence; and that upon a review of his case by the War Department it was found that the sentence in this case was void, because, under the requirement that a court-martial sentence in a case of this kind shall not be less than the punishment provided for a like offense by the civil laws in force where the offense was committed, the man should have been sentenced to imprisonment for life, that being the punishment provided for a like offense in the Philippine Islands, where Allen's crime was committed. Allen was accordingly set at liberty after a relatively short term of confinement.

"There seems to be no good reason on which to exercise clemency in the case of this man, who was only relieved from a twenty years' sentence of confinement because that sentence ought to have imposed confinement for life."

It appears that this man, John Allen, was tried and convicted by a general court-martial of the crime of murdering a native Filipino; that he was sentenced to be dishonorably discharged from the service of the United States and to be confined at hard labor for the period of twenty years; that he was dishonorably discharged in accordance with the terms of the sentence, but that the sentence was held void because it was by law required that the court-martial sentence in a case of this kind should not be less than the punishment provided under the civil laws. Under the civil laws the punishment of Allen would have been a life sentence, and he was set free after a relatively short term of confinement simply because he ought to have been condemned to life imprisonment instead of to twenty years' imprisonment. The man is a criminal who should now be serving a life sentence for murder, and it would be a disgrace to the Army to give him an honorable discharge.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *March 4, 1907.*

Mr. CAPRON. Mr. Speaker, I move that the message be referred to the Committee on Military Affairs.

The motion was agreed to.

HON. FRANK C. WACHTER.

Mr. TOWNSEND. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

*Resolved*, That the House of Representatives hereby expresses its appreciation of the faithful and efficient manner in which Hon. FRANK C. WACHTER has performed the onerous duties of chairman of the Committee on Enrolled Bills.

[Applause.]

The SPEAKER. Is there objection?

There was no objection.

The resolution was unanimously agreed to.

WITHDRAWAL OF PUBLIC LANDS.

Mr. MONDELL. Mr. Speaker, I call up a privileged resolution, No. 835. It has been reported by the Committee on the Public Lands with an amendment, and I ask that it be read as amended.

The Clerk read as follows:

*Resolved*, That the Secretary of the Interior be, and he is hereby, requested to inform the House under what authority of law the orders of July 26, October 10, 15, 27, and 31, and November 12, 1906, were made under which approximately 64,000,000 of acres of public land in the States of Utah, Colorado, Wyoming, Washington, Oregon, North Dakota, and Montana, and the Territory of New Mexico, and all the public lands of the Territory of Alaska were withdrawn from all forms of entry, filing, or selection under the land laws.

Mr. MONDELL. Mr. Speaker, since the orders referred to in this resolution were issued they have been very considerably modified, and I have been led to believe since the introduction of the resolution that the orders would be still further radically modified or entirely rescinded in the near future. Hence I have not heretofore asked for consideration of the resolution.

The Secretary of the Interior under whose authority these orders were issued goes out of office to-day. It would therefore be impossible to secure a response from him to the inquiry contained in the resolution. In view of that fact I shall do nothing more than call attention to the resolution at this time and withdraw it.

The people of the West are hopeful that a change in administration in the Interior Department will bring a reversal of the policy under which orders like those in question were issued.

I addressed the House on February 8, 1907, on the subject of these orders, and expressed the opinion that there was no authority of law for their issuance, and, further, that no condition existed which would warrant their issuance even were there authority for so doing. The effect of these orders was, in the first instance, to prevent and retard development of all kinds under any of the land laws. As the orders were modified, agricultural lands and agricultural entries were relieved from the suspension, but the orders still suspend the coal-land laws over practically all of the coal lands of the country. Surely there is no more authority for suspension of the coal-land laws by Executive order than there would be for suspension of all the land laws or of all or any of the laws of the land.

During the session of Congress which has just closed the Committee on Public Lands of the House of Representatives has had exhaustive hearings on the subject of the coal-land laws, and finally, after lengthy and thorough consideration, reported

a bill. Unfortunately, owing to the congestion of business in the closing hours of the session, it was not possible to secure consideration for this measure. While I do not fully approve all of its provisions, notably that in regard to leasing, it would improve present conditions. I am of the opinion, however, that the present coal-land laws are sufficient to encourage development of the coal industry on the public domain if they are fairly and reasonably administered.

The coal-land law is a law of sale. It was never intended that the Executive Departments should pursue as criminals every man who purchased coal lands, but who did not proceed personally and individually to mine the coal on his land. Congress intended to give every American citizen the right to buy 160 acres of coal land, and after having bought it to use it as he saw fit. To open and develop coal mines in the West it is generally necessary to consolidate a number of entries in a single holding, but the practice of the Department for the last two or three years has been to hamper, harass, and pursue as criminals all those who have endeavored to consolidate coal entries with a view of developing a coal-mining industry.

The Department of the Government whose business it is to encourage and assist in the development of the country through a reasonable and proper enforcement of the land laws has persistently pursued coal entrymen. The rulings of the Department have encouraged fraud, and in fact have made it difficult for entrymen to secure coal lands in accordance with law, and the special agents of the Department have made it their particular business to harass coal entrymen and to hamper and interfere with development of the coal-mining industry.

It is to be hoped that with the incoming of a new administration of the Department we shall see an end of prejudice, muckraking, and hysteria in the administration of the public-land laws, and we shall have substituted therefor a sane and sensible policy under which the laws will be enforced without malice or sensationalism, and with a view of assisting rather than retarding the development of the West.

Mr. LACEY. I ask unanimous consent that I may have five minutes on the resolution which has been withdrawn, in order to explain the situation which the gentleman calls to the attention of the House.

The SPEAKER. The time is very short. Would not one minute do, with leave to print?

Mr. LACEY. One minute will do.

The SPEAKER. The gentleman asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. LACEY. Mr. Speaker, I want to say, in justice to the Interior Department, in relation to the withdrawals, they were made immediately following the disclosures drawn out by the Interstate Commerce Commission when examining the coal-land situation in Utah. Subsequently, however, it appears that the frauds in Utah, while they were made for the purpose of obtaining coal lands, were not committed, or very few of them were committed, under the coal-land laws. They were violations of other laws and evasions of the coal-land law. The Department of the Interior felt justified in taking extreme measures in view of the disclosures that were made in that hearing. That hearing has been made public and is in possession of the House.

### AFFAIRS IN PORTO RICO.

Mr. LARRINAGA. Mr. Speaker, almost every Member of this House knows fully well, when the Commissioner of Porto Rico arises here, what he is going to say and what his contention is. Within the short time at my disposal and at this late hour I can not for a moment undertake the task of presenting the arguments to prove that my country has a right to self-government. I will therefore merely improve these few moments allotted to me to say once more that the contention of the people of Porto Rico, for whom I am allowed to speak, not by law, but by a mere act of courtesy of this House in amending Rule XXXIV, that the people whom I represent here in such a peculiar way contend that they have a full right to be represented here in this House, as it was represented thirty-five years in the Spanish Congress. We had there sixteen full-fledged representatives who had to look after the laws regarding Porto Rico. They did pass the most important law that that congress ever passed or will ever pass in centuries to come. It was the Porto Rican delegation, with their votes, that made the law that set 50,000 slaves free in the community. [Applause.] The last provision of that act was that it was to be communicated and made effective by cable on the next day, and these 50,000 slaves arose freemen, thanking God that the Porto Rican freemen knew how to make use of the right given to them by Spain, and which is as yet denied them by this great Congress of the greatest nation in the world. [Applause.]

The actual conditions in Porto Rico may be briefly outlined in a few words.

After eight years' struggling under the most unfavorable conditions the island is at least recovering from economical industrial depression and fairly entering into rather prosperous times. A year after the American occupation, in 1889, the island was swept over by one of the most disastrous hurricanes ever known in its history, which completely ruined the production of coffee, its main staple. The next year the organic act of April 12, 1900, which was given by Congress to the island as the basis of a civil government, carried with it the application of the Dingley tariff to all merchandise coming from foreign countries trading with the island, and as a consequence the canceling of all commercial treaties that Spain had with other nations then trading with the island and buying our coffee, paying for it a very high price, as its superior quality was highly appreciated in those markets. This not only closed their markets to the small reserve of coffee left by the cyclone, but also killed the credit of the planters, who could not get a single dollar at any banking or financial institution to rebuild their plantations destroyed by the hurricane. The people of the island, through their house of delegates, decided to come to the rescue and help the planters, providing them with the means to replace their plantations, rebuild their houses, stores, and machinery, etc., but they were forbidden to do so by the executive council, or upper house of the legislature, created by the organic act.

It was proposed by the lower house, or house of delegates, which is elected by the people, to make a loan of $5,000,000—to lend money, through the existing banks, to the planters who could offer solid collaterals, the loan to be raised with the sole and exclusive credit of the island, which has always enjoyed unlimited credit. This executive council, formed of eleven members appointed by the President, the majority of whom were Americans from the different States of the Union, sternly opposed such measure, under the futile pretext that the Porto Rican planters would use the money to pay their creditors, who, being mostly foreigners, would retire from the country with the cash, leaving the planters with their lands on their hands and powerless to work or improve their plantations. All arguments based on the past history of Porto Rico, which showed that the island had always recovered in one or two years from such calamities, were of no avail, the executive council refusing always to concur. The example furnished by the past economical conditions of Porto Rico, which was always a money-lending country, having in several instances lent money to the Crown treasury, to Santo Domingo, and even to Cuba, which latter country is at present owing two and one-fourth millions of dollars to the treasury of the island, was entirely disregarded by the executive council. The fact that Porto Rico had abolished her slavery and, right after such crisis in the labor problems, had in a few years paid $14,000,000 of capital and interests to the slave owners was also ignored.

The effect of not helping the farmers was that most of the small coffee farms have changed hands, the majority of them having gone into the hands of the wealthy merchants and the banking institutions, who, having foreclosed their mortgages, are now in possession of immense tracts of coffee lands, which in some cases they can not cultivate themselves in their entirety, while many other of these little properties have been during past years sold to meet the pressing needs of the families of the poor farmers or sold at auction to pay taxes and, therefore, have been acquired by the rich people. Thus one of the most beautiful features of the social and economical conditions of the island has almost disappeared, and the way is paved for a coffee trust to step in and monopolize the coffee in the island as soon as conditions are favorable.

When the rivers and harbors bill was being discussed in the House a few days ago I had the opportunity to explain to the House why the battle ship *Louisiana*, that took the President to Panama and Porto Rico, could not enter the port of San Juan. The executive council of Porto Rico had suppressed seven years ago the board of harbor works, that for some time past had been successfully in operation and had already removed the worst shoals in the harbor and had also deepened the most dangerous part of the channel. And for that reason the commerce of San Juan, which is increasing every day, has at the present time neither harbor of sufficient anchorage capacity nor a safe port of refuge to offer to the American Navy in case of necessity.

I will not mention here, Mr. Speaker, all the calamities, misery, and destitution that were the consequences of those conditions of agriculture in such a thickly populated country like Porto Rico. The country laborers and their families had to migrate for the first time in the history of the island to the

Hawaiian Islands, Mexico, and Peru. Men, women, and children starved in their little homes in the mountains or, exhausted by the exertion, dropped on their way to the cities on the coast where they went to beg for a piece of bread. These are undeniable facts, and I challenge contradiction to any one of them; while, on the other hand, it is also a fact that can be proved by official documents in the archives of the Department of State, that while those facts were taking place in Porto Rico the official reports from the island proclaimed the prosperity and happiness of the country. Nor was this work of the executive council of destroying the markets of the country the only calamity then befalling the island. Section 11 of said act provided the exchange of all coins in circulation in the island for coins of the United States. Thus more than 6,000,000 silver coins were reduced to less than 4,000,000 silver coins and silver certificates, when by simply recoining our silver pesos, which were of a superior fineness to the American dollars, the exchange of money could have been done without the loss of a single dollar to the country. Instead of this, our circulating medium was reduced to about $2,000,000 only, as we had to leave part of our silver in the United States to pay for the deficiency of our crops that had been destroyed by the cyclone.

This enormous contraction in our circulating medium is known in financial circles in the island as the "second cyclone." Nothing has been done by Congress to help the country. The effects of such conditions, as can well be imagined, was so disastrous that it has taken seven years of hard toiling to rebuild in some way the economical conditions of the island. While coffee has been unable to recover, sugar and tobacco, helped by free trade with the United States, have largely developed, some capital from the United States, as well as from Europe, having been invested in the island, and although all the profits accruing from such industries go out of the island to the large money combines abroad, yet some benefits have been derived from it, as work has been furnished to the working classes in the island, and therefore life in general is to-day more tolerable to the native toiler. From a financial point of view, judging from the bulk of imports and exports of the island, Porto Rico is doing more business to-day than it ever did before; but a single glance at the figures that make up those totals will soon show that the great exports of the island are being swelled up by the sugar turned out by a few large factories in the island. In the educational part of the administration of the country some good work has been going on from the beginning, as the country, in spite of all, has been furnishing the necessary funds to build up a good system of education. The number of schools has been largely increased, although in the interior districts of the island poverty has, up to the present, hindered the assistance of the children to the schools in numbers sufficient to justify the large expenditure in teachers and schoolhouses.

In the matter of improvements the country has also furnished sufficient funds to keep up the building and maintenance of its good system of roads; but while on the material side of public life the country has worked and done everything that was in its power to do, yet it has always been laboring from the start under the great drawback of a general discontent arising from the unsatisfactory political conditions under which it was placed by the organic act. The government of the island, as before said, has been conducted entirely by the absolute and tyrannical rule of an executive council, or upper house, formed of eleven members appointed by the President, the majority of which are, at the same time, the heads of the different departments. They make the laws, vote our taxes, collect our money, and expend it without any satisfaction being given to the people of the island. Each head of a department may act in the most independent and arbitrary way, without any regard whatsoever to the will of the people. In some instances it seems as if some of them make it a point to show the people of Porto Rico that they do not count for anything in the management of the affairs of the island. It seems to have been a rule that the will of the people should be ignored, and as the members of the council do not in the least depend on the popular vote for their offices, they will probably continue to do as they please so long as they have the approval of the Executive.

Now, Mr. Speaker, I wish it to be distinctly understood that my criticisms of the executive council do not in any manner refer to the personnel forming the present executive council of Porto Rico.

When I speak of the executive council of Porto Rico, I refer to that feature of our organic act which forms our upper house of eleven members, six of whom are at the same time the heads of the departments. It is the system of which I complain.

The present executive council is formed of as good men as you could find for those places. I believe that even those in that body who may commit or may have committed errors mean or meant well, although about some of them I think that even within the rights given to them by the law they might be guided by a better regard for the will of the people than they seem inclined to have.

If it were in my hands to have the President remove them all to-day, I would not do it, as they are, as I have said, as good men as the President would probably find in the country. And as they have already had time to learn something of the country, the new ones would probably not do as well. And in this connection I will mention the fact that, as they are appointed for four years, there should have been no more than twelve different men to fill those offices, for none have died or had to leave on account of health (that I know of), and, instead of twelve, twenty-one different men have passed through those offices. In some of the departments as many as five have filled the same office, so that, not taking into account the time that those officers are substituted by their assistants, which occurs at least once in every year when they come to this country for their vacations, every member in that department has held the office an average term of sixteen months.

And when you consider, Mr. Speaker, that these gentlemen are sent there to make laws for a country they do not know, for a people whose laws, customs, and language they do not know, and this for an average period of seventeen months, you may imagine, Mr. Speaker, the probabilities they have of doing well, even if they were selected from the highest intellects in the country. And thus it happens that a gentleman landing at 8 o'clock in the evening at San Juan, at 9 o'clock next day has taken the oath of office and is seated in his chair making laws, perhaps deciding with his vote very important laws, when he has not practically seen the face of a single Porto Rican.

Now, Mr. Speaker, I wish here to state once more that I have no objection to any of the members of the executive council to-day as far as their personalities are concerned. They are a body of intelligent men, perfect gentlemen. That although I think that some of them are sometimes wrong in their policies toward the people of Porto Rico, even within the narrow limits of our organic act, yet I believe that they are honest.

So, Mr. Speaker, it may be said that we have to-day about as good a government as it could be expected under our political status, but, as I have often said, that status is entirely repugnant to the people of Porto Rico, and I wish here to solemnly protest before Congress and the American people of that feature of our organic act which makes the upper house appointed by the President and not elected by the people.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill and joint resolution of the following titles:

H. R. 8727. An act for the relief of James W. Kenney and the Union Brewing Company; and

H. J. Res. 211. Joint resolution authorizing the transfer of the files, books, and pamphlets of the Industrial Commission.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the House of Representatives be requested to return to the Senate a bill (S. 171) for the relief of the Omaha National Bank, and that the same be referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the Tucker Act, and said court shall proceed with the same in accordance with the provisions of said act and report to the Senate in accordance therewith.

## ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs;

H. R. 8727. An act for the relief of James W. Kenney and the Union Brewing Company;

H. J. Res. 211. Joint resolution authorizing the transfer of the files, books, and pamphlets of the Industrial Commission;

H. R. 25745. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 17415. An act to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska;

H. R. 25883. An act to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy; and

H. R. 13304. An act to provide a suitable memorial to the memory of Christopher Columbus.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1032. An act to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.;

S. 8614. An act to amend an act entitled "An act to regulate the practice of medicine and surgery in the District of Columbia," approved June 3, 1896;

S. R. 29. Joint resolution authorizing the selection of a site and the erection of a pedestal for the Stephenson Grand Army memorial in Washington, D. C.;

S. 6447. An act to authorize the appointment of Acting Asst. Surg. George R. Plummer, United States Navy, as an assistant surgeon in the United States Navy;

S. 8012. An act to erect a monument on the Tippecanoe battle ground, in Tippecanoe County, Ind.;

S. 8568. An act granting an increase of pension to Rosanna A. May;

S. 8585. An act for the relief of Charles W. Spalding;

S. 8230. An act for the relief of Harold D. Childs;

S. 8292. An act providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the battle of New Orleans at Chalmette, La., and making the necessary appropriation therefor;

S. R. 98. Joint resolution granting permission to Rear-Admiral B. H. McCalla to accept a medal from the King of Great Britain and the Order of the Red Eagle from the Emperor of Germany; and

S. 5133. An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate bills and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

*Resolved*, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 1050) for the relief of Edwin S. Hall—

to the Committee on Claims.

Also:

*Resolved*, That the House of Representatives be requested to return to the Senate a bill (S. 171) for the relief of the Omaha National Bank, and that the same be referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the "Tucker Act," and said court shall proceed with the same in accordance with the provisions of said act and report to the Senate in accordance therewith—

to the Committee on Claims.

S. 5684. An act for the relief of the Compañia de los Ferrocarriles de Puerto Rico—to the Committee on War Claims.

S. 8420. An act for the relief of the Mille Lac band of Chippewa Indians in the State of Minnesota, and for other purposes—to the Committee on Indian Affairs.

S. 6190. An act authorizing the Omaha tribe of Indians to submit claims to the Court of Claims—to the Committee on Indian Affairs.

S. 7929. An act to provide a temporary home for ex-Union soldiers and sailors in the District of Columbia—to the Committee on Military Affairs.

S. 8542. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs—to the Committee on Private Land Claims.

S. 569. An act granting a pension to Edith A. Hawley—to the Committee on Pensions.

S. R. 95. Joint resolution relating to proceedings to set aside deeds alleged to have been made by Mexican Kickapoos—to the Committee on Indian Affairs.

S. 7845. An act granting a pension to Lola B. Hendershott and Louise Hendershott—to the Committee on Pensions.

S. 6175. An act granting an increase of pension to Neoline H. Ash—to the Committee on Pensions.

S. 1796. An act granting an increase of pension to Edith Burt Trout—to the Committee on Pensions.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 25851. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for prior years, and for other purposes;

H. R. 25812. An act to authorize the Secretary of War to loan and deliver certain brass fieldpieces to the Valley Forge Park Commission of the State of Pennsylvania;

H. R. 24640. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 25745. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes;

H. R. 17415. An act to authorize the assignee of coal-land locations to make entry under the coal-land laws applicable to Alaska;

H. R. 13304. An act to provide a suitable memorial to the memory of Christopher Columbus;

H. R. 25883. An act to reinstate Leonard Martin Cox in the Corps of Civil Engineers of the Navy;

H. J. Res. 219. Joint resolution providing for an increase in the number of copies to be printed of the Annual Report of the Comptroller of the Currency;

H. J. Res. 229. Joint resolution to provide for the printing of 250,000 copies of the special report on the diseases of horses;

H. J. Res. 255. Joint resolution providing for the printing of 5,000 copies of House Document No. 651, Fifty-ninth Congress, second session;

H. J. Res. 256. Joint resolution authorizing the Attorney-General to print 850 copies of the Session Laws;

H. J. Res. 257. Joint resolution authorizing the Secretary of the Treasury to print 1,000 additional copies of the annual report of the Director of the Mint;

H. R. 25672. An act to amend an act entitled "An act to authorize the Ox Bow Power Company of South Dakota to construct a dam across the Missouri River;"

H. R. 8727. An act for the relief of James W. Kenney and the Union Brewing Company;

H. R. 22182. An act to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs; and

H. J. Res. 211. Joint resolution authorizing the transfer of the files, books, and pamphlets of the Industrial Commission.

JOINT PRINTING COMMISSION.

The SPEAKER appointed as members of the Joint Printing Commission Mr. CHARLES B. LANDIS, Mr. PERKINS, and Mr. GRIGGS.

On motion of Mr. PAYNE, the House took a recess for fifteen minutes.

GEN. CHARLES H. GROSVENOR.

During the recess Mr. TAWNEY took the chair and called Members to order in convention.

The CHAIRMAN. The House is in recess, but I am requested to preserve order for a few moments. Just what the object of this convention is the Chair is not able to state, but he will recognize the gentleman from Washington [Mr. CUSHMAN].

Mr. CUSHMAN rose. [Applause.]

Mr. CUSHMAN. Mr. Chairman, I rise to a question of personal privilege. Indeed, sir, one of the highest privileges it has ever been my lot to enjoy.

By the grace and the courtesy of *all* my friends and colleagues *on both sides* of this Chamber I am commissioned for a few brief moments to perform in their behalf a most pleasant duty.

Sir, the clock is remorselessly ticking off the seconds, and but a few moments more and the great Fifty-ninth Congress will have passed into history.

And when the gavel falls some men who for years have been distinguished figures in this great House will walk forth from its walls into the sunlight of private life.

As between all the great men who are to-day retiring from this House it is neither necessary nor appropriate that I should attempt to draw any distinctions. I know of *no* man who has served in this House since I have been here whose career is not worthy of good words. I can look about me now and see dear and familiar faces that may not be seen in this Hall again. And among them all, thank God, I see the face of no enemy, but, on the contrary, I behold everywhere a vast legion of friends. [Applause.]

In the eight years that I have been a Member of this House the one thing that has been most deeply and profoundly impressed upon me is the splendid character of the matchless men whose accustomed habitat is this forum. [Applause.]

The friendships which we all make in this Chamber I regard as the most valuable and charming acquisition incident to a Congressional career.

And, sir, these splendid memories will probably constitute the only substantial and indestructible asset that most of us will carry back to the walks of private life when we go forth from this Hall forever. [Applause.]

I trust, sir, that I am not unfair to any other man in this vast body when I say that General GROSVENOR of Ohio [prolonged applause], whose term is about to expire, is one of the most distinguished men that has sat in this House in many years.

*Of* him and *to* him I am for a moment commissioned by his colleagues to speak.

He has served in this House for twenty years—almost continuously. He entered this body as a Member in 1885, more than twenty years ago. He is to-day one of the few but familiar figures in this body whose presence seems to link us with the mighty past.

In this House he has served with McKinley and Dingley and Reed, with Carlisle and Mills and Wilson and Springer, and a host of others who moved among the giants of those days.

Of the mighty contests that have taken place on this floor in the past twenty years he can truthfully say:

All of which I saw, and a part of which I was.

He has been a Member of this House under six different Speakers—two of them Democrats and four of them Republicans.

He has served in this House during part of seven successive Presidential terms and under five different Presidents. And I am violating no state secrets when I say that on this floor in recent years he has been the authorized spokesman for two great Presidents of the United States. [Applause.]

What a splendid record!

And now, at more than three score years and ten, we behold him with his mental powers matchless and unimpaired.

We, his Republican supporters on this side of the Chamber, know that he remembers everything that ever happened. [Laughter and applause.]

But, sir, his political opponents in this body pay to his marvelous memory even a higher tribute. CHAMP CLARK and JOHN SHARP WILLIAMS have frequently asserted that in great political emergencies of his party on this floor he has been able to remember things *that never happened at all.* [Great laughter.]

Sir, what a splendid thing it is to see preserved in one to such a great age a memory perfectly poised, entirely sound, and as accurate as the exigencies of the occasions will permit. [Renewed laughter.]

It was determined by the General's friends on this floor, on both sides of the Chamber, that his departure from this body under these circumstances ought not to be entirely unheralded.

By common consent it was agreed that some token, some testimonial, from all his friends on this floor ought to go with him into private life, to be a perpetual reminder to him of the years of his life spent here and the legion of friends he made here. [Applause.]

After it had been determined to procure some gift for him it was suggested that I should act in this matter as a sort of trustee for his friends and become the temporary repository of a fund created for this purpose.

And this experience, I can testify, was both a novel and refreshing one to me, because it is the first time within my recollection when my colleagues on this floor seemed determined to force money on *me.* [Laughter.]

[Turning toward Congressman GROSVENOR:] General GROSVENOR, the gift which your colleagues selected for you, and which they take pleasure in presenting to you to-day, now stands in yonder lobby.

It is a large mahogany chest filled with a splendid set of solid silver tableware, numbering more than 300 pieces; the pattern is an Old English design, but of American manufacture. [Applause.] Each piece in this set is engraved with an Old English "G," being the initial letter of your historic family. [Applause.]

Upon a silver plate upon the lid of this chest you will find engraved these words:

Presented to
HON. CHARLES H. GROSVENOR,
of Ohio,
by his friends and colleagues of
The National House of Representatives
of the Fifty-ninth Congress,
on March 4th, 1907,
as a token of their personal friendship and
esteem upon his retiring from Congress after
twenty years of conspicuous public service
for his State and Nation.

[Applause.]

And now, with but little of formality, but much of feeling, I deliver to you this gift from your colleagues.

This gift is not insignificant in financial worth, but it is chiefly to be treasured by reason of its associations and the generous impulse that gave it birth.

While it is not distinctly "nominated in the bond," I think I am justified in saying that the men who are bestowing this gift upon you, sir, have also had in mind your dear wife—the sharer of your joys and sorrows. It is the wish of all, sir, that you two may be spared for many years to come and that the use and possession of these articles may bring to you both many happy and historic memories. [Loud applause.]

Neither time nor propriety suggest that I should here attempt to name individually the men who are bestowing this gift upon you. It would virtually be a roll call of this House, and one of the few roll calls where everybody voted "aye." [Applause.]

But I may be pardoned for saying in passing that among those who by means of this beautiful gift wish to furnish to the General a lasting testimonial of their personal regard and esteem I might mention Speaker JOSEPH G. CANNON and JOHN SHARP WILLIAMS, SERENO E. PAYNE and DAVID A. DE ARMOND, JOHN DALZELL and CHAMP CLARK, JAMES A. TAWNEY and OSCAR W. UNDERWOOD, and all the rest of the membership of this great body, equally honorable and almost as distinguished. [Applause.]

It is pleasant to know—ah, yes; it is more than pleasant—it is an inspiration to realize that after all these years of strenuous struggles and bitter contests that one of the great leaders of *one side* of this House can march forth to private life bearing with him not only the respect but the *affection* of both sides of this the greatest legislative body on the planet. [Applause.]

In that sense, Mr. Chairman, this occasion is more than the mere presentation of a gift to a friend.

The nature of this ceremony makes it a tribute to the genius of our institutions and a testimonial to the high character of all the men who are gathered underneath this sunlit roof as the legislative agents of the leading civilized nation of the world. [Applause.]

In times of stress and mighty conflict in this Chamber General GROSVENOR has always been in the forefront of the Republican column—on the firing line, so to speak—

And his old white head shone afar
Like the crested plume of the brave Navarre.

And the Protestant chivalry of France on the embattled plains of Ivry never pressed closer upon the snow-white crest of their best-beloved king than the Republican hosts of this House have followed the lead of that old white head. [Loud applause.]

General GROSVENOR retires from the service of his country poor—poor in finance, I mean. And what a tribute that is to his honor! In the sweep of these mighty years in which he has been a central figure and leading factor mighty fortunes have been amassed by lesser men; but he has given his mental powers and his physical strength to his country.

Poor indeed in finance, but immeasurably rich in a wealth of nobler things—a wealth that rust can never reach and time will never tarnish. [Prolonged applause on the floor of the House and in the galleries.]

Mr. CLARK of Missouri. Mr. Chairman, next to the consoling consciousness of serving one's country well, the most valuable portion of a Congressional life is the forming of pleasant personal associations. It is said that an open confession is good for the soul. Before I came hither I had certain favorites in Congress, and there were certain men here whom I had picked out to dislike. I confess that I entered Congress with a deep-seated prejudice against General GROSVENOR, of Ohio. He was eternally skinning Democrats, and I am not enamored of that sort of a man generally. [Laughter.] But watching him and listening to him, I first came to admire his ability, and after a while I came to feel for him a deep personal, filial affection. [Applause.] The House of Representatives is the most splendid arena for mental pugilism in the world. Its membership, for the purposes of speechmaking, may be roughly divided into three classes—men who can make good set speeches only, men who can take care of themselves in running-fire debate only, and the third class, the few men who can make good set speeches and also take care of themselves in the running-fire debates. The third class come to be the top-notchers in this House, and General GROSVENOR undoubtedly belongs to that class. [Applause.]

I suppose, one way and another, I have had as many debates with him as any living man—some of them here, a great many of them not here. Maj. Joe Bagstock described himself as "Sly, sir—devilish sly; tough, sir—devilish tough." I transfer that description to General GROSVENOR as a debater. [Laughter and applause.] It fits him like a glove. If he has ever refused to meet any comers, or all comers, I have failed to observe it, and only once did I ever see him strike below the belt.

Mr. OLMSTED. When did he hit you?

Mr. CLARK of Missouri. He did not hit me then. Mr. Chairman, twenty years is a long time for a man to serve in this

House. It is really the best part of his life, because it is the prime of his life.

Sometimes when people get mad at the House and have nothing to say specifically bad they lump us all off as a lot of ignoramuses. That is not true at all. The men who rise to high positions here would have achieved eminent success in almost any department of human endeavor. There is another thing about speech making here. The two words in the English language that are used most loosely and most abused are the words "oratory" and "eloquence." Every man who can stand up and speak in public is dubbed an orator. Oratory is one of the rarest qualities known among men. A debater is essentially different from an orator. A man may be both. He is lucky if he is either. General GROSVENOR is not an orator. Once in a while I have heard him rise temporarily to what might be called eloquence, but as a steady all-around debater I give it as my opinion that he has not had a superior in this body since I have been here. [Applause.] There are strong debaters on this side of the House, but I am not talking about them now. There are other men on the other side of the Chamber who hit as hard sometimes as General GROSVENOR does, but to scare them up out of the brush, to meet us Democrats in debate on everything the Republicans ever did or are doing or have any idea of doing, he tops them all. [Applause.]

It is strange and intensely interesting to watch the ebb and flow of individual popularity in this body. I believe it is true that eight years ago the present Speaker of this House could not have been elected Speaker to save his soul. He had thumped and skinned and pummeled too many men. He had killed too many bills, both for Democrats and Republicans, while chairman of the great Committee on Appropriations; and yet the time has come when he is an exceedingly popular man on both sides of this Chamber. [Applause.] He is our "Uncle Joe," closing his second term in the second greatest office in our governmental system, and destined for a third term. When I came here the nearly universal sentiment among Democrats on the floor was one of dislike for General GROSVENOR, and yet I have seen him grow into an extraordinary measure of popularity. He has inflicted wounds on many of us, and we have paid him back in kind; but these wounds do not fester. They are reminders of battles royal hot at the time, but pleasant in the retrospect. He goes out. Whether he will return, I do not know; but if the district is to send a Republican here any more I hope he will come back. [Applause.] My friend "the Abraham Lincoln of the Pacific coast" [Mr. CUSHMAN] [applause] has referred to the fact that though General GROSVENOR has passed the Psalmist's allotment of three-score years and ten, he is still strong and dangerous in a fight, and I join in the sentiment—and so do all of us over here who have tussled with him—that his strength has not abated by reason of his years. He goes forth 73 years of age. I hope he and his estimable wife will live many, many happy years yet, until—

> Old age serene and bright,
> And lovely as a Lapland night,
> Shall lead them to the grave.

[Loud applause.]

Mr. WILLIAMS rose amid great applause.

Mr. WILLIAMS. Mr. Chairman, it is said that an Irishman once carried to a chicken fight a drake upon his arm and insisted upon entering him in the lists, and to the objection that it was not a chicken the Irishman replied: "I don't know anything about thot, but if you will let him into the fight he will bate all of thim, and all the divilment in the world can not thrip him." If I were to characterize the gentleman from Ohio as a participant in what we call in a Pickwickian sense the "deliberations" of this body [laughter], if I were to characterize his performances upon this floor, I would say he was like the Irishman's drake. [Laughter.] For a long time we have tried to "thrip" him and find "it takes all the divilment in the world" to do it. One strength of the gentleman upon his feet is that when he makes an argument upon the assumption of the existence of a fact and is convinced during the course of the argument that the fact does not exist, he can argue on just as well. [Applause and laughter.]

Mr. Chairman, it is needless for me to say that in a certain sense this side of the Chamber rejoices in celebrating the retirement from public life of the gentleman from Ohio [laughter], though a great regret that we have in connection with it in some of our moods is that in private life he will have more time to "figure" than he has had in public life. [Laughter.] The mathematics of the gentleman from Ohio are very much like the Scriptural definition of man, "fearfully and wonderfully made," and yet such has been the uniform good luck of the Republican party and the uniform bad luck of the Democratic party that sometimes his figures have actually approximated correct results. [Laughter.]

Mr. Chairman, men are carpenters, blacksmiths, lawyers, dentists, politicians, Presbyterians, Methodists, Democrats, Republicans, but under all of the outside and secondary things that a man is is the man himself—the human animal.

I have been here a long time, and when I came there were two or three bêtes noires, to my imagination, on that side of the Chamber. One of them was the gentleman from Ohio. I have learned to know this: That he knows how to give and he knows how to take. I like that in a man. He has stood aggressively, constantly, valiantly, and sometimes bitterly, sometimes with vitriol on his tongue, in behalf of his party organization and his ideas of administration and government. But, that all left out of consideration, when you come down to the man under it all he has been kind-hearted, accommodating, and always anxious to do what he could to make the pathway of any man here on either side smooth for him. [Applause.] In all the little matters of local legislation pertaining to one's district he has perhaps extended more aid from that side of the Chamber to men on this side of the Chamber than anybody else. [Applause.]

Of course I do not like his politics, and of course I have had much to say about his politics in the past, and he and I have had our bouts, but with all that there has never been a time when I could not go to him and ask as a personal favor that some liberty be extended to some Member upon this side, and that he use his influence on that side to have it extended, that he has not responded. [Applause.]

We can well, simply as men, regardless of political opinions, regardless of our past turmoils, join heartily and sincerely in presenting to him this testimonial of his colleagues of the feelings which they entertain for him. [Prolonged applause.]

The CHAIRMAN. The gentleman from Iowa [Mr. LACEY] is recognized for a few minutes. [Applause.]

Mr. LACEY. Mr. Chairman, I know that it will be some satisfaction to my colleagues in this House to know that when General GROSVENOR goes into the cold outside world he will have somebody along with him to see that he is properly taken care of. [Laughter.]

A few years ago, when the McKinley statistics were coming in, our friend got the sobriquet of "Old Figgers." I went home on a visit about that time and one of my friends came to me and said: "I want you to carry my regards to that Ohio man, Mr. GROSS-VENOR." I said to him: "That is not his correct name; the letter 's' in his name is silent." Said he: "I did not suppose that anything about him was ever silent." [Laughter.]

In the Fifty-first Congress I became associated with our friend, and whenever anything was needed out in the district in which I have been struggling for so many years, whenever we were in a close place, we always called upon General GROSVENOR, and, unlike my friend the leader on the Democratic side, if there is anything I do like about General GROSVENOR more than anything else, it is his politics; and he never has disguised them. And that is one of the things that makes the Members on the other side of the Hall regard him so kindly, because he is a foeman worthy of any man's steel.

In bidding him good-by in this Congress, after so many years of service, I know I speak for those that are going out as well as those that remain that he and his good wife will carry to Athens not only a new post-office building, but the good wishes of every man that has ever been associated with him in this body. [Loud applause.]

Mr. GROSVENOR. Mr. CUSHMAN, and you, Mr. CLARK, Mr. WILLIAMS, and Mr. LACEY, and you, my colleagues of the House of Representatives, I imagine that by the time I close these few remarks there will be a strong suspicion in the minds of the listeners unacquainted with me that the good words that have been spoken of me as a speaker will be cast aside and classed as doubtful of accuracy. But before I proceed I wish to thank the distinguished and eloquent gentleman from Washington [Mr. CUSHMAN] for the words he has used and the appreciation he has manifested. I never felt more embarrassed than I do at this moment and I never felt less equipped for an occasion of the kind than I do at this time. But to say that I am not interested and that I am not deeply grateful and very proud of the occasion and the surroundings would be to manifest a lack of the ordinary sensibilities of mankind; and yet to attempt to respond in fitting and adequate words under the circumstances is beyond my capacity.

The gentleman from Washington [Mr. CUSHMAN], who spoke so interestingly of the years of my service and the men with whom I have served, brought before me a brilliant panorama of the twenty years of my service in the House of Representatives.

I came to the House of Representatives with more or less of

that feeling that grows up in the country by reason of political contention and political asperity. At the end of twenty years I feel very free to say that there is more of good fellowship, more of good, honest Americanism, more of the real principles of philanthropy and generosity embodied in the membership of the House of Representatives than in any other equal number of men in the world. [Applause.]

The gentleman from Mississippi [Mr. WILLIAMS] said that I had been not only willing to give, but willing to take. I think that is one of the cardinal principles involved in a true system of debate in the House of Representatives. The man who assails the minority, or the other side of the House, as the case may be, and can not take that which follows ought not to make the assault; and sometimes I have felt as I emerged from the contest that I really wished that I had been more considerate and less hasty in making the assault. [Laughter.]

Coming rapidly to the end of the very few remarks that I must make, for I am reminded of the lapse of time and the importance of some things ahead of us, I have never received a blow from the weapons of the enemy on this floor that I did not appreciate as due under all the circumstances. [Laughter.] Ordinary, commonplace debate has no great merit in the House of Representatives, and the Democrat who can not say something severe about the Republican side of this House occasionally does not measure up to the standard he is required to measure up to. [Laughter and applause.] And the Republican that does not answer back, or even make the first aggression against the Democratic party, falls short of his duty to his country. [Renewed laughter and applause.] If I had time, I would run over rapidly and briefly the great men with whom I have served in Congress, and under whose training, as it were, I have lived and developed whatever has come to my credit.

I have served, as it is said, under five Speakers of the House, and I want to say this as I go out. I have served under two Democrats and three Republican Speakers. I have no recollection that on any occasion any one of those distinguished men ever did anything unfair in any ruling, in deciding any question, or in any other way fell below the standard of a judicial officer of a legislative body. [Applause.] I served first under Mr. Carlisle, able, eloquent, great lawyer, profound statesman; but no fairer man ever sat in the chair of the Speaker of the House of Representatives. Absolute justice was the watchword of his administration. Then came Crisp, genial, gentle, lovable, kind, vigorous, and strong, especially honest, equally upright. And then Tom Reed, who has made a mark upon the legislative history of the country that will never be obliterated. Then David B. Henderson, lovable, eloquent, genial, fair, just; and then the Speaker of the House to-day, with more knowledge of the legislation of the country, more knowledge of its wants, its growth, its development, than any other living man of the American people. [Loud applause.] Fair, just, prompt, energetic, one of the very best men in social life that I know; and it would be strange if a body of men presided over by these five great men should fall short of measuring up to the duty that they owe the American people. Have they measured up? I unhesitatingly say yes. I could recapitulate the great men who have appeared upon this floor; but no better class of men from the standpoint of true Americanism was ever here than are here to-day. Therefore, the pride which I feel at the kind good-by I am receiving is enhanced by the fact that I know it comes from men who are just and honest in their expressions of opinion, and so I thank you one and all.

The gentleman from Mississippi, the leader of the minority, has spoken with candor and justice, I hope. I want to say of him that I never asked him for an accommodation that did not interfere with the programme that he had marked out to pursue and that he had assumed that he did not always yield; and so I can say of the gentleman from Missouri [Mr. CLARK]. Each in his individual way and position has worthily stood by the interests of his party, but each has been at all times a gentleman and a fair-minded American citizen.

I came here with a better opinion of the distinguished gentleman from Missouri [Mr. CLARK] than he seems to have formed in advance of the gentleman from Ohio. [Laughter.] I have had an opportunity to study him with a great deal of interest on a great many occasions, and I want to return to him my statement that I have never known a man in public life, much less a Democrat in public life, for whom I had higher regard than I have for the gentleman from Missouri. [Applause.] I have long hoped that I might live to see him a Republican. [Laughter.] I have given him every opportunity to abandon the bad politics of his party, but I announce now to those whom I am leaving behind me that unless your efforts can be more efficacious than mine have been you had better not exert them in that direction. He is a hopeless case. And I want to say, repeating here what I said the other day in a general way to the Democrats on that side of the House, my friend from Missouri is having a hard time. I sympathize very warmly with them. He is a Democrat. He was born a Democrat, he was educated a Democrat, and he is a Democrat now, and the struggle of his life is to remain a Democrat and be a member of the Democratic party. [Laughter.]

Now, what can I say further? I shall go out of this House with the fondest recollections of all of you. I want to say what may seem a little strange perhaps, in view of the knowledge of some of us of what has been going on, that there is not a man in this House, there is not a Member of this House nor an officer nor an employee for whom I do not feel the strongest kind of affection. There is not anywhere in my heart one spot of bitterness toward a single Member of the House of Representatives. [Applause.]

The time is up, Mr. Chairman. I invoke for all of you, I hope for you all the best things that Providence can give to mortal man. [Applause.]

The recess having expired, the House resumed its session.

### HENRY P. M'LEAN.

By unanimous consent, at the request of Mr. BROOKS of Colorado, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of the bill (H. R. 400) for the relief of Henry P. McLean, no adverse report having been made thereon.

### PROCEEDINGS DURING THE RECESS.

Mr. KEIFER. Mr. Speaker, I move that the remarks made on the proceedings had in relation to General GROSVENOR during the recess just closed be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment the following resolutions:

*Resolved by the House of Representatives (the Senate concurring)*, That in enrolling the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, the enrolling clerk be directed to correct the engrossed amendment of the House to the Senate bill by striking out all after the word "*Provided*," in section 2 of said amendment, and inserting "That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours, in a twenty-four-hour period on not exceeding three days in any week."

Also—

That a committee of two Senators be appointed by the President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

And that the Vice-President had appointed Mr. HALE and Mr. PETTUS members of the committee on the part of the Senate.

### COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. PAYNE. Mr. Speaker, I submit the following resolution.

The Clerk read as follows:

*Resolved*, That a committee of three Members be appointed by the Speaker to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The resolution was agreed to.

The SPEAKER pro tempore (Mr. CLARK of Missouri) appointed as the committee under the resolution just adopted Mr. PAYNE, Mr. DALZELL, and Mr. DE ARMOND.

### THANKS TO THE SPEAKER.

Mr. CLARK of Missouri took the chair as Speaker pro tempore.

Mr. WILLIAMS. Mr. Speaker, another Congress is about to pass into history. It has been an important and in some senses an epoch-making Congress. It has been presided over by one who has presided over a previous Congress of the United

States. It has been a Congress characterized to a large extent by communications from the other end of the Avenue. Mr. Speaker, I read this morning in the Post a paragraph saying that "a number of Senators and Congressmen are going to leave town this week, feeling that they have wasted a great deal of good advice" on the other end of Pennsylvania avenue. There is a compensation for it all. A good deal of good advice has been wasted by the other end of the Avenue on Congress. [Laughter.] But if I had to express a deeper regret it would be for the fact that so much really good advice from the minority side has been wasted upon the majority side of this House. [Laughter.]

Mr. Speaker, there is no place in the world, as far as I know, where a man finds his true level, either rises to it or sinks to it, as quickly and as inevitably as in the House of Representatives. The House puts up with no shams. It wants the real thing. A genuine man may be wrong, but he always has the respect and the confidence of his fellow-men whether he is wrong or whether he is right. Nothing more genuine was ever built by the Almighty than the Speaker of the House of Representatives. [Applause.] He is nearly always wrong [laughter], but there is no sham about him, there is no pretense, there is no hypocrisy. He is just simply plain JOE CANNON, characteristically American, characteristically western, and characteristically southern, for some of his old blood came from there. [Applause.]

Mr. Speaker, he is an integer, one thing; therefore he has integrity, intellectual and moral; he is an integer and not duplex, not double dealing. His integrity is virile, his common sense is virile, his good humor is constant. If it were left to me and we had to have a Republican Speaker of the House, I should vote unhesitatingly for "Uncle JOE." [Applause.] I should do it on the ground that he is not any worse than the balance of you and very much more open about it. [Laughter and applause.] I have just resisted a great temptation. A friend of mine came to me and asked me to word the usual resolution in an unusual way. He told me to thank the Speaker for "the active, energetic, and gesticulatory" manner in which he had presided over the sessions of the House, and you may imagine, those of you who know my temperament, the effort it took to resist that temptation; but instead of that I offer the following resolution:

*Resolved*, That the thanks of the Fifty-ninth Congress are due to the Hon. JOSEPH G. CANNON, its honored and distinguished Speaker, for the intelligent, constant, and impartial manner in which he has presided over its important deliberations.

[Applause.]

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken; and the resolution was unanimously agreed to.

The SPEAKER pro tempore. The Chair appoints the gentleman from Mississippi, Mr. WILLIAMS; the gentleman from Pennsylvania, Mr. DALZELL, and the gentleman from Minnesota, Mr. TAWNEY, to wait upon the Speaker and inform him of the action of the House and bring him in. [Laughter.]

The committee subsequently appeared accompanied by the Speaker, who resumed the chair.

Mr. WILLIAMS. Gentlemen of the Fifty-ninth Congress, in obedience to your instructions, we have "brought him in." [Laughter.]

The SPEAKER. Word has been received from the Senate that what is known as the "sixteen-hour bill" has not been enrolled, and the Chair would suggest that the House take a recess for fifteen minutes. Without objection, the House will stand in recess for fifteen minutes.

There was no objection.

AFTER THE RECESS.

The recess having expired, the Speaker resumed the chair.

REPORT OF COMMITTEE TO WAIT ON THE PRESIDENT.

The committee appointed to wait upon the President, Mr. PAYNE, Mr. DALZELL, and Mr. DE ARMOND, appeared at the bar of the House.

Mr. PAYNE. Mr. Speaker, the committee appointed by the Speaker to join a like committee on the part of the Senate to wait upon the President of the United States and inform him that the Houses have completed their business and are ready to adjourn, and to ask him if he had any further communication to make, report that they have performed the duty and that the President commends Congress for the good legislation which it has accomplished during the session, and said that he had no further communications to make. [Applause.]

The SPEAKER. Without objection, the House will stand in recess until 3 minutes of 12 o'clock. The Chair hears no objection.

The recess having expired, the House was called to order by the Speaker.

The SPEAKER. I thank you, gentlemen, for your kindness in the deeds and the words of this day; but even more cordially do I thank you for your unwearying and constant friendship during every one of the laborious and eventful days of the Fifty-ninth Congress. Some Congresses have done their work under the stress of national trial and even of national disaster; it has been our good fortune to do our work in a period of prosperity so abounding as to surpass all the imaginings of the past. The statesmen of the days of stress will always have first place in the affections of the people, and rightly so; but the men who with loyalty and devotion strive to keep a mighty nation in the pathway of prudence and common sense while prosperity abounds on every corner have troubles not always understood or sympathized with by the people, but which you well know of. In the two years now closed—years eventful in the precedents set in these legislative halls and, we hope and believe, eventful for the good that may come to the people therefrom—your fidelity to your own duty and your intelligent appreciation of my duty, even when it has crossed some of your cherished purposes, have been my constant encouragement and support. In bidding you farewell I wish to express to you my appreciation of this, and to wish you in the future all success and all usefulness in your chosen walks of life.

And now, in pursuance of the requirements of the Constitution, I declare the House of Representatives of the Fifty-ninth Congress adjourned without day.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. McCLEARY of Minnesota, from the Committee on the Library, to which was referred the bill of the House (H. R. 20337) for the erection of a monument to the memory of John Ericsson, reported the same without amendment, accompanied by a report (No. 8172); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURTON of Ohio, from a special committee, submitted a report on the delay in the completion of the lock at Plaquemine, La. (No. 8171); which said report was referred to the House Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bill and memorials of the following titles were introduced and severally referred as follows:

By Mr. BURLESON: A bill (H. R. 25892) pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes—to the Committee on Pensions.

By Mr. MARSHALL: Memorial of the legislature of North Dakota, asking Congress for a constitutional amendment to prohibit polygamy and secure uniform divorce laws—to the Committee on the Judiciary.

By Mr. CHAPMAN: Memorial of the legislature of Illinois, for the relief of Maj. Joseph W. Wham, United States Army—to the Committee on Military Affairs.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BENNET of New York: A bill (H. R. 25893) granting an increase of pension to Robert Brown—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 25894) granting a pension to Calvin B. Chamness—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 25895) granting an increase of pension to John V. S. Minerd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25896) granting an increase of pension to Samuel Burkhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25897) granting an increase of pension to Henry M. Neighly—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BENNET of New York: Paper to accompany bill for relief of Robert Brown—to the Committee on Invalid Pensions.

By Mr. BURTON of Ohio: Petition of Forest City Legion, No. 809, against the bill to codify the laws relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petition of Allegheny Court, No. 2, Tribe of Ben Hur, against bill H. R. 608—to the Committee on the Post-Office and Post-Roads.

By Mr. HUFF: Papers to accompany bills for relief of Samuel Burkhart, Henry M. Neighly, and John V. S. Minerd—to the Committee on Invalid Pensions.

By Mr. KNAPP: Petition of Legion No. 1233, against the bill to codify the statutes relating to the classification of second-class matter—to the Committee on the Post-Office and Post-Roads.



By Mr. LITTAUER: Petition of Waterford Legion, No. 880, against the passage of the bill to amend and codify the laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. SCHNEEBELI: Petition of the National Convention for the Extension of the Foreign Commerce of the United States, for a dual tariff—to the Committee on Ways and Means.

By Mr. SHERMAN: Petition of Legion No. 715, against the bill to codify and amend the statutes relating to the classification of second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. SPARKMAN: Petition of the Florida State Board of Trade, for resolutions by Congress for an investigation of the manner in which peonage prosecutions are now being conducted in the South, the amount of funds being expended in this way, etc.—to the Committee on Labor.

By Mr. WOOD: Petition of Trenton Division, No. 85, Order of Railway Telegraphers; H. G. Coates, N. T. Bryson, and T. J. Callahan, for bill limiting hours of telegraph operators—to the Committee on Labor.

# APPENDIX.

APPENDIX

TO THE

CONGRESSIONAL RECORD.

## Keeping Within Our Income.

**Review of Appropriations Authorized by the Last Session of the Fifty-ninth Congress.**

**All Legitimate Needs of the Public Service Carefully and Adequately Provided for, at the Same Time Keeping within the Estimated Revenues by the Safe Margin of $20,000,000.**

SPEECH

OF

## HON. JAMES A. TAWNEY,

OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

*Monday, March 4, 1907.*

The House having under consideration the general subject of appropriations—

Mr. TAWNEY said:

Mr. SPEAKER: This has been in many respects a remarkable session of Congress. It has been a remarkable session with respect to the importance of the national legislation that has been enacted, but it has been more especially remarkable in the authorizations and proposed authorizations of new services and increased appropriations for existing services. The proposed appropriations were perhaps larger than in any previous session.

These prospective obligations upon the revenues of the Government for the fiscal year 1908 were so enormous that a few weeks ago I thought it my duty to present to the House a statement of the estimates submitted by the Departments at the beginning of this session and a statement of the amounts proposed to be appropriated from the Federal Treasury under the various bills introduced, which had passed one or other of the two Houses or had passed both Houses and become law, imposing additional obligations upon the Treasury and upon the revenues of the Government during the next fiscal year.

At that time, Mr. Speaker, and in view of the prospective result of this session, I took occasion to appeal to my associates on the floor of the House to do all that could possibly be done to eliminate all unnecessary expenditures and all unnecessary authorizations of appropriations, with the hope that the condition then presented to Congress and the country might not be the actual condition presented to-day, at the close of this last session of the Fifty-ninth Congress. It is very gratifying for me to be able to say that, as a result of the work that has been done, by this body especially, with some aid from the other end of the Capitol, we have been able to reduce very materially the appropriations that were then pending, the magnitude of which at that time gave promise of far exceeding the estimated revenues of the fiscal year 1908.

I am glad, therefore, to say, Mr. Speaker, that the House is to be congratulated upon the result which I am able at this time to present in this, the closing hour of one of the greatest sessions of Congress in the history of the Republic. By careful scrutiny, hard work, and persistent effort on the part of the conference committees and the individual members of this House we are able to close this session to-day and send to the country the statement that the aggregate appropriations made by the Fifty-ninth Congress at this, the last session, chargeable upon the revenues of the Government for the fiscal year 1908, will be approximately $20,000,000 less than the estimated revenues for that year. [Prolonged applause on the Republican side.]

The total appropriations made at the present session of Congress aggregate apparently $919,948,679.63, which sum includes $756,622,674.27 for the annual expenditures of the Government for the ensuing fiscal year of 1908, $12,439,685.36 for emergencies and deficiencies on account of the fiscal year 1907 and prior years, $1,000,000 for miscellaneous objects, such as private claims and the like, authorized in special acts, and $149,886,320 for permanent annual appropriations to meet the interest charge on the public debt, the requirements of the sinking fund, expenses of collecting the revenue from customs, redemption of national bank notes, and other purposes.

In order to determine how much of this apparent grand total of appropriations made at this session is on account of operations of the Government for the fiscal year of 1908, and that will be a charge against the revenues of that year, there must be deducted from the permanent appropriations the sum of $20,000,000, estimated as necessary to redeem national bank notes, the deposits made by the banks for that purpose not being treated as a part of the revenues of the Government, and the sum of $57,000,000, estimated to be the amount of the sinking fund requirements for 1908, as it is purely optional with the Secretary of the Treasury how much of the surplus moneys in the Treasury shall be applied to this purpose, and also because the requirements of the sinking fund have already been anticipated or exceeded by an amount considerably in excess of the requirements for next year; also the amount ($12,439,685.36) appropriated for emergencies and deficiencies on account of the current and prior fiscal years, the same being payable from moneys already in the Treasury or out of revenues for the balance of the current fiscal year, and the sum of $1,000,000 estimated for miscellaneous objects, including private claims and other matters of like character that have gone through in special bills, and which are payable prior to the beginning of the next fiscal year.

Mr. LITTLEFIELD rose.

Mr. TAWNEY. I now yield to the gentleman from Maine.

Mr. LITTLEFIELD. I want to inquire of the chairman of the committee whether he understands it is optional with the Secretary of the Treasury as to whether he uses the fifty-seven millions in the sinking fund?

Mr. TAWNEY. It is.

Mr. LITTLEFIELD. Will the gentleman be kind enough to put in his remarks, so it will appear in the RECORD, the law upon which he bases that statement?

Mr. TAWNEY. In that connection I will quote from an annual report of a recent Secretary of the Treasury:

> The act of February 25, 1862, section 5 (12 Stat., 346), provides that all duties on imported goods shall be paid in coin, and that the coin so paid shall be set apart as a special fund and applied, first, to the payment of interest on bonds and notes of the United States; and, second, "to the purchase or payment of 1 per cent of the entire debt of the United States, to be made within each fiscal year after the 1st day of July, 1862, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt, as the Secretary of the Treasury shall from time to time direct."

The amounts mentioned aggregate $90,439,685.36, and when deducted from the total appropriations of $919,948,679.63 leaves $829,508,994.27 as probable necessary expenditures for 1908 authorized at this session.

The total revenues of the Government for 1908, according to the best information available, will be as follows:

| | |
|---|---|
| Ordinary revenues from customs, internal revenue, etc., on basis of actual and estimated increase for 1907 over 1906 | $654,000,000 |
| Postal receipts, actual and estimated, for 1907 plus 8 per cent estimated increase for 1908 | 196,000,000 |
| Total | 850,000,000 |

The accompanying chronological history of the appropriation bills, which I wish to submit to the House and have printed as a part of my remarks, affords an interesting study of the subject of Congressional appropriations. In the first column it shows by title of bills and in the aggregate the total amount of recommendations for appropriations which have been requested of Congress by the Executive Departments; the amount of such requisitions that, after careful study on the part of the several committees of the House, was recommended to be appropriated; the amounts passed in the several bills by the House of Representatives; the amounts recommended by the

Senate committees; the amounts passed by the Senate, and finally, the amounts of each of the appropriation acts and their aggregate as they have been enacted.

A further examination of the history of the appropriation bills shows that the estimates under the thirteen regular annual bills were reduced by committee recommendations and by the House itself more than $23,000,000; that the bills as passed by the House were increased on the recommendation of the committees of the Senate and by the Senate in their passage more than $50,000,000.

It is but fair to say that of the total increases made by the Senate in the appropriation bills about $6,000,000 was on account of the law passed at this session increasing the Artillery Corps of the Army, and $8,000,000 was on account of the passage of the new pension law; or, in other words, the Senate piled up the amounts carried by the several regular annual supply bills over and above the two imperative sums named more than $36,000,000; and that the total of the thirteen bills as finally enacted shows a reduction of $16,404,673.40 under their aggregate as passed by the Senate. It will also be observed in examining the table that at the preceding session of Congress no River and Harbor appropriation bill was passed. While at this session we have a River and Harbor improvement act, appropriating specifically $37,183,093 and authorizing in addition thereto contracts requiring in the near future appropriations of nearly $50,000,000, the two sums exceed considerably the whole excess of this session's appropriations over the appropriatioins of last session.

Mr. Speaker, in submitting this statement I want also to call attention to another fact in connection with public expenditures—a fact that is a matter of some satisfaction to the Committee on Appropriations, and which doubtless will be so to the House. Prior to the beginning of the present Congress it was the common practice of the Executive Departments here in Washington to govern their expenditures by the amounts estimated for the service of their respective Departments, regardless of the amounts appropriated for that service. This practice had become so universal that in each session of Congress almost every Executive Department or other governmental establishment here at the seat of government would submit to Congress estimates to cover the deficiencies in the appropriations made for the service of their respective Departments. Following this long-continued practice, acquiesced in by Congress, the Departments reached the conclusion that they, and not Congress, were vested with the power of fixing the standard of public expenditures. Heretofore it was the common practice of heads of some of the Departments, in submitting these deficiency estimates, to declare that they had estimated so much for their services and Congress had appropriated only so much; that the difference between their estimate and the amount of the appropriation was the amount of their deficiency, and that the reason for the deficiency was the failure on the part of Congress to appropriate the amounts asked for. In the Fifty-eighth Congress the Committee on Appropriations recommended to the House and Congress adopted a provision on the urgent deficiency appropriation bill which it was believed would put an end to this practice. That provision required the heads of the Departments to apportion their several appropriations by monthly, quarterly, or other allotments for the entire fiscal year, so as to avoid creating a deficiency. It further provided that such apportionment, when made, should not be waived except by the head of a Department, and then only in writing, stating the reasons therefor. It was soon discovered by the bureau chiefs and the heads of Departments that this provision restricted the bureaus or the Departments only to the extent that those in charge thereof were unwilling to assign reasons for the waiver of the apportionment.

Therefore, at the beginning of the present Congress we were again confronted with large deficiencies. During the first session of this Congress the Committee on Appropriations recommended an amendment to the law referred to requiring the same apportionment of the appropriations for the various branches of the public service, but requiring also that this apportionment when made can not be waived "except upon the happening of some extrarordinary emergency or other unusual circumstance which could not be reasonably anticipated at the time of making such apportionment." The penalties which were imposed for the violation of this law have had a very wholesome effect. This law has resulted in conveying to the Executive Departments of the Government knowledge of the fact that the Congress of the United States and not the Departments must fix the standards of public expenditure, and that when the appropriations are made for the public service they can not be exceeded by the Departments except upon the happening of that which could not reasonably be anticipated either by Congress or the Departments.

The result, as we have seen it during this session, is beneficial, not only in curtailing public expenditures, but especially in restoring to Congress its power and the exercise of its power in the regulation of public expenditures; and it has instilled into the heads of the Departments that respect which the Departments should at all times entertain for the Congress of the United States. Under the operation of this law the deficiencies appropriated for during this session of Congress, outside of those made necessary by emergencies that could not be anticipated when the appropriations were made at the last session, did not exceed $3,000,000, whereas in previous sessions they have reached the enormous sum of $35,000,000.

Now, Mr. Speaker, in conclusion, I respectfully repeat that in view of the splendid showing which we are enabled to present to the country at the close of this session, notwithstanding the dark and gloomy prospects of three weeks ago—in view of the reduction made by the committees of this House in the estimates submitted to Congress by the Departments and of the reduction of the amounts finally appropriated in the thirteen appropriation bills below the amounts carried by them when they came back to the House from the Senate—I respectfully submit that the House of Representatives of the Fifty-ninth Congress is entitled to the commendation and congratulation of the American people for having thus guarded their interests in the authorization of expenditures of public money from the Federal Treasury. [Prolonged and enthusiastic applause.]

*Chronological history of appropriation bills, second session of the Fifty-ninth Congress; estimates and appropriations for the fiscal year 1907-8; and appropriations for the fiscal year 1906-7.*

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

| Title. | Estimates, 1908. | Reported to the House. | Passed the House. | Reported to the Senate. | Passed the Senate. | Law, 1907-8. | Law, 1906-7. |
|---|---|---|---|---|---|---|---|
| Agriculture | $7,954,680.00 | $8,125,790.00 | $8,108,010.00 | $8,808,210.00 | $9,457,810.00 | $9,447,290.00 | $9,930,440.00 |
| Army | 79,301,303.82 | 73,344,289.65 | 72,291,876.89 | 81,698,610.54 | 81,787,610.54 | 78,535,282.75 | 71,817,165.08 |
| Diplomatic and consular | 3,254,077.72 | 3,085,477.72 | 3,085,477.72 | 3,085,477.72 | 3,071,277.72 | 3,092,333.72 | 3,091,094.17 |
| District of Columbia [a] | 11,598,222.00 | 10,112,234.63 | 10,037,234.63 | 10,724,532.63 | 10,766,562.63 | 10,454,118.63 | 10,138,672.15 |
| Fortification | 15,068,559.00 | 5,411,883.00 | 5,411,883.00 | 7,353,589.00 | 7,453,589.00 | 6,838,011.00 | 5,053,993.00 |
| Indian | 7,970,168.23 | 8,161,668.23 | 8,233,476.33 | 14,590,909.76 | 12,876,110.76 | 9,227,876.15 | 9,260,599.98 |
| Legislative, etc | 31,215,525.80 | 30,529,863.80 | 30,630,383.80 | 30,855,833.80 | 30,847,533.80 | 32,094,013.80 | 29,681,919.30 |
| Military Academy | 2,389,283.42 | 1,913,983.42 | 1,913,983.42 | 1,947,383.42 | 1,947,383.42 | 1,929,703.42 | 1,664,707.67 |
| Navy | 115,444,950.33 | 95,404,717.00 | 95,027,481.50 | 100,727,807.50 | 101,108,007.50 | 98,958,007.50 | 102,091,670.27 |
| Pension | 138,243,000.00 | 138,138,500.00 | 137,734,000.00 | 145,987,000.00 | 145,937,000.00 | 145,937,000.00 | 140,245,500.00 |
| Post-office [b] | 206,662,190.00 | 209,416,802.00 | 209,716,802.00 | 212,174,393.00 | 212,234,393.00 | 212,129,393.00 | 191,695,998.75 |
| River and harbor | [c] 25,414,231.76 | 35,181,612.00 | 35,396,612.00 | 40,081,908.00 | 40,123,908.00 | [d] 37,183,093.00 | (e) |
| Sundry civil | [f] 101,288,131.60 | 103,872,540.23 | 104,531,314.13 | 114,578,861.30 | 115,416,161.30 | [g] 110,736,551.30 | [h] 98,538,770.32 |
| Total | 745,804,323.68 | 722,699,361.68 | 722,118,535.42 | 772,614,516.67 | 773,027,347.67 | 756,622,674.27 | 673,210,530.70 |

[a] One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1908 at $136,616), which are payable from the revenues of the water department.

[b] Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

[c] This amount is exclusive of $7,439,511.10 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1908.

[d] In addition to this amount, the sum of $6,392,730 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1908.

[e] No river and harbor act passed for 1907, but the sum of $17,254,050.04 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1907.

[f] This amount includes $7,439,511.10 to carry out contracts authorized by law for river and harbor improvements and $25,406,258.73 for construction of the isthmian canal for 1908.

[g] This amount includes $6,392,730 to carry out contracts authorized by law for river and harbor improvements and $27,161,367.50 for construction of the isthmian canal for 1908.

[h] This amount includes $17,254,050.04 to carry out contracts authorized by law for river and harbor improvements and $25,456,415.08 for construction of the isthmian canal for 1907.

*Chronological history of appropriation bills, second session of the Fifty-ninth Congress; estimates and appropriations for the fiscal year 1907–8; and appropriations for the fiscal year 1906–7*—Continued.

| Title. | Estimates, 1908. | Reported to the House. | Passed the House. | Reported to the Senate. | Passed the Senate. | Law, 1907–8. | Law, 1906–7. |
|---|---|---|---|---|---|---|---|
| Urgent deficiency, 1907 and prior years | [a]$16,000,000.00 | $581,500.00 | $581,500.00 | $581,500.00 | $581,500.00 | $581,500.00 | [b]$39,129,035.45 |
| Urgent deficiency, additional, 1907 and prior years | | 329,650.00 | 264,650.00 | 1,329,650.00 | 1,329,650.00 | 1,329,650.00 | |
| Deficiency, 1907 and prior years | | 9,847,396.04 | 9,918,698.74 | 10,739,754.36 | 11,262,375.36 | 10,528,535.36 | |
| Total | 761,804,323.68 | 733,457,907.72 | 732,883,384.16 | 785,265,421.03 | 786,200,873.03 | 769,062,359.63 | 712,339,566.15 |
| Miscellaneous | [a]31,500,000.00 | | | | | 1,000,000.00 | 27,173,299.01 |
| Total, regular annual appropriations | 793,304,323.68 | | | | | 770,062,359.63 | 739,512,865.16 |
| Permanent annual appropriations | [c]149,886,320.00 | | | | | [c]149,886,320.00 | 140,076,320.00 |
| Grand total, regular and permanent annual appropriations | 943,190,643.68 | | | | | 919,948,679.63 | [d]879,589,185.16 |

[a] This amount is approximated.

[b] This amount includes $16,990,786 for the isthmian canal, which, added to the appropriation of $25,456,415.08 in the sundry civil act for this purpose, makes the total appropriations passed at the first session of the Fifty-ninth Congress for the isthmian canal $42,447,201.08. for this purpose, makes the total appropriations passed at the first session of the Fifty-ninth Congress for the isthmian canal $42,447,-201.08.

[c] This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1908, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year. This amount includes estimated amount of $57,000,000 to meet sinking-fund obligations for 1908 and $20,000,000 estimated redemptions of national-bank notes in 1908 out of deposits by banks for that purpose.

[d] In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the Army act, $750,000; by the District of Columbia act, $40,000; by the Military Academy act, $1,700,000; by the naval act, $2,750,000; by the sundry civil act, $905,000; by the deficiency act, $270,000; by the urgent deficiency act, $803,700; by the public buildings act, $13,368,500; in all, $20,587,200.

## Review of Appropriations.

**Militarism Rampant—Spirit of Emulation Displayed by Committees having Jurisdiction of the Great Money Bills to Surpass Each Other in the Size of their Respective Budgets—A Warning Against the Perils of Extravagance.**

SPEECH

OF

# HON. LEONIDAS F. LIVINGSTON,

OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

*Monday, March 4, 1907.*

The House having under consideration the general subject of appropriations—

Mr. LIVINGSTON said:

Mr. SPEAKER: The House, perhaps, is aware of the fact that the great difficulty that the Appropriations Committee has is to hold down appropriations. In the first place, the trouble comes with the estimates of the different Departments of the Government. You will remember that the estimates from the Departments of the Government to this session of Congress were in excess of the law, as it now stands, $72,573,730. Think of it! These estimates come to the various appropriation committees—the Military Committee, the Committee on Naval Affairs, the Post-Office Committee, and other committees handling great supply bills.

There is another trouble that the Appropriation Committee has, and that is that it seems to be the desire and the purpose of committees having charge of supply bills to exceed or excel any other committee in the amounts appropriated for their particular department. This spirit seems to dominate largely the Army and Navy appropriation committees. They do not seem to be satisfied with anything less than the estimate, and then, as the chairman of the committee has just stated, when it crosses the threshold of the door here and goes to the other end of the Capitol they are not satisfied with what the House has done, and they pile up and pile on. And it is one constant struggle on the part of your Appropriations Committee to hold down these expenses. I want to bear testimony with the chairman of the committee that the present committee in the present session has done their very best to do this thing.

And I am sorry to say that this House has not been responsive to that spirit and effort on our part to any great extent. I have seen men on this side as well as on the other side standing up here and voting for appropriations blindly in the face of the opposition of the members of the Appropriations Committee. You do it for a purpose, simply to disagree with the Appropriations Committee. If you can go away and have it said that you fought the Appropriations Committee on some particular bill and increased the expenses of the Government a few millions of dollars you think you have done well. The Appropriations Committee is not perfect. I do not mean to say that you should follow in our footsteps in every instance, but I do mean to say that they know more about the revenues and about the expenses of the Government to match those revenues than the most of you who criticise us so severely at times.

Mr. Speaker, the appropriations made at this session of Congress have reached the unprecedented sum of $919,948,679.73. Gentlemen, this is an increase of $40,359,494.47 over the appropriations for the current year and $57,266,192.57 over the appropriations for the fiscal year of 1899, that covered the entire expense of the war between this country and Spain. Enormous as these appropriations for the next fiscal year are, there should be added to them the further sum of $25,000,000, on account of contracts authorized in the naval bill. That is a debt upon the taxpayers of this country that has got to be met and was not mentioned by the chairman of the committee. That is not all. On account of the contracts authorized in the river and harbor bill, there are $49,829,349 more of authorization. These sums added to the total appropriations makes the tremendous sum of $994,778,028.62 and not $919,000,000. There are other sums authorized not in this total. They are small sums—$20,000, $15,000, $7,000, $6,000, that I have not had the opportunity this morning to gather up and put into this total, and when they are gathered up, the total will be very close to a billion-dollar session.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman if he is going to gather up those odds and ends and put them in this speech?

Mr. LIVINGSTON. I am going to try.

Mr. CLARK of Missouri. I am glad to hear that.

Mr. LIVINGSTON. It is a long, tedious task.

Mr. CLARK of Missouri. I hope the gentleman will get leave to extend his remarks, and put them all in.

Mr. LIVINGSTON. Gentlemen, the highest estimate placed upon the probable revenues from all sources during the coming fiscal year indicates, as the gentleman in charge of these bills stated on the floor a few days ago, one hundred millions of revenue short. I said to you a year ago in my financial statement, and I hope you will reread it, that you are rapidly coming up to a condition of your expenditures exceeding your revenues. I made the statement then, and I wish to repeat it now, that while that is the case the Commitee on Ways and Means seem to be either "asleep or on a journey." They know nothing of this condition or they care nothing for it. Not one single effort has been made by the Committee on Ways and Means to keep the revenues up with the expenditures of the Government, nor has that committee—the majority—been active in trying to keep down expenses. I suppose they will wait and sleep and slumber until not a hundred million, but five hundred million deficit will pile up on you, and then you will have a bond issue. Why

is it that this great committee will thus neglect, if they will pardon the remark, their plain duty?

I will submit in the RECORD a table showing the different totals of appropriation bills, the estimates submitted to Congress by the several Departments of the Government, the appropriations as they have been made this session for the next fiscal year, 1908, and the appropriations made at the last session of Congress for the current fiscal year, 1907.

You will see from the table that Congress is still increasing the expenditures in the Army and Navy bills. What will this war spirit diminish? When will soberness and a desire to promote peace in the upbuilding of the industries of the country, which, at last, is the true measure of greatness in this or any other country, prevail? [Applause.] What! The increase in the Army during the last year was $6,718,117.67.

Mr. SIMS. Mr. Speaker, I would like to have order; this is a very interesting statement.

The SPEAKER. The House will be in order.

Mr. LIVINGSTON. Let me repeat, Mr. Speaker, the increase in the Army appropriations over the last year is $6,718,117.67. Why? There came in the estimates for the Army for 1908 $79,000,000, more than $8,000,000 over the current appropriations for 1907.

The increase in the Navy was $21,867,000, including an authorization of $25,000,000 that you passed through this House the other day over the protest of the chairman of the Committee on Appropriations, and over the protest of many members of the Appropriations Committee. Why should you have $22,000,000 increase in the Navy? Why this military spirit that is running rampant over the country and filling the hearts and minds of men that ought to be engaged about peaceful pursuits? [Applause.] When are you going to stop it?

Mr. SULZER. Will the gentleman allow me to ask him a question?

Mr. LIVINGSTON. Yes.

Mr. SULZER. I observe the gentleman criticises the appropriations for the Army and the Navy. I would like to hear the gentleman criticise the appropriations for rivers and harbors, for public buildings and grounds, the expenditures in our insular possessions, and for the Panama Canal.

Mr. LIVINGSTON. If the gentleman from New York will take the statements I submit with these remarks and study them he will see the criticism that he refers to.

Mr. SULZER. I will read it very carefully.

Mr. LIVINGSTON. In the first place, I am not sufficiently strong to go into the details now, and in the next place, your patience would not stand it.

Let us see about fortifications. Here we are with more than 4,000 miles of seacoast, with millions of brave and willing men to fight, in every nook or corner in this vast country of ours, with no probability of the forces of any nation ever putting their feet upon the soil of this country, or daring to do so, and what was the estimates for fortifications over last year as presented in these various supply bills to those various committees on appropriation? An increase of $15,000,000 demanded at our hands for fortifications, and we gave them an increase of $1,844,000.

There is an increase in pensions of $5,691,000 forty years after the civil war.

Mr. Speaker, the gentleman from New York asked me a moment ago to go into the details of expenditure in the Philippine Islands, in Porto Rico, and in Hawaii; colonies, if you please, that have fallen into our hands on account of this war spirit and this military desire to dominate the world. Why, every dollar spent in the Philippines grows out of this spirit, and, in my opinion, the man does not live who can answer his question, What are the expenditures in the Philippine Islands? Some Senator at the other end of the Capitol asked by resolution for the same thing, and he got no for his answer—no report. You will never, in my opinion, know what the Philippine Islands cost this Government, and in my opinion you will never know what they are worth or ever will be worth to this country. [Applause on the Democratic side.] I wish we could give them away to Japan or some other country that would take them and keep them and take care of them. [Applause on the Democratic side.]

Mr. Speaker, as I stated a moment ago, I will submit a table, and I wish the Members of this House would look at that table closely. It will justify the gentleman from Minnesota [Mr. TAWNEY] in his remarks. It will justify me in my complaints. Look at the appropriations under present law and then see what we have appropriated for 1908. [Applause on the Democratic side.]

The table referred to is as follows:

*Appropriations, Fifty-ninth Congress, second session.*

| | Estimates, 1908. | Law, 1907–8. | Law, 1906–7. |
|---|---|---|---|
| Agriculture | $7,954,680.00 | $9,447,290.00 | $9,930,440.00 |
| Army | 79,301,303.82 | 78,535,282.75 | 71,817,165.08 |
| Diplomatic and consular | 3,254,077.72 | 3,092,333.72 | 3,091,094.17 |
| District of Columbia | 11,598,222.00 | 10,454,118.63 | 10,138,672.16 |
| Fortification | 15,068,559.00 | 6,898,011.00 | 5,058,993.00 |
| Indian | 7,970,168.23 | 9,227,876.15 | 9,260,599.98 |
| Legislative, etc | 31,215,525.80 | 32,094,013.80 | 29,681,919.30 |
| Military Academy | 2,389,283.42 | 1,929,703.42 | 1,664,707.67 |
| Navy | 115,444,950.33 | 98,958,007.50 | 102,091,670.27 |
| Pension | 138,243,000.00 | 145,937,000.00 | 140,245,500.00 |
| Post-office | 205,662,190.00 | 212,129,393.00 | 191,695,998.75 |
| River and harbor | 25,414,231.76 | 37,183,093.00 | |
| Sundry civil | 101,288,131.60 | 110,736,551.30 | 98,538,770.32 |
| Total | 745,804,323.68 | 756,622,674.27 | 673,210,530.70 |
| Deficiencies | 16,000,000.00 | 12,439,685.36 | 39,128,035.45 |
| Total | 761,804,323.68 | 769,062,359.63 | 712,339,566.15 |
| Miscellaneous | 31,500,000.00 | 1,000,000.00 | 27,173,299.01 |
| Total, regular annual appropriations | 793,304,323.68 | 770,062,359.63 | 739,512,865.16 |
| Permanent annual appropriations | 149,886,320.00 | 149,886,320.00 | 140,076,320.00 |
| Grand total, regular and permanent annual appropriations | 943,190,643.68 | 919,948,679.63 | 879,589,185.16 |

## Life and Character of the Late Senator Bate, of Tennessee.

### ADDRESS

BY

### HON. LEMUEL P. PADGETT,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

*Sunday, January 20, 1907.*

The House having under consideration the following resolutions:

"*Resolved*, That in pursuance of the special order heretofore adopted the House proceed to pay tribute to the memory of the Hon. W. B. BATE, late Senator from the State of Tennessee.

"*Resolved*, That as a further mark of respect to the memory of the deceased and in recognition of his distinguished career and his great service to his country as a United States Senator, the House at the conclusion of the memorial proceedings of this day, shall stand adjourned.

"*Resolved*, That the Clerk of the House communicate these resolutions to the Senate.

"*Resolved*, That the Clerk of the House be, and he is hereby, instructed to send a copy of these resolutions to the family of the deceased."

Mr. PADGETT said:

Mr. SPEAKER: A severe hoarseness, as the result of la grippe, will deny to me the opportunity of speaking at length upon this occasion. Moreover, the very late hour admonishes me that I should be brief. Others, more capable than I, have spoken at length of the achievements and given in detail the life work of this distinguished statesman, and I feel my inability to add much to what has been already so eloquently spoken.

Mr. Speaker, near Castalian Springs, in Sumner County, Tenn., on October 7, 1826, a child was born. In the city of Washington, March 9, 1905, a man died. This period measures the life work of a distinguished and well-beloved son of Tennessee. Senator WILLIAM B. BATE lived to a ripe old age, and died full of years and full of honors. His activities were varied and covered a wide field of action; both in war and in civil life he distinguished himself preeminently. In war he rose from the position of a private to that of major-general, and in civil life he was commissioned by the great State of Tennessee as one of its ambassadors in the Senate of the United States. I shall not attempt to rehearse in detail the particulars of either his military or civic life—that has already been told in language more eloquent than I can hope to employ. The simple statement of his rise to the position of a major-general and for four successive terms a Senator of the United States bespeak sufficiently the merits of the man.

Mr. Speaker, I come not to flatter or to speak extravagantly of the life and character of Senator BATE, and yet I would not be content unless I availed myself of the opportunity of this occasion to bear testimony to the purity of his life, the nobility of his character, and the efficiency of his life work. Senator BATE was tried in many ways and always found true. In the discharge of his duties as a private soldier or as a commanding officer on the field of battle or in camp life; or as a private

citizen in the business affairs of life or as a civic officer, he ever measured up to the fullness of the standard "always present, always prepared."

Senator BATE possessed in an eminent degree all the elements of character, all the qualities of heart and mind essential to a generous and noble manhood. Possessed of a strong and vigorous intellect, he was capable of a comprehensive understanding of the great problems arising in social and political life. A man of splendid courage, his actions measured up to his convictions. But, Mr. Speaker, better than mere intellectuality was the nobility of his character, the charity of his heart, the purity of his life. In all the elements constituting nobility of character, integrity, honor, honesty, and purity he was a Gibraltar; immovable from the right, impregnable to wrong. It was these qualities of his life which so endeared him to the people of Tennessee and gave them such abiding confidence and unshaken faith in him.

Mr. Speaker, Senator BATE was a man of generous impulses and a catholic spirit. He did not limit his sympathies or confine them by narrow jealousies. The generosity of his heart is well expressed in the lines:

He prayest best who loveth best
All things both great and small;
For the dear God who loveth us,
He made and loveth all.

Mr. Speaker, if I rightly understand the aim of his life or correctly interpret the philosophy of life which inspired his life work I think it is aptly expressed in these lines of the poet:

I live for those who love me,
For those who know me true;
For the heaven that smiles above me
And awaits my spirit too;
For all human ties that bind me,
For the task by God assigned me,
For the bright hopes yet to find me,
And the good that I can do.

I live to hold communion
With all that is divine;
To feel there is a union
'Twixt nature's heart and mine.
To profit by affliction,
Reap truth from fields of fiction,
Grow wiser from conviction,
And fulfill God's grand design.

I live for those who love me,
For those who know me true;
For the heaven that smiles above me
And awaits my spirit too;
For the cause that lacks assistance,
For the wrong that needs resistance,
For the future in the distance,
And the good that I may do.

Mr. Speaker, true to his love, in the hour of death he gave the injunction, "Take me back to Tennessee." This was done. His body lay in state in the capitol, and thousands took a last look and did homage to the departed Senator. On the day of his burial many thousands stood reverently to witness the ceremony of placing his body in the grave, "earth to earth, ashes to ashes, dust to dust," to await the resurrection. Then came the impressions of another scene, when the women went early in the morning to the sepulchre of a loved One and found the stone rolled away, and asked the gardener the whereabouts of the loved One whom they found not; and the angel answered, "He is not here." Leaving the flower-covered mound, lifting our vision above the glory of the western sun, we shall expect to find Senator BATE in the company of the true and good of earth in that richer, better, nobler life of which the angel spoke, saying, "He is risen."

## Denatured Alcohol.

SPEECH

OF

# HON. ABRAHAM L. BRICK,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

*Thursday, February 7, 1907,*

On the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

Mr. BRICK said:

Mr. CHAIRMAN: I advocated and voted for the free denatured alcohol bill at the last session in the hope and desire that it would foster and promote a new industry and add an additional avenue of produce and profit to the farmer as well as introduce an effective competitor to gasoline and the combinations engaged in its manufacture. But it was a new law to this country and, like all new legislation, not entirely perfect and satisfactory in its initiate. I believe the amendment under consideration is necessary to fulfill the hopes of the friends of the law and to carry out the purposes of its enactment.

I believe if this law is reenforced by this amendment, that it will prove as effective as it was intended to be in the hopes and desires of its supporters when passed at the last session of Congress. And if my judgment be correct in this, then I have no doubt whatever but that it will work a revolution in the industries of the country.

It will make a cheap and available solvent in many lines of industry in the manufacture of ether and chloroform, one or the other of which is used as a solvent in the manufacture of countless articles of great usefulness and necessity. Besides that, if the million farmers who have asked for the privileges of this new opportunity are given the uses and benefits of this amendment—that is, farm distilleries—they may add millions to their wealth and the prosperity of the nation generally by using the waste products of the farm or the cullings of their crops by converting it into denatured alcohol; but we find that it will require the amending correction of this bill to give them that chance.

Now, Mr. Chairman, I believe in giving them the chance. It has worked well in other countries. The Commissioner of Internal Revenue tells us it can be practicably done and that it can be regulated to prevent internal revenue frauds without great expense to the taxpayer.

We know by the experience of other countries that it means millions to the wealth and opportunity of the producers. We are sure it will save millions by its competition with oil in cheapened prices to the consumers. Why should we hesitate a single moment to pass a measure that promises so much to the people and costs so little to the Government? I hope the bill will pass.

## Life and Character of the Late Rockwood Hoar.

REMARKS

OF

# HON. MARLIN E. OLMSTED,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

*Sunday, February 10, 1907,*

On the following resolution:

"*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. ROCKWOOD HOAR, late a Member of this House from the State of Massachusetts.

"*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of the memorial exercises of the day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased."

Mr. OLMSTED said:

Mr. SPEAKER: Others, by reason of longer acquaintance, better qualified than I, have already, with kindly thought and great felicity of expression, portrayed the life and character and services of our departed friend, but I can not forbear to add my tribute to the memory of one whom I had learned to love and esteem.

Upon the organization of the Fifty-ninth Congress ROCKWOOD HOAR was assigned to membership upon the Elections Committee, of which I have the honor to be chairman. Mr. HOAR was, I think, particularly pleased with that assignment, as his father, the late distinguished Senator from Massachusetts, had, while in the House, held a similar committee position. In the published work which he has left behind him Senator Hoar takes some credit and expresses considerable pride in having been instrumental in lifting contests for seats in this House out of the reach of partisan control or influence and causing hearings before Eelections Committees to bear resemblance to judicial proceedings, wherein questions of law and fact are determined upon their merits without reference to the political affiliations of the parties thereto. His son was of the same disposition, and upon all matters coming before the committee he brought to bear his clear, unbiased judgment, and aided, by his keen analysis of facts and quick and strong grasp of legal questions, the committee very much in reaching right conclusions. At the time of his death he was a member of a subcommittee charged with investigating and passing upon an important mat-

ter involving many difficult problems in which he was deeply interested and which he was extremely desirous of correctly and justly solving.

We also served together as members of the committee appointed to represent the House of Representatives at the Franklin bicentenary celebration at Philadelphia.

Thrown together constantly by committee association, there sprang up between us almost immediately a warm friendship, which I appreciated and enjoyed and shall ever gratefully remember. We were accustomed after the daily sessions of the House to walk home frequently together, and thus I was enabled to gain greater insight of his life and character. He seemed to me to be as nearly without guile as any man I had known. He had a calm, judicial temperament and viewed all questions from an impartial standpoint. His mind was never fretted nor vexed by malice or hatred. He spoke ill of no man and was ever considerate and kind. While firm in his determination, particularly where any question of right and wrong was involved, he was ever possessed of that sweet and gracious courtesy "which transmutes aliens into trusting friends, and gives its owner passport round the globe."

It seemed to me, Mr. Speaker, that no man ever came to the House with fairer prospect of long, honorable, and distinguished service. But how soon it was ended. When he parted with us at the breaking up of the first session of this Congress he was in the best of spirits and apparently in the best of health. Certainly it never occurred to him, nor to any of us, that before the constitutionally appointed time for reassembling he was to be laid away from mortal eye and another chosen to fill his seat. His untimely taking off in the very prime of life, in the height of his usefulness as citizen and statesman, reminds us once more of the uncertainty of all things here below.

The world can ill afford to lose so good a man, but while his memory endures must be something better for his having lived.

## River and Harbor Appropriation Bill.

SPEECH

OF

# HON. AUGUSTUS P. GARDNER,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

*Tuesday, February 5, 1907,*

On the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. GARDNER of Massachusetts said:

Mr. CHAIRMAN: I am very sorry indeed that the Committee on Rivers and Harbors would not accept my amendment to the Sandy Bay item. In order that the Members of the House may fully understand it, I shall read it again.

*Provided*, That in any contract involving the further extension of the rubblestone mound under this paragraph a clause shall be inserted providing that none of the rubblestone furnished by the contractors shall be quarried by laborers working more than eight hours per day.

As the committee would not adopt this amendment, and as it is subject to a point of order, I have introduced a bill covering the same ground. I take this opportunity to explain this proposition, both to the River and Harbor Committee once more and to the membership of this House as a whole.

The Sandy Bay harbor of refuge is protected by a breakwater of two arms or mounds built up from the bottom of the sea by dumping rubblestone quarried on Cape Ann, Massachusetts.

So far as the dumping itself is concerned, the national eight-hour law forbids the employment of men for more than eight hours a day. This, however, is a matter of no importance.

Dumping the rubblestone is labor on a Government undertaking, and therefore comes under the national eight-hour law.

Quarrying the rubblestone, however, is labor on private property for private parties, and comes under the laws of the State of Massachusetts.

Now, until last year the quarries where the rubblestone was produced for the breakwater were eight-hour quarries. They were underbid, however, by an outside company known as the "Federal Construction Company." This organization proceeded to import alien laborers to Cape Ann, to house these aliens in temporary shanties, and with them to open a new quarry on a nine or ten hour basis. It is by no means surprising that the newcomer could underbid the local quarrymen, but the conditions seem one-sided.

I believe the true remedy in the long run is the restriction of immigration, but that will not ameliorate the existing situation.

There is far more reason that the eight-hour law should cover the quarrying of this rubblestone than there is that it should cover the dredging operations in river and harbor work. Dredging often can not proceed in rough weather; so many days are wasted. Yet, in my judgment, the eight-hour law applies to all dredging for the Government, and I expect to see it so decided by the Department of Justice.

I do not, however, think that the eight-hour law applies to the quarrying of this rubblestone. The question is pending before the Attorney-General, but I scarcely expect a favorable decision.

For that reason I ask the committee to report this bill.

## Public Land Frauds.

REMARKS

OF

# HON. JAMES R. MANN,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

*Saturday, March 2, 1907.*

While the sundry civil appropriation bill was under consideration and during the discussion relative to the limitation that was sought to be put upon the appropriation for the investigation of land frauds, in the Committee of the Whole House—

Mr. MANN made the following statement:

Mr. CHAIRMAN: I appreciate the desire of the gentleman from South Dakota and the gentleman from Wyoming to protect the interests of the settlers in their own States. It is a praiseworthy motive to see that the people who have actually gone upon the lands now in their territory shall be protected in their rights. But, Mr. Chairman, the Congress of the United States has a duty also to the people of the rest of the country. I was peculiarly struck by the language of the Secretary of the Interior in his annual report, a portion of which I wish to call to the attention of the House. Following the reading and examination of that report, Mr. Chairman, I made it my duty to make some examination into the facts in regard to the land frauds, and I hope at a little later period in this session to have the privilege at least of putting into the RECORD some evidence so damning in its character that it ought to drive at least away from the confines of civilization some gentlemen now of apparently the highest respectability.

It is time that Congress provided that the stealing of land by rich men away from the poor shall be as much punished as any other theft. The gentlemen who bring in the amendments proposed say that these amendments are in the interest of the poor settlers. It may be that they are so designed. But, Mr. Chairman, the purpose in investigating the land frauds has been to save to the poor man the public domain and to prevent it being taken by the rich men for pasture lands and otherwise. The Secretary of the Interior, whom many gentlemen in the House do not love personally, but who, after all, is entitled to the credit of his position and to help in his work, in referring to this matter in his annual report, says:

The prosecution of all persons conspiring to defraud the Government of its public lands is being continued with vigor, as is shown by the fact that 490 persons have been indicted in the various land States and Territories for the violation of the public-land laws, 89 have been convicted, and indictments are still pending against 401.

I call special attention to these words, now, of the Secretary:

It is to be regretted, however, that the efforts made to release it from the grip of its despoilers have been met by every embarrassment that human ingenuity could devise; powerful influences have been concerned, and have not hesitated to aggressively exert every agency that could be commanded to weaken the hand of the law; even local land-office officials have been subservient to such influences, and the punishment imposed by the courts has, in many cases, been so conspicuously inadequate as to encourage rather than deter violations of the law. Whether this official stagnation is due in any degree to local political influences to which these officials are more or less indebted for their commissions and the retention of their positions is not important to discuss at this time, it being sufficient to state that it is a deplorable fact that such action, or rather inaction, is bringing reproach upon the public service, besides enhancing the difficulties which beset the administration in any efforts that it may make to rescue the public domain from serious peril.

I ask, does the House of Representatives, in the face of the charge of one of the Cabinet officers of the President, that every

influence, political and otherwise, is being exerted to protect the despoilers of the public lands, the thieves of the public lands, propose to set its approval upon these frauds and to protect the thieves and prevent the Secretary of the Interior from investigating the frauds charged?

At the time I made that statement I said that before the close of the session I would submit facts and evidence that would show to some extent, at least, to what degree land frauds are being perpetrated, and now, taking advantage of the order of the House granting leave to extend my remarks, I will submit a few details and statements that will demonstrate beyond any question that the reports of fraud have not been exaggerated and that there have been flagrant violations of the law, and in some instances by men in high station and men of wealth and political prominence. The several gentlemen who took such an interest in endeavoring to have placed upon the appropriation the limitation that finally was placed upon it, it will be observed, are Representatives entirely from the States where frauds have been committed, and while I have no intention of impugning their motives, it is possible that they may have been prompted in their zeal to try and make it appear that there was really no great amount of fraud being committed, by the fact that in doing so they would gratify many of their constituents who possibly would rather not have the facts known that might be disclosed by an investigation of some of their land transactions.

In the limited time which I have had during the closing days of this session I have endeavored to get from the Interior Department information in detail as to the number of indictments that have been secured in connection with land frauds, and to what extent convictions have resulted, and other information. I find that in one State there have been about 150 indictments for conspiracy to defraud, conspiracy to suborn perjury, perjury, unlawful fencing, and unlawful cutting of timber from the public lands, and the convictions in said State include not only the surveyor-general of the State and a Member of this House, but a United States Senator and one who for years had the confidence and esteem of the citizens of his State, as well as his colleagues in the Senate and those of us who knew him.

In the State of Nebraska a number of indictments have been found for offenses before enumerated, and among those convicted is a prominent minister of the Episcopal Church and others of high social, business, and financial standing, and whose conviction was almost impossible by reason of the political and other influences that these parties possessed, and had it not been for the action of the President in removing summarily the United States marshal and United States district attorney of that State, because he believed that they were not diligent enough in prosecuting some of these defendants, it is very doubtful if convictions could have been secured. As I stated the other day, the Secretary of the Interior in his annual report says that 490 persons have been indicted in the various land States and Territories for the violation of the public-land laws, and that 89 have been convicted, and indictments are still pending against 401.

On February 13 the President sent a message to Congress calling attention to certain phases of the public-land situation and suggesting the urgent need of legislation that he deemed necessary to properly protect the remaining public lands, and in his message he gives four specific examples of field examinations in four of the land districts, and summarizing the results he states:

> It appears that in these four districts nearly 2,300 cases were examined, and that in over half the law had not been complied with, the failure being in each case on some essential feature, and in very many cases showing deliberate fraud. In six months ending December 31 last our present insufficient force of special agents secured indictments in 197 actions for fraud, 26 of which have been tried, resulting in 14 convictions and 12 acquittals. In the forest reserves, where we have been able to examine a great number of claims, in about one-third the law was not complied with.

From a limited investigation of the whole subject of land frauds, and after conferences with different land officials, I have come to the conclusion that the amount of actual fraud committed by individual homestead entrymen is very limited, and that in many instances where entries are suspended for fraud it is where the entryman has failed to comply strictly with the requirements of the law rather than a deliberate intention to commit a fraud, and that the flagrant violations of the law have been committed mostly by men representing large cattle interests and by those who have financial or political prominence, or both, and men who seek to shield themselves from detection and prosecution because of their high standing and reputation; and when such persons are suspected or detected, powerful influences are exerted to deter the Department of the Government from prosecuting them, and the experience of the Department has been that attempts even to influence jurors and witnesses have been frequent, and political influences have in some instances made it impossible for indictments to be secured, and in cases where the facts and evidence would seem to justify no conclusion except that the parties charged were guilty.

For the purpose of exemplifying this statement I want to refer to a case that demonstrates conclusively that a man may not only be guilty of crime in connection with the public lands, but that his political influence is so powerful that he can successfully thwart the efforts of the Government to secure an indictment against him and at the same time can conduct a political campaign and succeed in becoming the governor of his State, and for the purpose of showing what the records disclose I will append to my remarks copies of official communications and files in the Department of the Interior relative to this case, which briefly is as follows:

An attorney of prominence and for some years the general attorney of a leading railway company in his State, the owner of a cattle ranch, deliberately hired certain young men to make entries under the homestead laws for Government land inside of his ranch, and it will appear from the record that the entries were made not only for the purpose of obtaining unlawful possession of the lands, but with the intent of fraudulently acquiring title thereto. The lands were within a fence, notwithstanding the law makes it a criminal offense to fence public lands. The record further discloses that this land grabber hired these filings to be made; he paid the filing fees to the land office and all expenses in connection with the entries; in addition thereto he agreed to pay, and did pay, to each of the young men the sum of $100; that he personally conducted these boys to the lands at the time they made their entries; that the entrymen never visited the lands but once afterwards, and then they were accompanied, as on the first trip, by this man, who had induced them to perjure themselves for his profit; that the trips necessitated a railroad journey of some distance from the place where they and this distinguished conspirator actually resided, and that he paid all the expenses of the trips; that upon the lands upon which the young men filed they found already erected on each tract a small board shanty; that they remained upon the land overnight upon the occasion of each trip, sleeping in the shanties, having been supplied with bedding, etc., from the ranch of the party for whom they made the entries.

This case is in line with a large number of cases where indictments have been secured, the motive in such cases usually being a desire on the part of some ranch owner to increase his holdings in order that he may monopolize as much of the public domain as possible and without regard as to how he obtains either possession or title, and the record in this particular case would indicate that had it not been for the public disclosures and exposures relative to the violations of the land laws in other States this party would probably have completed his original scheme to get title to the lands, and would have induced the young men who made the entries to complete same by making final proof and then conveying to him. After obtaining the record of the Interior Department, and it appearing that the case had been referred to the Department of Justice, I called upon that Department to ascertain what the record there disclosed. I was permitted to examine and did examine the files, and I found that upon April 12, 1906, the case, with a full statement of all the facts, was transmitted by the Department of Justice to the United States district attorney, and he was directed to give the same his careful attention, with a view to the institution of criminal proceedings against the offender for conspiracy to defraud the Government of public lands, conspiracy to suborn perjury, subornation of perjury, and for fencing the public lands. It was also stated that it was the desire of the Attorney-General that the evidence in this case be presented to the grand jury at the earliest opportunity; that subsequently the United States district attorney reported to the Attorney-General that the case had been presented to the grand jury and that an indictment failed by a small margin, and that in his opinion the party implicated and his emissaries personally saw members of the grand jury and defeated the indictment. He also stated that the evidence was clear and positive, but expressed the opinion that it would be doubtful about securing an indictment because of the political prominence and influence of the accused. He was not only not indicted, but, following almost immediately the action of the grand jury in failing to indict him, he was nominated for governor of the State and was subsequently elected, and is to-day the governor of South Dakota.

I requested of the Attorney-General that I be furnished with a copy of the record of his Department in this case, in order that I might publish it with my remarks, but I regret that he

decided not to furnish me with a copy of the record for publication, as will appear by his letter of February 27, which is as follows:

OFFICE OF THE ATTORNEY-GENERAL,
*Washington, D. C., February 27, 1907.*

MY DEAR MR. MANN: Referring to your letter of the 25th instant and your personal call to-day in regard to the papers on file in the Department in reference to the cases against Messrs. Blunt and Crawford, I beg to say that I have given the question of permitting the publication in the RECORD of the papers you selected very careful consideration, and am compelled to say that it is my opinion that copies of these papers should not be furnished for publication. I think you will see that the use by you of these papers for your own information might be granted by the Department, while the question of their publication is altogether a different one and presents an entirely new phase of the matter. While, of course, there can be no objection to a general statement which would present the facts of the matter correctly, the correspondence includes so many expressions entirely proper in their present form which would be of doubtful propriety, to say the least, for purposes of publication that I am quite sure it would not be wise to furnish copies for the purpose you suggest.

I regret sincerely that I do not find I am able to comply with your request, but I really do not think the matters should be published in the form in which they appear.

Yours, very truly, CHARLES J. BONAPARTE.

Hon. JAMES R. MANN, M. C.,
*House of Representatives.*

Mr. Chairman, I ask where can there be found a clearer case of a premeditated scheme to defraud the Government of a portion of the public domain? Where can be found a more striking illustration of the miscarriage of justice through political influence? It is such aggravated cases as this that fully justify the vigorous methods of the Secretary of the Interior in dealing with public-land frauds.

I have no interest in the politics of South Dakota, and in referring to this case and publishing the record herewith I do so for no other purpose than to show the methods that are resorted to by men in high station to fraudulently obtain possession of the public lands and to demonstrate how difficult it is to secure successful prosecution for such violations.

In conclusion, I submit that I have shown sufficient to warrant the executive department of the Government in demanding an increased appropriation for the purpose of enlarging the force for the investigation of land entries; and I regret exceedingly that Congress did not see fit to make a larger appropriation, and particularly regret that any limitation whatever was placed upon the appropriation that was made.

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## APPENDIX.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
*Washington, D. C., February 14, 1906.*

Mr. M. D. MCENIRY,
*Chief of Field Division, Fargo, N. Dak.*

SIR: January 13 and 15, 1906, respectively, the register at Aberdeen, S. Dak., transmitted the final proofs submitted in homestead entry No. 11420, made May 28, 1900, by C. Oliver Peterson for the west half of northeast quarter, north half of the northwest quarter section 12, township 121, range 78 west, and homestead entry No. 13067, made September 6, 1904, by Harry L. Eaton for lots 1 and 2 and the east half of northwest quarter section 19, township 121, range 76, Walworth County, S. Dak., which proofs were suspended because the record failed to show substantial compliance with the law, and you were furnished with notice thereof, as required by the rules. An examination of the record in these cases, together with other cases in the above vicinity heretofore submitted by the local officers, clearly indicates to this office that there exists in said county a systematic effort to fraudulently acquire title to public lands. The proofs are of the stereotyped character—a shack 10 by 12 feet, no absences, fit for grazing only, no improvements, entryman grazing stock on this and adjoining lands, has no property. In one of the entries the entryman only owned one horse; the other ten to sixteen horses upon the land part of the time. The entire record suggests that these entries are made as a cloak for the maintenance of unlawful inclosures in that vicinity. An examination of the entries now of record in this office from said Walworth County supports this inference in that a large number of entries were made at one and the same time, under which commutation proofs are being submitted at the earliest possible moment.

The record further suggests that a large number of these entries are made in the name of Crawford, among others Coe I. Crawford, whose residence is given in the entry papers in his homestead entry No. 12009, made July 1, 1901, for the west half of southeast quarter, northeast quarter of southeast quarter, southeast quarter of the northeast quarter, section 34, township 122, range 76, as Huron, S. Dak. The office is of the opinion that conditions herein are much similar to those heretofore discovered in the Chamberlain and Pierre districts, and the circumstances of the case are such as to call for a thorough and searching investigation, conducted on most discreet and tactful lines. This investigation you will make personally and not delegate it to any other agent, and you will make it at the earliest practicable moment and to the exclusion of all other work not made absolutely special by this office. You will first proceed to Huron, S. Dak., and secure from the surveyor-general such descriptions and plats and other information as he may be able to give you that will enable you to intelligently enter upon your investigation. You will then proceed to the above locality in such a manner as will avoid attracting any notice as to your purpose or plans. You will make your investigations so thorough and complete that your reports thereof will furnish all the information necessary for the successful prosecution of any proceedings that may be required therein.

A list of all entries made in Walworth County, S. Dak., including and since the year 1902, is inclosed herewith, giving numbers, dates, names, and descriptions. The office will furnish you additional data as may present itself.

Acknowledge receipt hereof and keep the office advised of your progress in the matter.

Very respectfully, W. A. RICHARDS, *Commissioner.*

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FARGO, N. DAK., *February 19, 1906.*

Hon. COMMISSIONER GENERAL LAND OFFICE,
*Washington, D. C.*

SIR: I have the honor to acknowledge receipt of letter P 34928–0, G. F. P., February 14, 1906, relative to homestead entry 11420, made May 28, 1900, by C. Oliver Peterson, for the west half of the northeast quarter, north half of northwest quarter, section 12, township 121, range 78, and homestead entry 13067, made September 6, 1904, by Harry L. Eaton, for lots 1 and 2 and east half of northwest quarter, section 19, township 121, range 76, Walworth County, S. Dak., which proofs were suspended by the register and receiver at Aberdeen, S. Dak., on January 13 and 15, 1906, for investigation by a special agent, with an inclosure containing a list of homestead entries made in Walworth County, S. Dak., during the past three years, including 1902.

I leave to-morrow or Wednesday morning for Mankato, Minn., to attend the hearing of Catlin, Meehan, Hilgendorf, Groth, and Stiles, who are to be arrested this week on the indictments returned at Sioux Falls, S. Dak., last fall, charged with perjury in the making of homestead proofs in the Chamberlain (S. Dak.) district.

From Mankato I go to Sioux Falls, S. Dak., at the earnest solicitation of United States Attorneys Elliott and Porter, to confer with them relative to the dozen or more cases which will be up for trial at the coming term of court there, and the half dozen or more cases which I have requested them to lay before the grand jury for indictment.

From there I go to Huron, S. Dak., to confer with the surveyor-general, as requested in your letter of the 14th instant, and secure from him such descriptions and plats and other information as he may be able to give relative to the work you have laid out in this letter. I expect to be in Walworth County on this work by March 1 or 2, and will make a thorough and searching investigation into this list of entries, with such circumspection and discretion as possible, and continue my investigation to completion to the exclusion of all other work not made special by you.

Very respectfully, M. D. MCENIRY,
*Special Agent in Charge, Tenth District.*

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FARGO, N. DAK., *February 19, 1906.*

DEAR MR. POLLOCK: I have your letter of the 14th instant and officially acknowledge receipt of same this date. It is a big task, and am glad to have it to do if only to "show" the office how such things should be done.

I don't know whether you know it or not, but the investigation will strike at the head of one of the political factions of the Republican party in that State and at the time, too, when one of the most bitter fights in the history of that party in that State is in full swing.

Coe I. Crawford was the "insurgent" candidate for governor against the republican organization two years ago and controlled about two-fifths of the delegates to the State convention. Prior to that time—a year or more—he was the general attorney for the Chicago and Northwestern Railroad interests in South Dakota, and, with the people of the Chicago, Milwaukee and St. Paul Railroad, dominated the Republican organization in South Dakota for years. He resigned his railroad attorneyship at the time he made the race for governor and has been on the outs with the railroads ever since.

Last fall, when the Republican party organization broke with Senator GAMBLE, United States Attorney Elliott, who was one of the principal leaders of the regular organization in that State, went with GAMBLE—most of the other Federal officers of the State stuck with the organization—and the war began. You know GAMBLE is up for reelection to the Senate, and the organization is fighting him and supporting Congressman MARTIN, of Deadwood, as his successor.

During the past winter GAMBLE and Elliott have formed an offensive and defensive alliance with Crawford and his friends, whereby the former are supporting Crawford for governor and he and his clique are with GAMBLE for the Senatorship. So, you see, you did well when you instructed me in the letter of the 14th "to avoid attracting any notice as to your purpose and plans," and to conduct same on "discreet and tactful lines," if for no other reason than to keep the knowledge of the investigation from United States Attorney Elliott, for he is the principal adviser of both GAMBLE and Crawford.

Elliott has been very prompt in following any suggestions that have been made to him relative to the work of our Department in that State—much more so than the United States attorney in North Dakota—and we will have five perjury cases and several of the twelve fence cases on which indictments were returned last fall on the calendar for trial this coming April. Then there are the big cases against Carl Pitan and John Q. Anderson for conspiracy, perjury, and subornation of perjury to be presented to the next grand jury, with probably half a dozen new perjury cases, and we don't want him to throw us on any of these.

The situation in South Dakota is exactly as I have outlined it in these pages, with each side doing their best to besmirch the other. I saw some of it when in Sioux Falls last fall, and the rest I have picked up in the newspapers since.

Of course this has nothing to do with my duty in these matters contained in the letter of the 14th instant, and if Crawford was concerned in any land-grabbing scheme, he should be exposed the same as the lowliest cowman.

Maybe you know all this, but I thought it best, however, to present the situation down there as I see it, for your information and that of Governor Richards, if you think best to show him this, and at the same time for my own protection, for if there has been any rottenness in the acquiring of land in that country by Crawford or anyone else, I will do my best to get at the bottom of it. And after that, some of their mud batteries will be turned on me and I will be dubbed the creature of this side or the other, whichever one happens to be implicated.

I am not in any way identified or mixed up with either side, nor do I care a snap which end finally comes to the top, and I have stated my only reason above for writing you this. Shall do my best to handle the case as carefully and diplomatically as possible.

I will be at Huron the latter part of this week to get the plats, etc., from Surveyor-General Morris.

Sincerely, yours, M. D. MCENIRY.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
*Washington, D. C., February 26, 1906.*

Mr. W. D. MCENIRY,
*Chief of Field Division, Fargo, N. Dak.*

SIR: Referring to Office letter of February 14, 1906, inclosing a list of all homestead entries made in Walworth County, S. Dak., since and including the year 1902, I am in receipt of your letter of February 19, 1906, stating that you will at once proceed to make the investigation in that county directed by said letter.

In connection therewith it appears that the following persons made homestead entries opposite their names, while at the same time performing the occupations named, being inconsistent with compliance with the law. It would be well to confer with the first three of the persons named and secure from them, if possible, sworn statements as to the actual facts in the case before proceeding further. If proof has been made upon any of said applications, as may be possible, the same has not yet reached this office.

Thomas H. Thompson, clerk, Thompson's clothing store, Huron, S. Dak.; homestead entry No. 12835, made November 11, 1903, for the south half of the northwest quarter, east half southwest quarter, section 34, township 123 north, range 76 west.

Harry C. Lampe, clerk, Robinson's shoe store, Huron, S. Dak.; homestead entry No. 12746, made August 7, 1903, for the northeast quarter of the northeast quarter section 33, north half of the northwest quarter, northwest quarter of the northeast quarter section 34, township 122 north, range 76 west.

James R. Hinman, conductor, Northwestern Railroad, Huron, S. Dak.; homestead entry No. 12833, made November 13, 1903, for the east half northeast quarter, north half of the southeast quarter, section 33, township 122 north, range 77 west.

Julian W. Blount, stenographer for Coe I. Crawford, Huron, S. Dak.; homestead entry No. 12836, made November 16, 1903, for the west half of the northeast quarter, southeast quarter of the northeast quarter, northwest quarter of the southeast quarter, section 33, township 122 north, range 76 west.

Very respectfully, W. A. RICHARDS, *Commissioner.*

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FARGO, N. DAK., *March 16, 1906.*

Hon. COMMISSIONER GENERAL LAND OFFICE,
*Washington, D. C.*

SIR: See your letter "P," G. F. P., 34928, of February 14, 1906, February 26, 1906, and that of the 9th instant, relative to entries made in Walworth County, S. Dak., during the past three years. In the last dated letter you ask for report of the progress of the investigation.

I have the honor to advise that I arrived in Huron, S. Dak., on the night of February 24, and that during the next three days I put in most of the time looking up the persons who made homestead entries in Walworth County, giving at the time of their filing their residences as Huron, S. Dak. The investigation developed on the start two different schemes to acquire color of title to public lands in that county by fraudulent means.

The first scheme that I chanced onto was by a firm in Mason City, Iowa, known as the Iowa Investment Company, of which W. W. Williams, former train master on the C. and N. W. R. R., at Huron, S. Dak., and one Robert Carr, of Mason City, Iowa, seemed to be the moving spirits.

The Iowa Investment Company, from the information I have derived, is a concern formed for the purpose of conducting a cattle and horse ranch. Several years ago they purchased a quantity of patented lands in townships 121 and 122, range 77. They then commenced selling stock in their corporation to purchase cattle and horses for the ranch. Owing to Mr. Williams's acquaintance among employees of the C. and N. W. R. R. Company quite a lot of this stock was sold to conductors and engineers on that railroad at different points from Huron east, and a number of persons, it seems, of Mason City, Iowa, have also purchased stock in the concern.

Quite a number of the stockholders in this concern were induced by Williams and Carr to file on vacant lands in the vicinity of their ranch, among whom were James R. Hinman, Huron, S. Dak., homestead entry 12833; Martin L. Redmond, Brookings, S. Dak., homestead entry 12797; Eugene Bowen, Mason City, Iowa, homestead entry 12701; Walter W. King, Hawarden, Iowa, homestead entry 12753; William Smith, West Chicago, Ill., homestead entry 12679; George R. Wilson, Wells, Mich., homestead entry 12989; Dennis W. Vroom, Mason City, Iowa, homestead entry 12181, and quite a number of others. The homestead numbers given here all refer to Aberdeen series. I have talked with two of these entrymen and closely questioned them relative to the scheme and the persons who were associated with them. Their stories were both as outlined above.

From the list of entries you sent me and the reference in your letter to the Crawfords, of Huron, S. Dak., I thought perhaps some of these parties might have been interested with Mr. Crawford in lands in Walworth County, but they both denied it, claiming that their lands were some 5 or 6 miles west of the Crawford ranch. I have gone no further with this particular investigation, as, to get at the bottom of the scheme, it would be necessary to go to Mason City, Iowa, where the headquarters of the Iowa Investment Company are located.

While in Huron I found that Harry C. Lampe, homestead entry 12746; Thomas H. Thompson, homestead entry 12835; Julian W. Blount, homestead entry 12876; Coe I. Crawford, homestead entry 12009, and Floyd D. Valentine, homestead entry 12745, Aberdeen series, whose homesteads are located in township 122, range 72, gave as their places of residence Huron, S. Dak., when they filed.

Inquiry at Huron developed that Coe I. Crawford is a leading attorney at law in Beadle County, of which Huron is the county seat, and for a number of years, up to about three years ago was the general attorney for the Chicago and Northwestern Railroad Company in South Dakota. Two years ago he was a candidate for governor in his party, but was defeated for the nomination, and at the present time is one of the leading candidates for the gubernatorial office in South Dakota. All my inquiries and all the information I secured while in Huron were to the effect that Mr. Crawford had maintained his residence in that city for the past ten years or more.

Julian W. Blount, I learned, is a stenographer in Mr. Crawford's office, and has maintained his home at Huron continuously for several years past. Harry C. Lampe is a clerk in a shoe store at Huron, and Thomas H. Thompson is engaged with his father and his father's brother in conducting a men's clothing establishment in Huron, and has been in this line of business for over three years past.

I called on Mr. Thompson and took him down to my room in the hotel, where I talked with him relative to his homestead. He talked frankly on the subject; said he was in business at Huron at the time he filed on his homestead and was so engaged at present; that at the time he made the entry he did so at the instigation of Julian Blount; that his primary reason in filing was to make $100, which, he said, Julian Blount told him Mr. Coe I. Crawford would pay him for the land when he made proof, together with all the expenses he had been to in going to the land and making said proof.

I inclose herewith, as Exhibit A, his signed affidavit, in which he gives in detail the conversation he had with Blount in reference to taking this land; of his driving to the land prior to his filing upon it; that Mr. Coe Crawford's brother met them at Java with a rig at that time; that they went to the court-house at Bangor, where the filing was made; that two months later he made another trip from Huron to the land and stayed overnight; that Mr. Coe Crawford accompanied him from Huron to the ranch on this trip and paid his expenses and railroad fare. That he made a third trip in the fall of 1904; that Mr. Crawford did not accompany him on this trip, but paid his expenses for same.

He stated that there was a shack put up on the place 8 by 8 feet, 6 feet high, for a homestead residence; that this shack was all the improvements he saw on the land, and he states that he does not know who built it. That after returning from one of these trips, Julian Blount came to his house and gave him a check for $50; that this check was made out by Mr. Crawford; that about a year ago, together with Harry Lampe, he called at Mr. Crawford's office, when Mr. Crawford told him that they were not to prove up on the land, and that he should sign a relinquishment; that he remembers signing a paper at that time which he supposed was a relinquishment, and that after he had done so Mr. Crawford paid him the balance of the money on the deal, viz, $50, in the form of a check, which was signed with the firm name of Crawford & Taylor.

He states that he does not know much about the place; the land in question is about 2 miles from Crawford's ranch house, and that he does not know whether it is in Crawford's pasture or not; that his only idea in filing on the land was to make the $100.

Harry C. Lampe clerks in a boot and shoe store two doors from Thompson's place of business. I invited him down to my room in the hotel also, and when there I told him who I was, and that I had come to see him about the homestead he had taken. He also talked frankly about the homestead and his reasons for filing on same. His story is practically a reiteration of that of Thomas Thompson. He was one of the first to file on the lands, and his entry went to record three months before Thompson filed. On the start off Lampe, who filed on August 7, 1903, perjured himself in making the entry, as he was not of legal age until August 27, 1903.

I inclose herewith, as Exhibit B, his sworn statement relative to the manner in which he took the homestead and his reasons therefor. After first swearing him and then writing out his statement, I handed it over to Lampe to sign, but he refused point-blank to do so, although I repeatedly urged him to put his signature to the paper that day and the day following. He told me a number of times that he had sworn to it and "that is enough;" and the last time I saw him he said, "I won't sign it, but you can depend on it that it is the truth, and if I am called on the witness stand my story will be the same as I have given it to you."

In this sworn statement Lampe says:

"In July, 1903, Julian Blount came to me and asked me if I wanted to take a homestead near Crawford's ranch, in Walworth County. Blount said that if I would do so, Mr. Coe Crawford would pay all the expenses of filing on the land and the expenses of the trips I would have to make to it, and that when proof was made on same he would pay me $100 for a deed to the land. Blount told me he was going up, and that Thomas Thompson and Floyd Valentine were going, too. I agreed to the proposition, and early in August, 1903, Valentine and myself started for the land. Mr. Coe I. Crawford accompanied us on this trip."

Further on he says:

"The next spring—it may have been in June—I made another trip to the land, slept in the shanty that night and returned to Huron the next day. Valentine, Blount, and Thompson made the trip with me, and Mr. Coe Crawford also accompanied us. The bedclothes we used in sleeping in our shanties on these trips were furnished by the ranch. Mr. Coe Crawford also paid the traveling expenses on this trip to the land and return.

"Shortly after the second trip I called on Mr. Crawford in his law office at Huron and asked him if he could let me have the money on that homestead. He said he could, and paid me $100 and the expenses of the two trips I had made. He said he wanted us to continue with our homesteads.

On the last page of this statement Lampe says that he does not know whether there has been a proof made on this homestead or not; that he has not been out there since the summer of 1904; "I got the $100 that was promised me, and I supposed that if Mr. Crawford wanted to finish the deal up he would come and see me about it."

The last paragraph of this statement reads:

The only reason I took this homestead was to make the $100 which Mr. Crawford paid me. I never had any intention of making my home on the land.

I did not call on Julian Blount for the reason that I wished to have the investigation completed up to him before I asked him if he wished to make a statement. His connection with Mr. Crawford as stenographer would put that gentleman on his guard, if I talked to Blount before having secured all the facts relative to this fraudulent scheme, and I thought best to let him go for the present.

Harry Lampe told me that Floyd Valentine, who filed at the time he did, was employed in a baker shop at Huron in 1903; that he left Huron over a year ago, and the last he had heard from him was from Lead, S. Dak. I wrote the postmaster at Lead, asking if Valentine was there, but that official advises me that Valentine is not known in town and does not get mail at that office.

The records of the land office at Aberdeen show that the contiguous entries to the homesteads above mentioned, which were taken for the benefit of Crawford, were made by persons mainly who gave their residences as Bangor or Selby, S. Dak. I started for this county last Sunday night, expecting to make field investigation in these townships, 121 and 122, range 76, during this week. Last Monday it began to snow, and snow fell constantly all of Tuesday. There were from 3 to 4 inches of snow at Aberdeen, and parties that I talked with at the hotel, who came in from Walworth County, said that there was 2 or 3 inches more snow in that county than around Aberdeen. On Wednes-

day the thermometer was 24 below zero and yesterday morning 10 below.

In view of the amount of snow that had fallen I deemed it impossible to make anything like a correct survey of the lands involved or of the fences around the Crawford ranch, for the reason that the corner stones would be covered up and it would be merely a waste of time trying to locate them in the snow. The winter is so far advanced and the sun, when it does come out, is so warm that I expect this snow will have melted by the first of the coming week, when I expect to go direct to Selby and finish up the investigation.

I concluded not to talk with any of the persons at Selby or Bangor about this matter or the Iowa Investment Company ranch until I was ready to go out and make the field investigation, as I did not care to let anyone in Walworth County know of the case until that time.

Wednesday I went to Redfield, S. Dak., the residence of Frank S. Mott, homestead entry 13237, and Harry W. Brockman, homestead entry 13236, who filed last year. The lands that they filed on adjoin some of these lands taken for the benefit of Crawford on the west, and I thought perhaps they had made entries with the same intention. I found both these men at Redfield and closely questioned them as to their reasons for making the entries.

Mott is a veterinary surgeon and Brockman was formerly in the livery business there. Neither party is personally acquainted with Crawford nor have they any idea of where his ranch is. I talked to both of them separately, and both stated that while there was a fence around their lands they understood it belonged to a ranchman named Jackson, living in the township south of them, and that the two times they had been on the lands they filed on they had not heard anything of the Crawford ranch. They stated they did not know Jackson, but that they had learned these lands were vacant from Brockman's brother, who lives at Selby, S. Dak., and that they filed on the lands solely for their own use and benefit.

I will make an effort to find Floyd Valentine, and when I have located him will try and get an affidavit relative to his entry.

Referring to the Thompson affidavit and his statement that when Crawford paid him the last $50 he believed he signed a relinquishment, I wish to state that I have examined the records of the land office at Aberdeen, and same does not show any relinquishment having been filed. The present status of the Thompson, Valentine, Lampe, Blount, and Coe I. Crawford entries is the same as when these parties first filed on the lands.

From the above general statement of the case it will be readily seen that this is one of the regulation schemes to defraud the Government out of the title to its lands by perjury and subornation of perjury in making false homestead affidavits, and is of like character with numerous cases of conspiracy to defraud the Government, perjury, and subornation of perjury that I have reported during the past year in this district. I expect to be able to make full and complete report on the entries included in the Crawford pasture and of any entries that were made by residents of Walworth County for the benefit of this Crawford ranch by April 1. After that I will take up the Iowa Investment Company scheme and complete the investigation. This investigation has been necessarily delayed by the unusual snowstorm I referred to above. Had it not been for this storm I expected to conclude this report by March 24.

Very respectfully,

M. D. McENIRY,
*Chief of Field Division No. 10.*

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COUNTY OF BEADLE, *State of South Dakota, ss:*

Thomas H. Thompson, being first duly sworn, on his oath deposes and says: I am 23 years of age, having been born June 21, 1882; am clerking for my father, Thomas Thompson, in a men's clothing store in this city [Huron].

In the fall of 1903 Julian Blount, who is a stenographer for Crawford & Taylor, lawyers, in Huron, S. Dak., came to me and asked me if I did not wish to go with him and take up a claim. I asked him "Where," and he replied, "In Walworth County." He told me I could make $100 for my right and have all my expenses paid; that if I took the claim Mr. Coe I. Crawford would pay the expenses and give me the $100 when I made proof. He said that Harry Lampe and Floyd Valentine had taken a claim under the same conditions before.

I told him I had not used my right and that I would go. We, Valentine, Lampe, and Blount, started for the land some time in the early part of November, 1903. We went to Bangor, where Blount and myself filed on land. We drove out to Crawford's ranch before filing on the land and looked it over. Mr. Coe I. Crawford's brother met us at Java, I think, and drove us out to the land. We then went to Bangor to the court-house and made the filing. I do not know before whom we filed nor do I remember the description of the land. I do not know who furnished the description of the land. Couple of months later we made another trip from Huron to the land and stayed overnight. Valentine, Lampe, and Blount, and myself went on this second trip. Mr. Coe I. Crawford accompanied us from Huron to the ranch and paid our expenses and railroad fare on this trip.

The improvements on the land I filed on consisted of a shack 8 by 8 feet, 6 feet high. I do not know who built the shack.

The next trip I made was in the fall of 1904. The three young men named above went with me on this trip, or rather, the three young men went the day before I did. I was sick and did not leave until the day following, and when I got to Aberdeen, Julian Blount met me and said there was nothing to do and that I could go back home. I did not see Mr. Crawford on this trip. Mr. Crawford paid my expenses on this trip also.

Several months after I filed Julian Blount came to my house and gave me a check for $50. This check was made out by Mr. Crawford.

About a year ago—I can not recollect the day—Harry Lampe came in the store and said: "Let us go up to Crawford's office and get the balance of our money." I went with him, and, as I understood it, Mr. Crawford said we were not to prove up on the land, and that I should sign a relinquishment. I remember signing a paper at that time, or what I supposed was a relinquishment. Mr. Crawford was busy at the time and did not say much else about the land. He paid me the balance of the money on the deal, $50, in the form of a check signed by the firm name of Crawford & Taylor.

I have not been up to the land since, nor has Mr. Crawford talked to me about it since I received the money. The land I slept on and on which I filed is about 2 miles from his ranch house. I do not know whether it is in his pasture or not. My only idea in filing on the land was to make $100. I had no intention of making my home on the land or of giving up the business I was engaged in in Huron.

THOS. H. THOMPSON.

Sworn and subscribed to before me this 26th day of February, 1906, in room 53 of Kent's Depot Hotel, Huron, S. Dak.

M. D. McENIRY,
*Special Agent General Land Office.*

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COUNTY OF BEADLE, *State of South Dakota, ss:*

Henry C. Lampe, being first duly sworn, on his oath deposes and says: I am a citizen of Huron, S. Dak.; aged 23 years on August 27, 1905; am a single man, and clerk in Robinson's shoe store at Huron.

In July, 1903, Julian Blount came to me and asked me if I wanted to take a homestead near Crawford's ranch, in Walworth County; Blount said that if I would do it that Mr. Coe Crawford would pay all the expenses of filing on the land and the expenses of the trips I would have to make to it, and that when proof was made on same he would pay me $100 for a deed to the land. Blount told me that he was going up and that Thomas Thompson and Floyd Valentine were going, too. I agreed to the proposition, and early in August, 1903, Valentine and myself started for the land. Mr. Coe I. Crawford accompanied me in this trip.

We went to Aberdeen, stayed overnight, and the next morning went out on the Milwaukee Railroad to Selby, S. Dak. From Selby we went out to the land, some 10 or 12 miles; Mr. Crawford went with us and showed us the land; he then returned to Bangor with Valentine and myself, where we made out our homestead papers in the court-house and filed on the land. I do not remember before whom we made the filings, but we swore to the homestead papers. After filing, Mr. Coe Crawford drove us to the railroad station at Selby; we came home to Huron and he returned to the ranch.

The following winter—late in the fall, I think—I made another trip to the land. Valentine, Thompson, and Blount were in the party with Mr. Coe Crawford. Mr. Crawford told me on that trip that the improvements were on the land and that he had them put on. These improvements consisted of a shanty, about 6 feet high and about 7 by 8 feet in width and length. There were shanties on the other boys' claims, about the same size, and each of us slept in our own shanties that night. We returned to Huron the next day. Mr. Crawford paid all the expenses of lodging, meals, and railroad fare for this trip.

The next spring—it may have been in June—I made another trip to the land, slept in the shanty that night, and returned to Huron the next day. Valentine, Blount, and Thompson made the trip with me, and Mr. Coe Crawford also accompanied us. The bed clothing we used when sleeping in our shanties on these trips were furnished by the Crawford ranch. Mr. Coe Crawford also paid the traveling expenses of this trip to the land and return.

Shortly after the second trip I called on Mr. Crawford in his law office in Huron and asked him if he could let me have the money on that homestead. He said he could, and paid me $100 and the expenses of the two trips I had made. He said he wanted us to continue with our homesteads.

Late in the fall of 1904 I made another trip to Selby; Thompson and Blount were with me, and Mr. Crawford was with us and paid our expenses. Mr. Crawford went with us as far as Aberdeen, when he informed us he had forgotten some papers. We went as far as Selby, stayed overnight there, and as Mr. Crawford did not show up, we returned to Huron without seeing him again on that trip.

The three trips enumerated herein are all I made to the land. The only papers I remember signing were the ones when I made the entry. I do not know whether there has been a proof made or not on my homestead, and I have not been out to it since the summer of 1904. I got the $100 that was promised me, and I supposed that if Mr. Coe Crawford wanted to finish the deal up he would come and see me about it.

Last summer Julian Blount asked me where Floyd Valentine was, and I gave him his address in Lead, S. Dak. Julian Blount is the stenographer for Crawford & Taylor, attorneys at law, of which Mr. Coe Crawford is the senior member.

The only reason I took this homestead was to make the $100 which Mr. Crawford paid me. I never had any intention of making my home on the land.

(NOTE.—Deponent refused to sign, although repeatedly urged; he stated: "That's the truth; I swore to it, and that's enough.")

Sworn before me and transcribed by me this 26th day of February, 1905, in room 53, Kent's Depot Hotel, Huron, S. Dak.

M. D. McENIRY,
*Special Agent General Land Office.*

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DEPARTMENT OF THE INTERIOR,
*Washington, March 27, 1906.*

The ATTORNEY-GENERAL.

SIR: Referring to Department letter of the 22d instant, inclosing copy of a letter of the 19th instant from the Commissioner of the General Land Office relative to an investigation of fraudulent entries and unlawful inclosures in Walworth County, S. Dak., and requesting, as recommended by the Commissioner, that a representative of your Department be detailed to assist the General Land Office in the prosecution of the case, I have the honor to transmit herewith the entry papers in six homestead entries in Aberdeen, S. Dak., land district and certain other papers, all as listed in a letter from the Commissioner under date of the 21st instant, two copies of which are herewith inclosed.

Very respectfully,

THOS. RYAN, *Acting Secretary.*

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FARGO, N. DAK., *March 31, 1906.*

Hon. COMMISSIONER GENERAL LAND OFFICE,
*Washington, D. C.*

SIR: See your letter P 34928–9, G. PF. P., February 14 and 26, 1906, in reference to proofs coming from Walworth County, S. Dak., which fail to show substantial compliance with law, in which you refer to the proofs made by C. Oliver Peterson on homestead entry 11420, made May 28, 1900, for the west half of the northeast quarter and north half of the northwest quarter, section 12, township 121 north, range 78 west, and Harry L. Eaton on homestead entry 13067, made September 6, 1904, for lots 1 and 2 and east half of the northwest quarter, section 19, township 121 north, range 76 west, fifth principal meridian, as being of a stereotype character—shack 10 by 12 feet, no absences, land fit for grazing only, no improvements, grazing stock on this and adjoining lands, etc.

You also refer to a large number of entries in Walworth County made by Coe I. Crawford and the sale of isolated tracts to him, and also to his having made homestead entry 12009 on July 1, 1901, for the west

half of the southeast quarter, the northeast quarter of the southeast quarter, and the southeast quarter of the northeast quarter, section 34, township 122 north, range 76 west, fifth principal meridian.

In your letter of the 26th you refer to the homesteads of Thomas Thompson, Harry C. Lampe, James R. Hinman, and Julian W. Blount, made in the same locality as Coe I. Crawford's homestead entry referred to above, and suggest that it would be well to confer with the first three of the parties named and secure from them, if possible, sworn statements as to the actual facts in the case before proceeding further.

I have the honor to report that before receiving your said letter of the 26th, I had gone to Huron, S. Dak., and called on Thomas H. Thompson and Harry C. Lampe and secured from them affidavits in reference to their homesteads. I inclose these affidavits herewith, marked "Exhibits A" and "B," respectively. They show clearly that these two entries were made at the instigation and for the benefit of Mr. Coe I. Crawford and cover lands in the immediate vicinity of his own homestead filing.

James R. Hinman's H. E. 12833 was made in the interests of the Iowa Investment Company and is in a large pasture maintained by this concern several miles west of the lands taken in the interests of Crawford. The facts relative to the Hinman filing and many other entries in its vicinity made in the interest of the Iowa Investment Company are yet to be developed and are referred to in a separate letter. There is no connection between this concern and Coe I. Crawford or the Crawford Cattle Company organized by Mr. Crawford. Neither is there any connection between the C. Oliver Peterson or Harry L. Eaton entries with the land-grabbing operations of Coe I. Crawford.

My investigation developed the fact that in T. 122 N., R. 76 W., and extending down into sec. 1, T. 121 N., R. 76 W., there is an inclosure of some 2,400 acres maintained by the Crawford Cattle Company, whose headquarters ranch is on deeded land, SE. half of the NE. quarter, NW. quarter of the NE. quarter, and the NE. quarter of the NW. quarter of section 35. This inclosure is maintained by a two-wire fence and takes in the east half of section 33, all of section 34, the north half and southeast quarter of section 35, all of section 36, T. 122 N., R. 76 W., and part of section 1 in the township below.

Within this inclosure are the following homestead entries:

H. E. 12836, Julian W. Blount; W. half of the NE. quarter, SE. quarter of the NE. quarter, and NE. quarter of the SE. quarter, section 33.

H. E. 12745, Floyd D. Valentine; SW. quarter of SE. quarter, section 34; S. half of SE. quarter and NE. quarter of SE. quarter, section 33.

H. E. 13746, Harry C. Lampe; NE. quarter of NE. quarter, section 33; N. half of NW. quarter and NW. quarter of NE. quarter, section 34.

H. E. 12009, Coe I. Crawford; W. half of SE. quarter, NE. quarter of SE. quarter, and SE. quarter of NE. quarter, section 34.

H. E. 12835, Thomas H. Thompson; S. half of NW. quarter and E. half of SW. quarter, section 34.

All in T. 122 N., R. 76 W., and amounting to 800 acres.

Contiguous to some of these filings are three forties of vacant land in section 34, viz, northeast quarter of northeast quarter, southwest quarter of northeast quarter, northwest quarter of southwest quarter, section 34—120 acres. In sections 35 and 36 there are 960 acres of State land, which has been leased from the State of South Dakota. In section 1, township 121 north, range 76 west, the land covered by this fence is all deeded land.

Referring to the Thompson entry and his affidavit, Exhibit A, and the Lampe entry (see his sworn statement, Exhibit B), the facts developed show that in 1903 Julian Blount, a stenographer in the office of Crawford & Taylor, lawyers, at Huron, S. Dak., spoke to these young men about taking homesteads in Walworth County, stating to them that Mr. Crawford would pay all their expenses on the various trips to the land and that when proof was made he would pay them $100 for deed to the lands. Blount himself made an entry that year with these young men, and another young fellow, named Floyd D. Valentine, was also induced to make an entry in the same locality and, presumably, under the same terms.

As shown by these affidavits, Thompson and Lampe, who were clerks in stores at Huron, agreed to the terms and made several trips to the lands; that on these trips they were accompanied by Mr. Coe I. Crawford, who paid their expenses, and it is further shown that in 1904 Mr. Crawford paid them the $100 that his stenographer promised them when they were induced to make the entries.

No attempt has been made to offer proof on these lands, and it seems that for some reason Mr. Coe I. Crawford dropped the matter, so far as having the boys continue to make trips to the lands is concerned. At any rate, none of them has made trips to the lands since the summer of 1904. As Lampe aptly remarks in his statement, "I got the $100 promised me, and I suppose if Mr. Crawford wanted to finish the deal up he would come and see me about it."

They both state in these affidavits that the only reason they took these homesteads was to make the $100, and that they never had any intention of making their homes on the land. It is also shown in their affidavits that what improvements were placed on the lands, in the way of homestead shanties, were put up by Mr. Crawford. Lampe states on page 2 of his affidavit that Mr. Crawford told him on the second trip he made to the land the improvements were on the land, and that he (Crawford) had put them on.

Floyd Valentine, who accompanied Thompson, Lampe, and Blount and filed within this pasture in 1903, was working in a restaurant at Huron at that time. Some time in the early part of 1904 he left town, and my first information was to the effect that he was at Lead, S. Dak. I made diligent inquiry in that city by mail, but was unable to find him, and for several weeks hunted for him in the towns and villages in the Black Hills district without success.

On my return from an examination of the lands in the Crawford pasture this week, I stopped at Huron, S. Dak., and made inquiry again at the post-office for him, and was informed a letter had just been received from him by a party in Huron postmarked Alliance, Nebr. I learned from the party who got the letter that Valentine was then employed as a brakeman on the Burlington and Missouri River Railroad, with headquarters at Alliance, and on my return to Fargo Wednesday I wrote Special Agents Defrees and Scott at Alliance, Nebr., to question him closely relative to the inducements offered him to file on this land, quoting in my letter the information derived from Thompson and Lampe. Time has been too short to hear from these special agents, but as soon as I have their reply I will make supplemental report on the Valentine entry.

Owing to Blount's connection with Mr. Crawford, I did not interview him relative to his filing. There can be no question, in the light of Thompson's and Lampe's affidavits, that Blount's filing was made in the interests of Mr. Coe I. Crawford and at his instigation.

I inclose herewith, as Exhibit C, a photograph of Harry C. Lampe's homestead shack; as Exhibit D, a photograph of the shack that is just outside the fence on the south line of the southeast quarter of southwest quarter of section 34; as Exhibit E, a photograph of an abandoned shack on the Floyd D. Valentine homestead.

These pictures I took myself while making the investigation. There is no sign of a building of any description on the Crawford entry. These dilapidated shacks are the only improvements on any of these claims. The land in sections 33, 34, 35, and 36 is in the hills and draws on the north side of Swan Lake Creek.

Orin S. Crawford, brother of Coe I. Crawford, resides with his family at present on the deeded land in section 35 and manages this ranch. He has been the actual resident manager for years, and at the present time is taking care of some 200 head of cattle.

Besides this ranch and inclosures, of which I inclose an outline as Exhibit G, the Crawford Cattle Company have under lease in T. 122 N., R. 76 W., and Ts. 121 and 122 N., R. 75 W., 2,120 acres of State land. The greater part of this land in Ts. 121 and 122, R. 75, is contiguous to the homestead entry of Orin S. Crawford, H. E. 11265, made March 17, 1900, for the E. ½ of the SW. ¼, sec. 31, T. 122, R. 75, and lot 3, and SE. ¼ of NW. ¼, sec. 5, T. 121, R. 75, and is used for pasturage and hay purposes also. My information was to the effect that Orin S. Crawford lives on his homestead at times during the summer, and that frequently some of his children live there when he is away. I was unable to get any positive information during my trip to Walworth County as to the length of his residence, and concluded not to make fraudulent-entry report of this entry until after further investigation.

It has been the practice of Orin S. Crawford to herd cattle on this land during the spring and summer months for the farmers living in the country south of him, and for the past four or five years he has been herding from 400 to 700 head of cattle for these farmers, at $1 per head for steers and $1.50 per head for cows and heifers.

The first day I was in Walworth County I learned the organization of the Crawford Cattle Company, and wrote the secretary of state for South Dakota for information relative to their incorporation. So far this information has not been received, and as soon as same does come I will forward you this information.

I learned while in Walworth County that besides the Coe I. Crawford and Orin S. Crawford mentioned heretofore there were two other brothers in the organization. No one in that county seemed to have any further information regarding same. On Sunday, March 25, I called at the ranch house of Orin S. Crawford to talk with him relative to this concern, but did not find him at home, and his young sons could not give me any information about same.

On the north and part of the south side of this pasture there are a number of homesteaders living, who are engaged in a small way in cattle raising and farming. My investigation showed clearly that there is no business relationship between these parties and the Crawfords. In fact, quite a number of them have had trouble with Orin S. Crawford over fences, etc., and over the fact that the Crawfords have leased so much land in the neighborhood.

Southwest of the Crawford pasture, and contiguous to section 34 and that part of 33 within the Crawford pasture, is a large inclosure maintained by Jackson, Ridgway & Co. In this pasture there are possibly forty homestead entries on file. My observation in driving through it was that they are all taken in the interests of this concern, the Jackson & Ridgway Company. On the west part of section 33 the Thomas pasture adjoins the Crawford fence, and I am satisfied that there is no business connection between either of these concerns and the Crawford Cattle Company. The operations of the Jackson-Ridgway Company will be made the subject of another report.

So far as the business of the Crawford ranch is concerned, it has been handled largely by Orin S. Crawford. The leasing of State lands has been done by both Orin S. and his brother, Coe I. Crawford, and this investigation shows the procuring of these Huron people to file their homestead entries was the work of Coe I. Crawford alone.

The procurement of these parties to make these homestead entries under contract to sell same to him, by Coe I. Crawford, after proof was made was illegal and contrary to law and from its inception and places this well-known lawyer of Huron in the position of suborning the young men to commit perjury. The case is in many respects similar to the Stearns and Horsenell cases—conspiracy and subornation of perjury—which were tried in St. Paul last winter, and also to the several cases that are now in court at Sioux Falls. The motive back of the filings—the segregation of these 800 acres from the public domain and the converting them into a pasture to which his company would have undisputed possession—is plain. The fraud was willful from the fact that Mr. Crawford is considered one of the leading lawyers of South Dakota, and must have known the illegality of his operations.

In view of the facts set out above, I respectfully recommend that this report be laid before the Department of Justice for the prosecution of Coe I. Crawford for subornation of perjury in the making of the homestead affidavits of Harry Lampe, Thomas Thompson, Floyd D. Valentine, and possibly Julian W. Blount; also for conspiracy with Julian W. Blount, in securing Lampe, Thompson, and Valentine to make these entries.

Very respectfully,

M. D. McENIRY,
*Chief of Field Division.*

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DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
*Washington, D. C., April 4, 1906.*

Hon. D. D. CALDWELL,
*Department of Justice.*

SIR: In conformity with your request this forenoon I have the honor to submit the following statement relative to the Coe I. Crawford case, in Walworth County, S. Dak., supplemental to my letter of February 19, 1906, addressed to Mr. Pollock, chief of my division, now in the files in this case in your hands.

Since the letter to Mr. Pollock referred to above, I have made a careful investigation of the Crawford land frauds, and on March 29 and 30 submitted to the honorable Commissioner of the General Land Office five fraudulent entry reports covering the filings made by and in the interest of Coe I. Crawford, of Huron, S. Dak. Under date of March 31 I submitted a general report covering these cases, in which the recommendation was made that proceedings be instituted at once against said Crawford on the charge of subornation of perjury and conspiracy to defraud the Government. The reason immediate action is requested is owing to the fact that these entries were made in the summer and fall of 1903, and any action relating to the punishment of Crawford

for same should be commenced in the near future or same will be barred by the statute of limitation.

As is well known, Mr. Crawford is one of the political leaders in his State, and at present is conducting a campaign for the gubernatorial nomination in the Republican convention, which is held this summer. Closely associated with him in this campaign, in fact, one of his managers, is Mr. James D. Elliott, the United States attorney for South Dakota. Without in any way wishing to reflect on the integrity or honor of Mr. Elliott as a man or an officer, it is obvious that any action brought by the Government against Crawford should be done without the assistance of Mr. Elliott.

I am firmly of the opinion that Mr. Elliott is unalterably committed to the cause of Crawford, and with this case against the latter coming up I fully believe that the Government could not expect any results with Mr. Elliott in charge of the case.

There are also some fifteen or twenty more land cases now on the United States attorney's docket in that State for presentment to the grand jury and for trial, a number of them being of much importance, the prosecution of which, taken in connection with the Crawford case, would embarrass Mr. Elliott.

Very respectfully,

M. D. McENIRY,
*Chief of Field Division, General Land Office.*

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DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
*Washington, D. C. April 17, 1906.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

SIR: See my report of March 31, in reference to the land operations of Coe I. Crawford, in Walworth County, S. Dak., made in response to your letter "P" of —.

Supplemental to that report, I have the honor to inclose herewith letter under date of March 31, from E. A. Platts, assistant secretary of state of South Dakota, in which is given a summary of the articles of incorporation of the Crawford Cattle Company, organized by Coe I. Crawford. You will note this letter from the secretary of state's office states that the incorporation was for the purpose of buying, improving, selling, and leasing lands, aside from the cattle business. The two Crawfords mentioned as incorporators with Coe I. Crawford are his brothers.

Very respectfully,

M. D. McENIRY,
*Chief of Field Division.*

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DEPARTMENT OF JUSTICE,
UNITED STATES ATTORNEY'S OFFICE,
DISTRICT OF SOUTH DAKOTA,
*Sioux Falls, S. Dak., April 17, 1906.*

Hon. COMMISSIONER GENERAL LAND OFFICE,
*Washington, D. C.*

SIR: See my report of March 31, 1906, on the fraudulent land scheme of Coe I. Crawford et al., made in response to your letter of instructions "P" 34928, GFP., of February 14, 1906.

I have the honor to advise that the case of United States *v.* Coe I. Crawford, for subornation of perjury, and against said Crawford and J. W. Blount, for conspiracy to suborn and conspiracy to defraud in connection with the Harry Lampe, Thomas Thompson, and Floyd Valentine homestead entries in Walworth County, S. Dak., was presented to the grand jury on Monday afternoon, April 16, 1906, by Mr. Porter, United States attorney.

Thompson, Lampe, and Valentine, mentioned above, John Vetter, register of the United States land office at Aberdeen, and E. G. Powell, clerk of courts of Walworth County, S. Dak., and myself were present as witnesses before the jury. At noon on Monday the grand jury voted to return no bill. I have been informed that the jury stood twelve to eight against returning a bill.

In view of the evidence submitted, the result was astounding, and was based in no way or manner on the testimony submitted. Mr. Porter informed me last evening that the evidence in this case was perfect; that the parties whom Crawford had suborned, Lampe, Thompson, and Valentine, were excellent witnesses for the Government, and that the only reason he could imagine why an indictment was not returned was that politics was brought into the case in their deliberations.

Coe I. Crawford was in Sioux Falls Friday night, a short time after two of the witnesses, Lampe and Thompson, arrived, and sought to influence the testimony they were to give before the grand jury by stating to them his side of the case. He had these witnesses in his room at midnight Friday night for over an hour. I saw them immediately after they left Crawford's room, and they told me of the conversation Crawford had with them. They said they had told him that they were going to tell the whole truth, as they understood it, about his hiring them for $100 to make these entries, and that the statements he had just then made to them were not in accordance with their understanding of the matters when they made the entries.

Friday evening Crawford was talking to several of the grand jurors in the lobby of the hotel, and also spoke to a number of other persons in the lobby of the hotel about the case against him. These parties came to me asking what I knew of the case, and stating that Crawford was talking to everyone that would listen to him about the matter. Of course I refused to discuss the matter in any way with any one of them.

On Saturday noon Mr. Crawford introduced himself to me, saying that he understood the Department had a case against him, and that he wished to state that the four young men of Huron, S. Dak., Lampe, Thompson, Blount, and Valentine, were entirely innocent of any wrongdoing, and that he had not knowingly done any wrongful acts himself in connection with making these entries; that he was interested with his brothers in a cattle company in Walworth County, and that at the time the Lampe, Thompson, Blount, and Valentine entries were made a lot of Russian immigrants were looking for lands in that locality, and in order to keep this class of people at a distance from their property he had suggested to some friends in Huron the advisability of filing on these lands.

Some time after these filings were made there had been some talk, he said, of these men making final proofs, but that after he saw the final homestead proof papers he had advised against it, as he had observed that the proof papers required continuous residence on the land. He also stated voluntarily that he had taken relinquishments of their entries some eighteen months ago, and that he still had them in his law office at Huron. He offered no excuse for keeping these relinquishments, and I did not ask him anything further about it. As stated before, Mr. Crawford approached me, introduced himself, and immediately began to talk about these matters in the lobby of the hotel. During the entire conversation I did not ask him a question relative to the case, and I excused myself and got away from him as soon as I decently could. To my mind he convicted himself in the short explanation he tried to make to me of these things.

The case was presented to the grand jury at the earliest possible moment after the arrival of Mr. Lewis, the special attorney from Washington, with the original papers pertaining to same. Everyone connected with the prosecution at this end believes the evidence is sufficient in every particular to have secured an indictment, and the only reason I can give for this miscarriage of justice was that Crawford or some of his friends got in their work with the grand jury on Friday night or some time before the jury convened on Monday. Last evening and this forenoon three of the grand jurors have said to me that the evidence in this case was as complete as in any case before them at this term, and that as soon as the case had been submitted to them a couple of the jurors began talking politics and said that this case was a political scheme.

This case is in many respects similar to other fraudulent land schemes on which indictments and convictions had been secured, and I do not believe that because of this man's political or social standing and influence the case should be allowed to drop. There is likely to be a grand jury called for the Deadwood (S. Dak.) term of court on May 15, 1906, and I respectfully suggest that the Department of Justice be called on to present the case to the grand jury at that term of court.

Very respectfully,

M. D. McENIRY,
*Chief of Field Division.*

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FARGO, N. DAK., *May 21, 1906.*

The COMMISSIONER, GENERAL LAND OFFICE,
*Washington, D. C.*

SIR: See your letter "P" 34928 GFP., of February 14 in re the Walworth County land frauds and the connection of Coe I. Crawford, of Huron, S. Dak., with same; also my report on this fraudulent land scheme, dated March 31, 1906, and my letter of April 17, 1906, from Sioux Falls, S. Dak., advising the presentment of this case to the United States grand jury at the April term of court in that city and the failure of the jury to indict Crawford and Julian Blount for conspiracy to defraud, or indict the former for subornation of perjury.

I have the honor to report that a grand jury was summoned for the Deadwood, S. Dak., term of the United States district court to convene May 15, primarily for the resubmission of this case. To keep the jury as free as possible from outside influences, an order was issued by the court directing that the names of the jurors summoned be kept secret and not published in the newspapers as heretofore and to allow no one aside from the court officers to see the list of jurors until they had assembled at Deadwood.

When the grand jurors met at Deadwood in the afternoon of May 15, and before being sworn in as grand jurors, they were placed under oath by the court and searchingly examined by United States Attorney Porter for cause. During this examination each juror was advised of the Crawford case and was asked that, if sworn as a grand juror, if he would consider the case without bias, and if the evidence submitted by the Government warranted an indictment, if he would vote for same. Every man of them swore affirmatively that he would.

In addition to this the charge of Judge Carland to them as a grand jury was a specially strong one, and the court dwelt particularly on the fact that a man's social or political standing should not be allowed to influence their judgment or their duty when the evidence showed a crime had been committed.

The case against Crawford and Blount was the first one presented on Wednesday, and our evidence went in in perfect shape. The testimony of the three entrymen suborned, Lampe, Thompson, and Valentine, was direct and to the point and was in reality much stronger than outlined in my report of March 31.

From the start, however, several of the jury commenced asking irrelevant questions, and within a few minutes after the evidence was submitted a "no bill" was voted, twelve to seven.

There is no question as to the quantity or quality of the evidence in this case, and the result to all who were present at Deadwood is simply indicative of the political sympathies of the jury.

The principal witnesses for the Government, Lampe, Thompson, and Valentine, are exceptionally bright, young men and live and have been raised in the same town that has been the home of Coe I. Crawford. They have known him practically all their lives and held him in high esteem until this investigation brought home to them the depth of iniquity his selfishness and greed have led them into. Since the start of this investigation these witnesses have acted honestly and fearlessly and when summoned as witnesses testified frankly to the part they played in the scheme.

It is simply another case of men in high places escaping punishment for their misdeeds by reason of their position and influence. It seems like folly to recommend further effort in prosecuting this case, and it is questionable whether the result would be any different from this one.

The statute of limitations will soon run on two of the entries involved—Lampe's and Valentine's—and the only term of court before then is the summer term at Pierre, which is usually held in June.

While in Deadwood I learned that the conveniences for holding court at that place are limited and unless the Government had some specially important work for that term of court the term would be adjourned and no grand or petit jury summoned for same.

If the Department desires this case to be presented to another grand jury, I respectfully suggest that the matter be laid before the honorable Attorney-General at once, so that he could request the court to call a grand jury by June 1.

Before leaving Deadwood last Thursday evening I requested Mr. Porter, the United States attorney, to forward the papers in this case, all of which are now in his hands, to the Department as soon as possible, so that if any further action in the matter was desired you would have the record before you.

Very respectfully,

M. D. McENIRY,
*Chief Field Division.*

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Under date of June 5, 1906, the Secretary of the Interior received a final report from the Attorney-General, in which he said:

"Referring to the matter of Coe I. Crawford, Julian W. Blount, and others (your files L. and R. R. Div., 1150, 1906), in which at the instance of your Department criminal proceedings were instituted against the said parties for alleged fraud in connection with certain homestead entries of public lands in Walworth County, S. Dak., I have the honor formally to report that on the presentation of the Government's evidence to the grand jury at Sioux Falls in April last that body declined

to indict. After conference with representatives of your Department it was decided to again present these cases to a grand jury, and this was accordingly done at the recent term at Deadwood, S. Dak. The result again was a failure to indict, the grand jury, it is understood, standing twelve to seven against indictment.

"These cases appeared to present flagrant violations of the public-land laws, and the failure of the Government to secure indictments can only be explained by the unusual political situation in South Dakota and the strong partisan feeling resulting therefrom. All of the cases, with two exceptions, will have been barred by the statute of limitations by the 1st of the coming month. One of the remaining two will be barred in August and the other in November of the present year. In view, however, of the Government's double failure to indict, notwithstanding the strong showing made and the probability of failure in an attempt to convict even should an indictment be secured, this Department is of the opinion that the Government's interests will be best served by pursuing the matter no further. I return the papers in the said cases herewith."

## River and Harbor Appropriation Bill.

### SPEECH

OF

# HON. STEPHEN M. SPARKMAN.

OF FLORIDA,

IN THE HOUSE OF REPRESENTATIVES,

*Tuesday, February 5, 1907.*

The House being in Committee of the Whole House on the state of the Union and having under consideration the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. SPARKMAN said:

Mr. CHAIRMAN: In so far as the final vote on this bill is concerned, there is no necessity for me to say aught in its behalf, for its provisions speak more forcibly in favor of its passage than I could possibly hope to do. Besides, after the thorough and masterly discussion of its leading features by the chairman of the committee and those who have followed him along the same line, any effort on my part to throw further light upon the subject would be vain and futile. But being a member of the Committee on Rivers and Harbors, and supposedly possessing some knowledge of the conditions under which this bill was framed, it will perhaps not be amiss for me to discuss briefly, as I shall, some of the leading features of the measure.

One of these which should appeal to the membership of this House, as it will to the people throughout the country, is the generous provision made for our harbors and internal waterways. The bill carries a larger amount than any of its predecessors. In fact, in cash and authorizations it is about one-fifth as much as all the river and harbor bills passed by Congress since the beginning of the Government down to and including that of 1905; and yet sentiment not only approves its size, but commercial and traffic conditions throughout the country demand this generosity toward our rivers and harbors.

There has been, Mr. Chairman, an awakening within the past two or three years along this line. I do not mean to say that there has been any new sentiment created, for there has not; it has only become more pronounced. During the twelve years of my services here there have been no more popular measures brought into this body than the river and harbor bills which we have passed every two or three years. If criticism has been heard it has been here on this floor and not elsewhere, and when here it has been in tones so soft and low as to be scarcely audible.

The country at large has always approved these measures not because the people saw in them the proverbial "pork barrel," nor yet because they desired to spend money in any given locality simply for the sake of spending it, but because their keen business sense taught them that the improvements contemplated would when made enable the people to market more easily and with greater profit the products of forest and stream, of farm and garden, of factory and mine, and everything that American industry and skill may produce.

The present condition of the public mind, justifying and demanding more liberal treatment of our harbors and waterways, is only this same sentiment developed and intensified by the campaign of education conducted to that end for the past two or three years by the National Rivers and Harbors Congress, reenforced by the ever-increasing need for water transportation now apparent on every hand.

In the earlier days of the Republic the reliance of the people for inland transportation was mainly upon the natural waterways of the country, supplemented by canals here and there. But after a while came the railroad, and for half a century these have been the chief dependence for local and interstate traffic. During these years the railroad has been developed to its utmost limit, until to-day there are more than 300,000 miles of track of all classes on which run more than 48,000 locomotives and upward of 1,800,000 cars. To be more accurate, the aggregate length of railway mileage, including tracks of all kinds, was on the 30th of June, 1905, 306,796.74 miles, while the total number of locomotives was 48,357, and of cars of all classes 1,842,871, requiring 1,382,196 men to operate them. With this equipment there were carried over this trackage during the same period 23,414,985 passengers, and freight amounting to 1,427,701,905 tons.

And yet with this great trackage and equipment, doing the enormous traffic just indicated, the railroads have not been able for the past two years to meet the heavy demands upon them, and why? Not because of any dereliction of duty toward the public, for they have no doubt made every reasonable effort to measure up to the demands upon them, but because the business of the country, growing beyond all expectation, has, in spite of the railroads, increased more rapidly than transportation facilities, and the result has been congested freight conditions east, west, north, and south, with corresponding loss and injury to all—producers, consumers, and carriers alike.

This condition, as well as its cause, was very clearly set forth by the Interstate Commerce Commission in its annual report submitted in December last. I read from page 16 of this report:

> The extraordinary prosperity which everywhere abounds, with the high prices obtainable for all classes of commodities, have so stimulated production as to yield a volume of transportation business which far exceeds in the aggregate the carrying capacity of the railroads. In a word, the development of private industry has of late been much more rapid than the increase of railway equipment. The conditions now existing in the Northwest, where large quantities of grain require immediate shipment, and in the Southwest and trans-Missouri region, where thousands and tens of thousands of live animals are denied movement to the consuming markets, may justly be regarded as alarming, while throughout the Middle West and Atlantic seaboard the shortage of cars for manufactured articles and miscellaneous merchandise has become a matter of serious concern. In some cases it is simply a lack of cars, in others insufficient tracks and motive power, in still others wholly inadequate freight yards and terminal facilities.

This is not only the opinion of the Commission, but it is also that of well-informed railroad men as well. President Elliott, for instance, of the Northern Pacific, testified a few weeks ago before the same Commission in the matter of "car shortage and other insufficient transportation facilities" that "in attempting to handle the freight offered, they (the railroads) were trying to force a 3-inch stream through a 1-inch nozzle; the railroads have more business," said he, "than they can handle."

President Hill, of the Great Northern, characterized the task as an effort "to bore a 1-inch hole with a half-inch auger," and proceeding along the same line, he said:

> The Government of this country and its growth and its business is against a stone wall so high that it can not see the top of it. No man can see the top of it to-day. I have looked everywhere, turned everywhere, to see what can be done. During the time from 1895 to 1905 the business of the country—the tons moved 1 mile—increased 110 per cent, and the facilities—the increase of facilities for doing the business and handling the miles—increased 20 per cent in ten years, or 2 per cent per annum. But of that 20 per cent three-fourths of it was new mileage that was built in sections of the country that added to the congestion of the old.
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> Now, I think, and I have discussed this question with a number of the most intelligent railroad men that I know—I have asked them how much additional mileage should be built to absolutely relieve the country from the situation and difficulty it is laboring under, the unreasonable delay of freight. There has always to be some delay, but not an unreasonable delay. They put the necessary mileage, some as high as 50 per cent. Well, that is out of the question. But men who have taken up the question and thought about it and tried to work it out will say anywhere from 25 to 33 per cent. Now, 25 per cent of new mileage would be 55,000 miles, and if that is to be built in five years it would take 11,000 miles a year. But you would have to add one-third of the mileage for terminal and passing tracks. Add 33 per cent to 55,000 and it makes 73,000 miles. Now, 73,000 miles additional would not be any more than is actually necessary, because I have distributed it over five years, and in five years, if we are to have crops at all and if we don't stand still, the allowance is altogether too small. I do not think the new mileage, the new equipment, and terminal facilities could be produced for less than $75,000 a mile of main track, which would amount to $5,500,000,000, or a yearly average of $1,100,000,000.
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> Now, that is what is necessary to move this stuff, to move the business of this country, and it is not any more than is necessary, but it is 30 per cent or 40 per cent of the cost of the civil war, and it is more money than the United States can raise. That is the stone wall we are up against, and foresight does not look forward far enough to get a glance of it. We are up against it until it is solved.

Thus it will be seen that while the conditions are indeed alarming neither the wise among the railroad men nor the Interstate Commerce Commission, whose duty it is to study all such matters, can see any light ahead. It is plain that if conditions remain prosperous the products of the country can not be distributed by the railroad lines alone. Hence we must look to other facilities than our railroads if we are to keep pace with the growing demands of commerce. In other words, we must look to the waterways of the country. Wherever, for instance, there is a harbor reached by rail it should be improved until the

commercial interests there are fully met. This will not only regulate freight charges in a measure, but will insure a more rapid transit of freight, both incoming and outgoing, while the improvement of our rivers, whether large or small, will act as feeders for the railroads and at the same time and as occasion may require furnish facilities for independent transportation.

In this connection, Mr. Chairman, I would like to correct an erroneous impression which seems to prevail in the minds of some of the critics of this and other river and harbor bills. They are accustomed to designate streams wholly within a State as "local streams, not worthy of improvement by the National Government," asserting that such improvement is unconstitutional and intimating that if appropriations are made for them it is either as an act of grace or more likely for the purpose of obtaining support here for other and what they are pleased to call in contradistinction "national streams."

Now, Mr. Chairman, no traffic-bearing stream can be local in a commercial sense, unless—which is rarely the case—it should be one that supplies alone a narrowly circumscribed community. But there are none such here. I have some familiarity with every item carried in this bill, and there is no stream provided for but what, in my opinion, is national in its character.

A stream may be wholly within a county or even a single township, yet may bear a commerce on its waters which, carried across State lines, is distributed by rail and water to all parts of the country. Such a stream is as much an interstate stream in a commercial sense as if it passed through a dozen States of the Union. There are several of these in my own State. One is the Manatee, wholly within the county of that name, the navigable portion of which is not more than 17 miles in length, and yet the products of the country adjacent to its banks—vegetables, oranges, and other tropical and semitropical fruits—are carried down the stream, and are shipped thence by rail and by water to every part of the country east of the Rocky Mountains.

The same is true of the Hillsborough, on either side of which the thriving city of Tampa, with its 40,000 or 45,000 inhabitants, is situated. The portion of the river mostly used for the purpose of navigation is but little more than 2,000 feet in length, and yet nearly a half million tons of commerce, worth upward of $15,000,000, were carried over its wharves last year and shipped by rail and water to every part of this country, a portion going even to foreign lands. Certainly no one would be justified in calling this a local stream. The same can be said not only of other similar streams in the State of Florida, but of those in other States provided for in this bill which do not cross State boundaries, but are referred to by some as "local streams."

Time was, perhaps, Mr. Chairman, when such a designation may have been proper. Before the advent of the railroad, touching these streams and carrying their commerce into all parts of the country, some of them may have been local in the sense now attributed to them. But interstate commerce knows no State lines, and the interstate railroad tapping these streams and continuing by rail the transportation of freight started on their waters into other States and Territories makes of them national highways as completely as if they traversed the continent or connected the waters of the Lakes with those of the Gulf.

The distinguished gentleman from Ohio [Mr. KEIFER], as I understood him, thought it wholly without the power of Congress to make appropriation for these rivers, his opinion being that the Constitution prohibits such, but at the same time was decidedly of the impression that Congress could appropriate money for a canal connecting Lake Erie with the Ohio River—a work wholly within a single State—because thereby commerce could flow over the Lakes to the Gulf through several States. But, sir, wherein lies the difference between a waterway like that and the shorter streams such as I have heretofore described, wholly within a county, on which commerce may flow to the sea, and thence by steam or sail be carried to the uttermost parts of the earth or by rail into every State in the Union? There can in principle be no difference, as there is none and should not be any in practice. These smaller streams require but little aid and get but little, but this little in some instances has accomplished more good than even much larger amounts spent upon so-called national waterways. And one of the commendable features of this bill, Mr. Chairman, is that no discrimination is made against these smaller streams. They are treated as national highways and placed on the same footing as those more pretentious as to length and volume.

Mr. SMITH of Kentucky. Mr. Chairman, I should like to ask the gentleman from Florida a question or two.

Mr. SPARKMAN. Certainly.

Mr. SMITH of Kentucky. Have you included in this bill appropriations for the improvement of any rivers that were not approved by what is known as "Board of Review?"

Mr. SPARKMAN. I think not. I heard that statement challenged the other day, but so far as my knowledge goes there have been none.

Mr. BISHOP. That is, no new projects.

Mr. SPARKMAN. No new projects. Of course there may be old projects which have been carried for many years in successive bills before the Board was established.

Mr. SMITH of Kentucky. Where the Government has been improving a stream and there is an application for the extension of improvements, further improvement of that stream, has your committee adhered strictly to the recommendations of the Board of Review on the question of further improvement?

Mr. SPARKMAN. Substantially so, though we have sometimes gone beyond the recommendation of the Chief of Engineers for the purpose of completing a project where we have thought it advisable to do so.

Mr. SMITH of Kentucky. Another question. In case the local engineers have recommended further improvement, and the Board of Review have turned down the recommendation of the local engineers, what has been the policy of the committee?

Mr. SPARKMAN. The policy has been to ignore any such project as that and to follow the recommendation of the Board.

Mr. SMITH of Kentucky. Does the committee believe that the Board of Review here in Washington knows more about the improvement of a stream down in Florida, or in Texas, or up in Maine than the local engineer in charge of the work in that locality knows about it?

Mr. SPARKMAN. I am reminded that in many of these instances the Board of Engineers have visited the particular locality; but in answer to the question propounded by the gentleman, I will say that we are compelled to resort to some source for information and we have no other body of men whose opinion we can command except the engineers of the War Department.

Mr. SMITH of Kentucky. But I want to remind the gentleman from Florida of the fact that the local engineer goes out and makes a survey and submits the facts touching the case. Take, for instance, a case like this: Suppose we have in view some particular project in our own locality. Take the Green River in Kentucky, which is one of the deepest channels that there is anywhere in the country. It is a magnificent little stream. The Government has already improved it up as far as the Mammoth Cave. In the last river and harbor bill there was provision made for a survey from the Mammoth Cave up to Montreville, Ky., with a view to further improvement. The local engineer, located at the city of Louisville, made a very thorough examination of the condition of the river. He traversed it in a skiff from Montreville clear to the Mammoth Cave, and he recommended the further improvement. Now, his recommendation, as I understand, was approved by the engineer at Cincinnati, and that comes to this board of review and they turn down the proposition. The engineer at Louisville showed that there would be a probable commerce on this part of the river of a million dollars annually, and yet this board of review turns down that recommendation.

Mr. SPARKMAN. I do not know, but in that particular case they may have made a mistake. They doubtless do make mistakes at times owing, maybe, to lack of information. We all make mistakes. Perhaps a board composed of civilians would be as capable of passing upon the commercial importance of a project as the engineers. I would not even like to yield to anyone my judgment on the importance of a project when I am acquainted with conditions, but we have created a board for the purpose of making the investigations, and we must take their opinion.

Mr. SMITH of Kentucky. The point I wanted to find out was whether the Committee on Rivers and Harbors were accustomed to abide by the decision of the board of review in all cases.

Mr. SPARKMAN. We have, at least as far as my knowledge goes.

Mr. SMITH of Kentucky. I do not believe the committee ought to do it. I think it ought to reserve the right to override the board of review.

Mr. SPARKMAN. Well, we have that right—the committee has—and so has Congress, but it would seldom be wise to exercise it. As I said, they may make mistakes, but in the main they have decided correctly. In one or two instances, in my own State, I have differed with the engineers, but we have had to abide by their decision.

Mr. SMALL. Will the gentleman permit me an inquiry?

The local examination is made by detail from the Engineer Corps of the United States Army and the Board of Engineers

for Rivers and Harbors, and this board of review referred to by the gentleman from Kentucky are also Army engineers, are they not?

Mr. SPARKMAN. Yes.

Mr. SMALL. Under the present practice these engineers pass not only on the engineering feasibility, but also on its commercial value and necessity—upon the question whether the commercial benefit justifies the appropriation?

Mr. SPARKMAN. Yes.

Mr. SMALL. Does not the gentleman think that is an anomaly, and that some other provision should be adopted rather than a board of Army engineers?

Mr. SPARKMAN. I have my opinion, but I see no way out of the difficulty. I would like to ask the gentleman what he would recommend, but I have hardly the time now to wait for his answers.

Mr. SMITH of Kentucky. I can suggest a remedy in a few words, and that is that the committee shall take the proof supplied by the local engineer who makes the examination.

Mr. SPARKMAN. I rather think it is a good idea to have a board of review. Some times you want to appeal to the board of review when the local engineers, through inadvertence or from other cause, in recommending a project have made a mistake in plan or some matter of detail.

Mr. SMALL. We have now the anomaly of Army engineers passing both upon the engineering practicability as well as the commercial necessity of the project and Congress being bound by that recommendation.

Mr. SPARKMAN. It is hardly an anomaly. It has been the practice for many decades, and Congress has not been able to devise any better plan. But be that as it may, my time is nearly up and I must proceed.

Now, Mr. Chairman, I would like to refer quite briefly to this proposition for a deep waterway from Chicago to the Gulf. The committee has been criticised quite severely for not having provided in the bill for this project. As one of the members of the committee who was opposed to it when it was before the committee, I desire to give my reasons for this opposition and for the action I saw proper to take at the time. It is a great project—one that will cost a great deal of money. The intention is not to stop at St. Louis, but to dig a deep-water canal in connection with the Mississippi River and other rivers from Chicago to the Gulf of Mexico. No one came before the committee to tell us what it was going to cost, and we thought it was the height of folly to undertake a project which some have said would cost upward of $100,000,000 until a sufficient survey had been had and the cost had been first ascertained, so that we could have something to submit to Congress.

In this bill we have provided for such a survey from St. Louis to the Gulf at a cost of $190,000. When that survey is made and the estimates are in, accompanied by the recommendations of the engineers, whatever they may be, we can determine, and this House can determine, whether it should be undertaken. Another suggestion I would like to make is that it may be better when we do reach it, and I am inclined to think we will—my friend from Missouri [Mr. CLARK] has just said that sooner or later we would be up against that proposition on the floor of this House—and when it does come it may be better that we should consider it apart from the ordinary river and harbor bill and in a separate measure, because, if it is going to cost any such sum as has been estimated, it is better that the river and harbor bill should not be loaded with it unless we are to very materially increase the size of these bills.

Mr. Chairman, I am not opposed to this class of improvement. I believe that we are rapidly coming to the point where we will have to add to the natural streams these artificial waterways. Whether this is one of them will depend upon what the engineers may report to us after they have made the examination, but at present I may say that I am not opposed to the project and will at the proper time favor it if it can be accomplished within reasonable bounds as to cost.

I believe, with others, that we are rapidly approaching that time when the products of the North, the Middle West, and the South in seeking a market will find their outlet largely through the Gulf of Mexico, and when all the waterways and railroads leading thither will be taxed to their uttermost to meet the demands of commerce flowing in that direction.

The proposed canal from the Lakes will, if constructed then, be of great use to the country, and perhaps we can not build it too soon. But, sir, we must not go into a work of such magnitude blindly. Let us have the survey first. Then if the plan is feasible the waterway will soon follow.

The suggestion, Mr. Chairman, of the probable trend of traffic from north to south leads me to speak more particularly of some of the projects in my own State and some of the harbors there opening into the Gulf. Along the 800 miles of seacoast from the mouth of the Perdido River to Key West there are many fine harbors. Indeed there is no stretch of our seacoast, whether on the Atlantic or the Pacific, that has so many. On this 800 miles we have eight fine harbors, capable, all of them, with little improvement, of accommodating deep-draft ships. These are Pensacola, St. Andrews Bay, St. Josephs Bay, Apalachicola, Carrabelle, Tampa, Charlotte Harbor, and Key West. Several of these are already reached by rail, Tampa, for instance, having three, while roads are projected or being constructed to each of the remaining harbors. Among these last is Key West, to which place Mr. H. M. Flagler, who has done so much for Florida, is, under a plan presenting some of the most wonderful engineering features of the age, constructing a railroad, to be completed perhaps within the next two years, and when thus completed Key West will be the most southerly harbor in the United States reached by rail. But all of these harbors will be needed to do the business which will be carried on between this country and those which lie to the south of us, to say nothing of the commerce that will spring up as a result of the completion of the isthmian canal.

Work is now being done on several of these harbors, while surveys are provided in this bill for the others, and it is safe to say that they can and will all be completed to the needed depth within the next four to six years, for I have no doubt but what the improvement of these harbors, with others throughout the country, will, under the stimulus of an aroused public sentiment and the great necessity for increased harbor facilities now weighing upon Congress, be carried forward to an early completion; and when I say completion, I mean, in the case of most of these harbors, a depth of 30 feet, for the commerce of the Gulf will require at least this depth at no distant day. Pensacola, New Orleans, and Galveston practically have this depth now, and the other Gulf ports, or most of them, can, with a small outlay of money, relatively speaking, be placed in the same condition.

And, Mr. Chairman, the same conditions obtain in the Atlantic ports of Florida. Fernandina, for instance, has at least 30 feet at mean high tide; Jacksonville, 25 or 26 feet, with an increasing commerce that will soon demand a greater depth, while the harbor at Miami is being improved with a view to the accommodation of the traffic which the advantageous position of that southern city and the enterprising spirit of her people invite. The tendency, too, in all the South Atlantic ports is likewise toward a depth of 30 feet, and I have no doubt but that the work of improvement will go on until this depth at least is reached.

Now I wish to say, Mr. Chairman, that while Florida has received generous treatment in this bill she gets no more than the tonnage and value of her rapidly growing commerce and the amount of money she pays into the National Treasury entitle her to receive. The tonnage of her water-borne commerce is not so great as that of some other States, to be sure, not exceeding perhaps 5,000,000 tons for the year 1906, but its value has been estimated to be worth at least $40 per ton, which would aggregate the enormous sum of $200,000,000. Then too, she is entitled to something for the money she pays into the public till. Why, sir, Tampa alone from customs, internal-revenue, and post-office receipts yielded to the public revenues last year upward of $2,500,000; while from her fields and her forests, her mines and factories, her gardens and her orchards, Florida adds millions each year to the wealth of the country. No State in the Union is progressing more rapidly, and none has so many fine harbors or presents such wonderful opportunities for that decentralization of traffic so essential in the rapid and cheap handling of freight. With thirteen fine harbors along her seacoast, eight on the Gulf and three on the Atlantic, there will be no danger of exorbitant port charges or the congestion of traffic either from or to the sea within her borders.

Now, Mr. Chairman, I have said that we must supplement the transportation facilities offered by the railroads with those of the waterways of the country, improved to their utmost capacity commensurate with the means at our command, if transportation facilities are to keep pace with that commercial growth which the present business conditions foreshadow for the future.

We have seen, Mr. Chairman, what the railroads are doing, but transportation over our waterways has not been inactive. For the fiscal year ending June 30, 1906, there were carried over our rivers 361,253,968 tons of freight, while on the Lakes there were carried, it is said, 240,000,000 tons more. In addition, there was a large amount of coastwise traffic on the Atlantic, the Gulf, and the Pacific. Of this vast tonnage of the rivers, the Lakes, and the sea, the railroads were relieved from handling the greater part, and yet the railroad tonnage reaches the enor-

mous figures I have just given. I therefore repeat, Mr. Chairman, that if transportation is to keep pace with production we must continue the liberality so auspiciously begun in this bill. The present prosperity is not a calamity, as some have asserted, and if we rise to the demands productive forces are making upon us there is no reason why these halcyon days should not continue.

Mr. Chairman, I hope that this bill will pass practically as it has been submitted to this House. It has met with painstaking care on the part of the committee; we have done the best we could with the means at our command, and I think that this House should stamp the seal of legislative approval upon our labors. [Applause.]

## Adequate Compensation for Services Rendered.

SPEECH

OF

# HON. JOSEPH A. GOULDEN,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

*Friday, December 14, 1906,*

On the bill (H. R. 21574) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

Mr. GOULDEN said:

Mr. SPEAKER: I desire to express my views on the subject under consideration.

The present salaries were fixed nearly half a century ago, when the purchasing power of money was far greater than it has been in recent years. Again, the compensation in the business world has largely increased—in fact, more than doubled—in the last ten years. The country has grown in wealth so rapidly in the last half century, the people so accustomed to increased comforts, at a greatly added cost, that to-day it requires $2 where formerly one would answer and be considered ample and satisfactory.

Take the item of hotel accommodations as an illustration. Formerly the best hotels charged from $3 to $4 per day. Now the same, or those of similar standing, exact and receive from $6 to $8.

Another good example is in the matter of homes. A house that ten years ago could be erected for $5,000 now costs from $8,000 to $10,000. Owners are obliged to pay this advance, and in turn, not being philanthropists, charge it up to the tenants, increasing the rents from 25 to 50 per cent.

The great railroad corporations of the country, recognizing these facts, have within a few years increased the wages of their employees fully 20 per cent.

The city of New York pays good salaries to its public officials, even down to its laborers.

Its mayor and other chief officials receive $15,000 annually. Its commissioners and other department chiefs receive from $5,000 to $8,000, and the various clerks in the city's service are paid fully 33⅓ per cent more compensation than those of the United States Government. This is an injustice to a faithful class of public servants.

For four years I have labored before the different committees and the House itself to have the claims of the letter carriers and postal clerks recognized. I believe that this much-desired object is near at hand.

The Postmaster-General, the Committee on Post-Offices and Post-Roads, and the President of the United States have evidently seen a light, according to well-authenticated rumors that have reached the Members of this body, and something will soon be done. Let us hope that this is true, and that speedy but long-delayed justice may be done a most deserving class of men. Having been on record ever since I came to Congress as favoring fair and just remuneration to public officials, I am thoroughly in sympathy with the amendments under consideration and will support them.

Why should the Speaker and the Vice-President, the two able and faithful presiding officers of the greatest lawmaking body on earth, be paid the pittance of $8,000 yearly? The same will apply to the members of the Cabinet. The officials must live in good neighborhoods, in comfortable houses, and must entertain handsomely. In my judgment, their salaries should be not less than $20,000 instead of $12,000, as proposed, and this proposition would not then more than pay their expenses to sustain the exalted positions they occupy.

As to the proposed increase for Senators and Representatives, to take effect March 4, 1909, the beginning of the Sixty-first Congress, believing it to be fair and just, and that the sum of $7,500 yearly is necessary to enable a Member to meet the demands in the way of legitimate election expenses, the calls made on him for religious, charitable, and social bodies, with his actual living outlay, I shall vote for this item.

I am confident that my 400,000 constituents of the Eighteenth New York City district, composed of the growing and prosperous Borough of the Bronx and upper east side of Manhattan, will approve of my position on these amendments. My people are in harmony with the idea that to secure good, faithful services demands remunerative compensation, and that cheap labor is an abomination and dear at any price.

The great majority of the Members of this House know that the proposition to increase the compensation, striking out the old, obsolete law of paying 20 cents each way for mileage at every session of Congress, is right and just.

It will cost but a trifle more to pay this adequate salary with the saving in mileage.

If the Members of this body have the courage of their convictions on this matter, it will pass by a large majority. I rather fear that such will not be the case.

Be that as it may, I shall vote for all the amendments in the full confidence that those of us who do so will be sustained by the American people.

## Increase of Salaries of Senators and Members of the House of Representatives.

SPEECH

OF

# HON. MARCUS C. L. KLINE,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

*Friday, December 14, 1906,*

On the bill (H. R. 21574) making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

Mr. KLINE said:

Mr. SPEAKER: I am not rich in the sense that wealth is now reckoned, nor am I now a fit or proper subject for admission to the almshouse. On the amendment proposed to increase the salary of Senators and Members of the House of Representatives I can act unselfishly. The possession of wealth or the inconvenience of poverty will not influence my mind. I will not be a Member of the Sixtieth Congress and may bid final adieu to Congressional life on March 4 next, and therefore am personally entirely disinterested, except to do what I believe to be just between the Government and a Member of Congress.

I was heartily in favor of the previous amendments increasing the salary of the Vice-President, Speaker of the House of Representatives, and Cabinet officers to $12,000. It is, in my judgment, a reflection upon the intelligence and courage of the lawmakers of the past and the greatness and wealth of this prosperous country that the salaries of the Vice-President and Speaker of the House were not increased long ago. The national distinction these several officers occupy, the responsibility they owe to the legislative bodies over which they preside, and the large amount of labor they must perform justly entitle them to an increase of salary, and a very substantial increase.

The Cabinet officers are inadequately paid for the services they must continuously perform from the time of their appointment to the period of their retirement. It is a job which means twelve months' employment during each year. They are not enabled to practice law or give satisfactory, personal and businesslike attention to any other avocation in which they may have been engaged prior to their selection and appointment during their membership as a Cabinet officer. The large majority of Cabinet officers in the past, as well as those of the present Administration, were and are lawyers, and I boldly assert without any fear of contradiction that every such Cabinet officer could go back to his native home or metropolitan city in his State and earn at least three times as much in fees as he is receiving as a Cabinet officer. The President employs the best talent he can secure. The distinction and dignity of the office, the customary society associations attached thereto, the loss sustained to the business and profession of the incumbent, and the onerous and intricate labors he must perform all justify the increase of the salary of a Cabinet officer and beyond the limitations of the amendment just passed.

I am, however, opposed to the present amendment intending to

increase the salaries of Senators and Members of the House of Representatives. If it were possible, I would favor an increase of salary to such member who may, perchance, be chairmen of important and overworked committees. My opinion and judgment is that the average Member is well and adequately paid for the services he performs and the time he contributes to his Congressional work. It is said, as a reason for an increase of salary, that a Member must expend large sums of money to secure a nomination and election. What a candidate expends for nomination or election is personal and voluntary with each candidate. Some expend small amounts and others enormous sums in order to secure an election; and others, again, spend small fortunes to secure an election and may be defeated. No one, I dare say, is so brazen, unpatriotic, or illogical as to contend that the Government should pay the campaign expenses of the Members of this House, or any portion thereof. If such a contention were sound, it might, with equal justice and force, be asserted and contended that the Government should also pay the campaign expenses of the defeated candidate.

Members of Congress are sent to Washington to legislate for the country and protect the interests of their respective constituencies. Is $5,000 an adequate annual salary for such services? That is the question. In addition to said salary, each Member is entitled to a mileage of 20 cents at each session of Congress for each mile necessarily traveled from his home to the capital and return from the capital to his home by the nearest route usually traveled between said points. Without exaggeration, it can truly and safely be asserted that each Member during his journey to and from the capital expends no more for his reasonable traveling expenses than one-fifth of the mileage allowed. This excess of mileage allowed to Members resident more than a thousand miles from the capital contributes a large portion of the expenses incurred during the period they are or necessarily ought to be resident at Washington. In addition, each Member at each session is allowed $125 for stationery, and I am correct in saying that no Member can and does use more than $25 worth of stationery at each session for the transaction of Congressional work. These perquisites increase the Member's salary to the extent indicated.

This body is composed of all classes of men—millionaires, men well to do, lawyers, doctors, planters, farmers, and business men. Each is expected, and does live within the limits of his income, but every Member should live in a manner becoming and to the extent of the dignity of the office with which he is honored. No man can tell another within what limits his expenses of living shall be fixed. This is personal and voluntary with each Member. It is apparently true that many a Member has a larger earning capacity at home, in his business or profession, and that his service in Congress is a personal and pecuniary loss, but his income at home or his pecuniary loss whilst in the public service is not a criterion or a test or a standard by which his Congressional salary should be measured. If a Member is expected to live at the best hotels and most fashionable apartments at the capital, and enjoy the luxuries of automobiles, carriages, horses, and nightly attendance at theaters, entertainments, and other costly functions, then, without a doubt, a $5,000 salary is grossly inadequate. But we are not sent here with the idea of possessing and enjoying all of such luxuries and pay them out of the salary provided for. We are sent here to make laws and live becomingly.

The electors in our districts do not inquire much whether we are bachelors, widowers, married men, or whether we have a wife with a large or small family. If they did and our domestic relations entered into the minds of the voters, so far as the salary is concerned, then for the sake of economy it might be best only to elect bachelors or widowers without children. Or if Members with families are unable to maintain themselves with the present salary and the question of proper maintenance is to be made the test or standard by which the Congressional salary is to be fixed, then would it not be wise and equitable to fix one salary for the bachelor and widower without children and another and higher salary for the Member who has a wife and family of children? But, talking more seriously, it is certain that the present salary is adequate to support and maintain the bachelor luxuriously and in the best of style, and I think I can demonstrate that it is not a losing proposition for the Member who brings his wife with him when he is in attendance at the sessions of Congress.

Let us see, and I shall be very liberal. A Member who brings his wife with him can secure board and apartments (with the exception of one or two hotels) at first-class hotels, boarding houses, or apartments at the rate of $250 and less per month, and the bachelor or the Member who leaves his wife at home can secure entertainment at the same places for $175 and less per month. The term of Congress commences March 4th. Unless there is an extra session the Member's attendance is not necessitated at Washington until the following first Monday of December. For nine months the Member is at home attending to his private affairs, now and then attending to Congressional correspondence, and assisting place hunters to office, during which time he is in monthly receipt of Uncle Sam's check of $416, aggregating $3,744. Then the long session of Congress begins, with an average length of six months. During these six months the Member draws an aggregate salary of $2,496, and spends for entertainment, as before indicated, approximately $1,500, by which the married Member would still have to his credit during said six months about $1,000. With the average length of the long session fixed at six months, the Member is liberated and can go home about June 1st.

The Member is then again permitted to go home and remain there (unless an extra session is called) for six months, until the first Monday of December, the commencement of the short session. And during this period of six months, when he again can attend to his private affairs, he draws his monthly allowance of $416 per month, aggregating during that period $2,496, and during the remainder of his term of three months, ending March 4, the married Member who has his wife with him draws a salary of $1,248 and pays for his entertainment approximately, in the manner before indicated, the sum of $750, leaving a balance to his credit of about $500. Under this method of calculation, allowing $250 per month for expenses whilst in Washington and in attendance of the sessions of Congress, the married Member in a single term has to his credit the total sum of $7,740, with which he can comfortably maintain himself and family, whilst his residence is at home and Congress is not in session.

Everyone must acknowledge that this is quite a liberal sum, and especially so, because, ordinarily, the Member can attend to his private business affairs during fifteen months out of twenty-four; and the bachelor Member, believing that his expenses in Washington do not exceed $175 per month, liberally speaking (with occasional strolls through Peacock alley, a few dinners, and visitations at fashionable cafes) has to his credit during the term about $675 more than the married Member, or an aggregate approximating $8,415.

Although coming to Congress is not a money-making enterprise, it must be observed, however, if my calculation is correct, that the Member is adequately and quite liberaly compensated for the services rendered. I do not think it was ever contemplated that a Member should make large sums of money or become rich out of the salary provided for in payment of his services. He was to receive just and reasonable compensation for his time and the use of his experience, good judgment, services, and ability for the benefit of his country and constituency.

I can assure this House that if any of its Members has determined to retire from public life because of the inadequacy of the salary he is receiving as a Member of Congress (and I do not think that fact or sentiment urges many to retirement) there will be many able, eloquent, and worthy patriots in his district who would be willing and are ambitious to become the successor of such a retiring Member at the salary now fixed by law. Many a statesman is just waiting such an opportunity. I never knew or heard of any district wherein there was a safe or reasonable hope of election that no candidate could be found for the office. The political difficulty is, customarily, that the woods are too well filled with men who are willing to serve their country in Congress at the present rate of compensation, and many aspirants, good and worthy, must of necessity frequently be disappointed and turned down. Opportunity usually creates efficiency, and there are thousands of men in the private walks of life and in the professions, who are and could become the equals of the best and most efficient men in this House.

When the law was made fixing $5,000 as an annual salary for Congressional services, I apprehend the legislators had only in mind a long and short session of Congress, and did not have in mind the probable calling together of Congress in extra session. Were I amending the law on this subject, I would advocate an amendment to the present law fixing the salary of Members of Congress, by allowing each Member a per diem allowance of ten or fifteen dollars per day for each day the several Members might be in attendance during the period that Congress might be in extra session upon call or proclamation of the President, or allow each Member an additional salary of some reasonable sum for services during such extra session, as is provided in many of our States when extra sessions of the legislature are called by the Governor. With such an amendment I believe that the law regulating the salaries of Senators and Representatives in Congress would be adequate and just.

But every Member on this subject, as on other pieces of legislation, must and should act in accordance with his good judg-

ment and honest individual convictions. I believe, for reasons stated, that the present salary of Members of Congress is adequate, is just compensation, and commensurate with the services required to be performed by the average Member. I therefore must oppose by my voice and vote the amendment offered by the gentleman from New York increasing the salary of Members of Congress after March 4, 1909, to $7,500, and representing a progressive, an honorable, a patriotic, and intelligent constituency, who have heretofore ratified and indorsed all my public acts whilst in Congress, I also now feel confident that they will affix the stamp and seal of approval upon my vote on this subject now under consideration.

## Salaries of Senators and Representatives.

### SPEECH
OF
### HON. M. E. DRISCOLL,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
*Friday, December 14, 1906,*

On the bill (H. R. 21574) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

Mr. DRISCOLL said:

Mr. SPEAKER: The question now before us is not new or complicated. Ever since I have been a Member of this House there has been continuous agitation in the lobby, if not in this Chamber, for an increase of Congressional salaries, and I now am rather pleased that it has come to a direct issue separate from all other matters, so that it may be definitely decided.

I shall vote against the proposition of salary increase commencing with the Sixtieth Congress, the Sixty-first Congress, or any other Congress, and I shall so vote, not because in my judgment the present salary is compensatory, but because an increased salary secured by our own official act would lower the honor and dignity of the office according as it would enlarge the emolument. Perhaps there are people who will not comprehend or appreciate this argument. Those people measure all things and all human endeavor by the dollar standard. They are unable to realize why any man should spend time and energy on any kind of work from which no financial remuneration, directly or indirectly, is expected. To such people this argument is not addressed. All over this country, in the public service and quasi public service, men and women serve on committees, boards of charities, and fill other places of work and responsibility without pecuniary consideration of any kind. They perform the labor gratuitously because they are interested in the work, because they are kind-hearted and public spirited, and because of the honor which goes with the appointment or election.

The only office in the public service which I ever held, aside from this, was as a member of a commission to draft a uniform charter for cities of the second class in the State of New York. For that work I received no compensation, although it took nearly half my time for a period of nine months. In a speech accepting my first nomination as Representative in Congress eight years ago I said:

> I have sought this office not for emolument, for I have a good practice. I have not been pushed into it by others that I may record their will. I have sought it for the honor.

Two years ago a similar bill was before Congress providing for an increase of the salaries of the President, Senators, Representatives, and other Government officials. I was asked by a reporter for the Syracuse Post-Standard if I favored it, and on January 3, 1905, I gave the following interview:

> No; I can't say that I do. My present views incline me the other way. Some of the papers and people who oppose it base their opposition on the ground that those officials are well paid now; that they receive about $1,000 a month for the time acutally consumed. That is a mistake. It is true as to the time spent in the discharge of our constitutional duties. But they are by no means our only duties, and by many of our constituents are not considered the most important.
>
> Our incidental and miscellaneous duties are never done. They do not terminate with our return from Washington at the close of the session. Have you ever called at this office that you did not see one or more persons waiting to see me? These interviews may not be important, and in many instances may as well be had with the secretary, but most people prefer to talk with their Senator or Member, and the Congressman who would devote all his time while at home to his own business or profession and none to his constituents would, in my judgment, be promptly retired.
>
> The Representative whose district is large geographically, and who lives in a small town in a remote corner of it, has a much easier time at home, for his people can not call on him without losing much time and incurring some expense, while in a compact district like this, where the Member's office is in the center and convenient of access, there are necessarily many interruptions and much time is consumed. In the large majority of cases the salary is not, in my judgment, fully compensatory when one takes into account political assessments and expenses and forced contributions for all sorts of charitable, social, and political matters.
>
> I object to an increase, because $5,000 per annum will secure as capable and honest men as if the compensation were double that sum. Generally speaking, there is no money in honest politics, and if people are dishonest increased salaries will not cure them. You never saw a man whose love for money was such as to tempt him to crooked ways who had enough. He always wants a little more. Financial temptation appeals more strongly to the man of large accumulations who takes pride in his wealth than to the poor man who doesn't care much for money and takes pride in other things.
>
> Life is made up of experiences. Most people are ambitious in some direction. Were they not they would accomplish but little. Some like distinction in the business world, others in social matters, others in scholarship and literature, and others still in political affairs. Money is not the only aim of human endeavor. There are others quite as worthy and exalting. The Congressman gets his compensation—$5,000 in cash and the balance in honor, pleasure, and experience. Few men seek a Congressional career for the salary. Most of them could earn more in their business or profession.
>
> I do not believe in the British system by which members of Parliament get no salaries. That is an ancient custom, established when only wealthy or independent men went to Westminster. Under that system such men as Edmund Burke, for instance, were not entirely independent. They had to rely on patrons of large means or on places in the Government, and were dependent on their benefactors or their party for existence.
>
> A Member of Congress can live on $5,000 a year, and many of the most useful Members do live on their salaries. Pastor Wagner's simple life and President Roosevelt's strenuous life are both inexpensive. A Member of Congress who lives at home and in Washington on his salary, after paying his political expenses and donations to all charitable institutions in his district, must live one or the other.
>
> Most people believe in the simple life. They have just made good resolutions and intend to keep them. But poor human nature is weak. Temptation comes and they forget, and it comes quite as often in the form of a surplus as from a deficiency of the filthy lucre. Too little of this world's goods may sour the disposition; too much may swell the head. Just a medium allowance is the golden mean.
>
> Necessity is said to be the mother of invention. It is also an ever-present advocate of decent conduct. Enough is better than a feast. Spiritual exaltation, the highest form of human enjoyment, is not produced by a large bank account. Ideals are not elevated by lofty mansions. Big dinners, with choice wines and expensive cigars, are not necessary to high thinking or wise legislation. If they were, the salary should be increased several fold. But good beer is better than imported champagne, and pure water better yet. Besides, there are millionaires in Washington who like to spend money and give impecunious Members as many of such entertainments as are good for them.
>
> Neither do I believe in an increase of salary for the President or Vice-President. The Presidency is the highest distinction to which a man can attain by his own efforts, and President Roosevelt is the most conspicuous personality in the world to-day. This honor is sufficient without pay, except enough to keep him and his family in comfortable simplicity. He should have a commodious house, convenient executive offices for work, and plenty of competent help to expedite business. But he should not have a new castle constructed on one of the suburban hills, and he should not indulge in show and ostentation after the manner of Eastern potentates. Our Presidents should continue to reside in the old White House, in which history has been made, and around which cluster so many pleasant and inspiring associations.
>
> This is a republic, and I hope it will continue so in form and substance. Imperialism should not be encouraged even by aping the manners of royal courts. Fifty thousand dollars annually are abundant to maintain our President and his family according to the ideals established by the founders of the Republic. Again, there is a standing application by all or nearly all the employees in the public service for increased compensation. If Congressmen and the President should double their own salaries, what excuse would they have to deny the petitions of other servants of the Government? Consistency is a jewel, even in the White House and Capitol.

In so far as that statement applies to the present proposed amendment it expresses my opinion to-day.

I was much interested in the speech in favor of the amendment delivered by the distinguished and eloquent gentleman from Massachusetts [Mr. SULLIVAN]. He spoke with so much feeling and earnestness that he seemed to have his own case in mind. It is a matter of sincere regret to his associates and a loss to the country that he has voluntarily retired from further service in this House. I quite agree with what he said and what he left unsaid when applied to him personally. But the laws are made for the many and not for the few. However, when he accepted, and perhaps sought, the nomination and election he knew what the salary was, and had no assurance that it would be raised. Did he come here for the money there is in it? My opinion of him is so high, both as to his ability and patriotism, that I am compelled to answer that question in the negative. Were the salary increased to $7,500, could he afford to remain for the money compensation alone? Certainly not. His fine attainments and recognized ability would warrant larger returns in his profession. Therefore should he serve in this House, even on the increased salary, he would have to take his pay part in cash and part in honor. That is what he is doing now, only that he is getting less cash and more honor. And should his salary be increased to the sum demanded, it would be looked upon as adequate compensation for his services, and his office would be stripped of the honor and distinction which are now accorded it, and he would not be entitled to the

good will and gratitude of his constituents and of the country which he now enjoys.

The present salary was fixed in 1866, when it is claimed that $5,000 were more than $10,000 now. The older Members of this House will remember that during the last years of the civil war and immediately thereafter paper money was so depreciated that it took nearly $3 to buy $1 in gold. Prices of labor, land, farm products, and all kinds of food and clothing were very high, and the cost of living in the same style was perhaps quite as high in legal tender as at the present time.

It is doubtful if increased salaries will stimulate competition for the office. Many candidates and fierce rivalry would make campaigns so expensive that the victors would realize no money profit. The gentleman from Massachusetts declares that unless salaries are increased future Representatives from large cities will be composed of the idle rich or ward heelers who live by their wits and by their wits alone. That would not be an inviting prospect. But his fears will not be realized for two good and sufficient reasons. First, the office requires too much work to attract the idle rich, and second, too little profit to attract the money-making ward politician.

Since 1866, when the present compensation was fixed, to the present time, has been and is a money-making period. Many of the ablest men in our country have been absorbed in making money. Wealth has been their aim and they have worshiped gold. Hundreds of millions have been accumulated by single individuals during those years. An aristocracy of wealth is being developed and classified. Yet able and honorable men have continued to represent our large cities and are now Members of that body. The salary is so small as compared with their earning capacity that many of them may, and perhaps do, look upon it as an honorarium. They like the experience and intellectual life, the honor, and distinction more than the money which they could accumulate in private life. And if the time ever comes when only the idle rich or the ward heelers will consent to represent the great urban constituencies in the Congress of the Republic, then public sentiment and civic virtue in those localities will have fallen low indeed. I am optimistic enough to expect no such calamity. Since the foundation of this nation great men, honest men, and patriotic men have willingly served in the House and Senate and in the Cabinets for the salaries allowed by law. Many of them died without wealth, but with distinguished honors, and in their declining days I am inclined to think they were as happy and contented as are the Rockefellers and Morgans of our time. Do not degrade these great offices by attempting to put them on a monetary basis.

## Post-Office Appropriation Bill.

REMARKS

OF

# HON. MARTIN B. MADDEN,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

*Wednesday, February 20, 1907,*

The House being in the Committee of the Whole House on the state of the Union and having under consideration the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes—

Mr. MADDEN said:

Mr. CHAIRMAN: Out of a total of 25,379 clerks receiving salaries up to and including $1,400 per annum, 18,290 receive $900 per annum and less.

In the last three years there have been no increases in the $1,300 and $1,400 grades. The $1,200 grade has only been increased by 183 clerks in three years.

The $1,100 grade has only been increased by 108 clerks in three years.

The $1,000 grade has only been increased by 110 clerks in three years.

It is estimated that under operation of existing conditions a clerk is compelled to serve from eight to nine years before reaching the grade of $900 per annum.

Statistics of the Post-Office Department show that 12 per cent of the post-office clerks receiving $1,000 per annum and less resigned from the service during the fiscal year ending July 1, 1906.

According to the number of resignations of post-office clerks for the month of October last, the percentage for the present fiscal year will be 21 per cent.

Statistics of the Post-Office Department show that the post-office clerks employed in first and second class post-offices worked a daily average of eight hours and forty-three minutes.

The post-office appropriation bill of last year provided for the possible promotion of 50 per cent of the $600 clerks, which meant that only 2,121 of this lowest grade should be promoted; 40 per cent of the $700 grade were promoted, which meant only 1,662 out of a total of 4,155 clerks; 20 per cent of the $800 grade were promoted, which meant only 847 clerks out of a total of 4,235 in that grade; 5 per cent of the $900 grade were promoted, which meant only 139 clerks out of 2,785; 5 per cent of the $1,000 grade, which meant only 137 clerks out of 2,744; 5 per cent of the $1,100 grade, which meant only 86 clerks out of 1,670. No promotions above this were provided for.

It is gratifying to note that after several years of effort substantial justice is at last done to a worthy lot of Government servants. Now that the clerks are to advance steadily from the date of appointment, we may hope for a much greater influx into the service. High-class men will seek and retain places in the postal service. The increase in compensation will add to the annual expenditure, but it will also add to the efficiency. The men will feel that their work is appreciated, and renewed effort will be put forth to meet the expectations of the public. There is no part of the public service so exacting, none which requires greater care, more accuracy, closer attention, more continued energy, and stricter integrity than the postal service. The men engaged in it have worked longer hours for less pay than any other class of men in the country. They have not complained; they have gone about their work cheerfully; they have hoped almost against hope for better working conditions. These have not yet come, but the increase in pay just voted them encourages the hope that the time is not far off when the number will be sufficiently increased at all the great distributing centers, so that no man will be called upon to work more than an eight-hour day. The Government should take the lead in furnishing the most advanced sanitary facilities to the men and women it employs. Their work should be done in quarters of the most approved character. The health of post-office clerks should be one of first consideration. Model buildings, constructed with a view to light and air, should be the rule and not the exception. I hope the time may soon come when buildings constructed for post-offices in the large cities will be of the one-story type, where facility of movement, coupled with good ventilation and plenty of sunlight, will enable those who transact that part of the people's business to do so under conditions which will be at once attractive and healthful. The railway mail clerks have earned the advance in pay accorded them. Their work is both dangerous and exacting. Their devotion to duty at all hours of day and night entitles them to the confidence and gratitude of the American people. They are always at work if not always on duty. When not on the car distributing mail they are studying new schemes to prepare themselves for greater usefulness in their calling. They have little or no home life. They brave the dangers of constant travel. Their hours are irregular. In common with all other postal clerks, the knowledge they acquire in the service is of no use to them if they wish to engage in other employment. For these reasons they are entitled to every consideration which a just and generous Government can properly accord them.

The compensation allowed carriers in first-class post-offices under existing law is $600 for the first year, $800 for the second, and $1,000 for the third and subsequent years.

The compensation allowed carriers in the bill now under consideration is $600 for the first year, $700 for the second year, $800 for the third year, $900 for the fourth year, $1,000 for the fifth year, and $1,100 for the sixth and subsequent years.

The committee no doubt intended to grant an increase in the carriers' pay, and in reality has raised the maximum from $1,000 to $1,100, but gentlemen will readily see that while under existing law carriers now receive the maximum of a thousand dollars beginning with the third year of service, they must serve five years under the proposed law before receiving $1,000. A little calculation will disclose the fact that the amount earned during the first nine years of continuous service is exactly $8,400 under both bills.

It is true that after a period of nine years the carrier will receive an annual compensation of $1,100, if the proposed schedule is adopted, but why pretend to increase the pay when, as a matter of fact, it is being reduced for two of the first five years of service? It may be said that for the greater compensation to be received in the long run some justification exists for the policy of less rapid advancement advocated by the authors of the present bill, but I see no good reason why a carrier at present in the $600 grade should be forced after the 1st of July to accept $700 instead of $800, and I think it a great injustice to the men. What method of calculation produced such a result

in the name of increased compensation it would be hard to say. I regret exceedingly that the committee could not see its way to recommend the following schedule, which I had prepared for adoption:

That hereafter carriers in the city delivery service shall be divided into grades, as follows:

In offices where the annual gross receipts shall be less than $50,000 the carriers shall be promoted successively to three grades, as follows:

First grade, salary $600; second grade, salary $850; third grade, salary $900.

In offices where the annual gross receipts shall be at least $50,000 and not in excess of $200,000 carriers shall be promoted successively to four grades, as follows:

First grade, salary $600; second grade, salary $800; third grade, salary $900; fourth grade, salary $1,000.

In offices where the annual gross receipts shall be in excess of $200,000 carriers shall be promoted successively to four grades, as follows:

First grade, salary $600; second grade, salary $800; third grade, salary $1,000; fourth grade, salary $1,100.

But the compromise agreed upon, which advances the men at present in the $600 grade to $800 on the 1st of July next, and those in the $800 grade to $1,000 on the same date, although only allowing those in the $800 grade to advance to $900 in succeeding years, is a great improvement over the schedule proposed in the bill as reported; and then, too, the increase of the present maximum in first-class offices to $1,100, which carriers now in the $1,000 grade are to receive on July 1 next, will encourage men to remain in the service and do their best to please the public. It is said that carriers work but eight hours, but gentlemen must remember that that means eight hours distributing, making up, and delivering mail, to do which they are required to be on duty about twelve hours. They must remain in what is known as the "swing" room when not engaged in the actual work of preparing or delivering the mail on the routes assigned them. Their work is hard; it is exacting; they are required to exercise great care in the discharge of their duties; they are devoted to the people's interest; they are required to be on duty in storm or sunshine; they earn the money paid them. I am glad their claims have in a measure received recognition by Congress.

The one thing which has impressed me as of first importance to the people at large is the necessity of the establishment of a postal savings bank system. Some there are who think the same thing about currency legislation and about tariff revision, but my judgment is that neither of these questions is as important as that to which I have just referred.

It was my intention to urge the enactment of legislation in favor of postal savings banks at this session of Congress, but the brevity of the session, crowded as it is with necessary supply bills, leaves no hope for an elaborate consideration of so important a subject.

After consultation with the leaders of the House I have concluded that unless proper consideration can be given to the subject it would be best not to take it up at this session, and since it is evident that such deliberation can not be had, I am of the opinion that its ultimate success will be more certain by postponing it to the Sixtieth Congress, when I hope to receive favorable action on the bill.

The financial legislation, which has received more or less consideration during this short session, would not, if enacted into law, put more than 200 additional million dollars into circulation, and it is not altogether certain that the legislation which has been considered would be wise. There are at least $350,000,000 of the present circulating medium not in circulation at all. It is evident that this proportion of the currency of the country is held by people who have saved it and have hidden it away. This class of people are distrustful of bankers generally, and will not deposit their savings unless in such banks as may be under the direct control of the Government itself.

It is with the hope of meeting their needs that I purpose to ask this legislation. My opinion is that the enactment of a postal savings bank law would not only force the circulation of the $350,000,000 to which I have adverted, but would encourage the people who now save to continue to put away a small part of their small earnings, because of the certainty that they could find it when it was needed, if it was in the possession of the Government.

Would it not then be better to pass the postal savings bank law and encourage these people to bring out the hidden wealth which they possess than to pass additional currency legislation, which if passed would only inflate the currency and possibly lead to a condition of things detrimental to the best interests of the country?

## Reorganization of the School System of the District of Columbia.

SPEECH

OF

# HON. EDWARD DE V. MORRELL,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

*Tuesday, February 19, 1907,*

On the bill (H. R. 25037) to define the duties of the board of education of the District of Columbia, to further reorganize the schools of the District of Columbia, and for other purposes.

Mr. MORRELL said:

Mr. CHAIRMAN: During the first session of the Fifty-ninth Congress I had the honor of being chairman of a committee charged with the work of investigating the schools of the District of Columbia with a view to devising a proper method for increasing the salaries of the teachers. In pursuance of these duties together with my colleagues I made as careful an investigation as the limits of time would permit, gave hearings at which all interested parties attended and testified, and in conjunction with my associates submitted a bill to the full Committee on the District of Columbia, which was introduced into this body and in due time became law.

It was while charged with this investigation that I was enabled to see most clearly not only the glaring incongruities of the old law as remedied by the legislation referred to, but also other notorious inconsistencies and weaknesses fatal to the permanent success of the school system of the District of Columbia, but for which no remedy was provided at that time. These things impressed me seriously then, and after the adjournment of Congress I set about to know more of the different school systems of the country and to make a comparison between them and the system now obtaining in the District, with a view of drafting a more comprehensive bill which should contain the very best features of all other successful systems together with the best of the District system.

### THE UNIVERSALITY OF THE QUESTION.

Public education is one of the most vital questions before the American people, and one that has had its fairest trial and borne its best fruit within the limits of our own land. It has for half a century been the leading question in nearly all of our American States. It has been the most serious question presented for consideration to our great cities, and it has presented the same phases to nearly every village and town, and has gone on until every neighborhood in the United States places its schools as the item for first consideration and as the one of paramount importance. This is best evidenced by what is transpiring on the Pacific coast.

Public education is at once a State question, a city question, and a district question. It concerns all classes, all sexes, and all races. It is the preparation our Republic guarantees its future citizens, and the door of opportunity for all the children of the land. It is, however, above all else a local question, a fact which is recognized and emphasized in the school systems which are to-day considered as models. For the Federal Government, through powers expressly delegated to it under the Constitution by the States or through powers implied, to attempt directly or indirectly to infringe upon this inherent and jealously guarded right of the American people to personally care for and regulate the education of their children would be to my mind like willfully pulling out the keystone of the arch which has made the intelligence of the people of this land the wonder of the world and the nation the greatest and perhaps the only example of successful self-government ever beheld on the face of the globe.

It must never be lost sight of that the extension of the powers of the Federal Government, with the result in any way, shape, or form of breaking in upon those elements of government which either were originally or have as the country developed become essentially local, would be a dangerous experiment.

Jefferson, in his autobiography (vol. 1, p. 82), referring to local self-government, said as follows:

> But it is not by the consolidation or concentration of powers but by their distribution that good government is effected.
>
> Were this country not already divided into States, that division must be made that each might do for itself what concerns itself directly and what it can do so much better than a distant authority. Every State again is divided into counties, each to take care of what lies within its local bounds; each county again into townships or wards to manage minuter details, and every ward into farms, to be governed each by its individual proprietor. Were we directed from Washington when to sow and when to reap, we should soon want bread.

Of how much more importance to the citizen than the management of his farm, industry, or profession is the control of his home, which really means the bringing up and education of his children. In dealing with international or interstate affairs too great care can not be taken to keep foremost the fact that the initial, the basic, foundation of our government is local government. Therefore it is an unwise thing for any political party to continually appeal to the passions of the unthinking element in any community, for the result may obtain that once aroused all barriers will be broken down, local interest will be cast to the winds, and the eyes of all of those hungry for change and excitement will become fixed upon the Central Government rather than to the study and improvement of the interests of their local conditions at home.

In view of the complications which have lately arisen, henceforth treaties formulated and ratified by the treaty-making power of the United States should be so explicit in terms and limitations that nothing should be left to implication, which is always a dangerous and uncertain field to enter upon, whether the arrangement be between individuals, States, or nations.

In a population in the United States of about 85,000,000 people we have an enrollment of about 17,000,000 children, or in other words, about one-fifth of the entire population is enrolled in the public shools of the country. The salaries paid to superintendents and teachers are something more than $170,000,000 per annum, and the total expenditures for public schools in 1905 were twenty-five millions more than a quarter billion of dollars.

The magnitude of this expenditure becomes more apparent when it is known that it demands a payment of 30 cents on every $100 of the true valuation of all real and personal property of the land. This is of itself a high rate of taxation, but is more cheerfully paid by the citizens of every State in the Union than any other tax.

The general taxes of the country are divided into State and county, and the State tax provisions contain most generally a rate of taxation for the support of the public schools. This was soon found to be entirely inadequate to meet the demands of the schools, and out of the consequent discussion was born that feature of the school law called the "local tax." Under this proviso of nearly the entire body of American school law the districts were permitted to levy additional burdens upon themselves for the development of their schools. Nothing that can be said as to the wisdom of this feature of the law can equal the silent eloquence of the figures which differentiate the origin of the taxes going to the support of the public schools.

The total value of all the real and personal property of the United States in 1904 was $88,517,306,775. The total revenue in 1903 for public schools was $251,637,119, derived as follows:

| | |
|---|---|
| From income of permanent funds | $12, 102, 581 |
| From State taxes | 40, 455, 815 |
| From local taxes | 173, 730, 858 |
| From other sources | 25, 347, 865 |
| Total | 251, 637, 119 |

About seven-tenths of all the revenue comes from local taxes, taxes levied by the people of the neighborhood, sometimes annually and sometimes every five years, for the support of the local schools. When people year after year subject themselves to a burden which they could as easily vote off as on, it is high presumptive evidence that the added burden gives benefits correspondingly great and that the payment of the school tax is in some way connected with our basic ideas of national honor.

The real reason for this lies in the fact that the people are willing to tax themselves most heavily for that enterprise which legislation has left most largely in the hands of the people. Every little country district elects its own trustees to manage its local moneys and to supervise and control its local school. The people manage and control the primary education of the country through district supervision furnished by themselves. If there is one thing in our governmental polity more pronounced than another it is the almost complete solidarity of neighborhood control in schools. There are State officers who make a great demand upon the affections and time of the people; there are county and township officers that come very near to the more vital interests of all the people, but the school officers for the individual school district come closer to the intelligence and heart of the people than any or all of these. Nor have the people proven themselves incapable of self-government by the operation of these laws which give them an almost unlimited control of their schools. Annually have they been called upon in the very largest number of districts of the country to select trustees or directors for the management of their educational enterprises. Whom have they selected? The history of the several hundred thousand districts furnishes us a truth of which we as Americans may be justly proud. These lettered and unlettered voters have uniformly subordinated their prejudices, their party fealty, and their personal predilections to the welfare of the public school.

The rough and ready wit of the American voter has come to the front upon this question and has led him to see that the schools are for the benefit of his children, and that in order to make the benefit most advantageous their management should be of the highest order. The result has been in almost all cases that the most prudent, the most wise, and the most progressive of the district's citizenship have been selected and retained to manage the schools. Whoever would challenge the capacity of the masses for self-government should be cited to a study of the popular management of the schools by the people themselves. The chief men of every school district have served for years in the unthankful and unsalaried offices of school directors or school trustees. Go into the backwoods, where backwoodsmen select these officers, and note results? Is there a man there more alert than the others? You will find that man selected by the people to share his alertness with a system that will possibly make the backwoods children more alert than were their fathers. Go to our towns and cities and look over the roll of men who have for years at a time managed the schools. You will find the most eminent lawyers, the most eminent divines, bankers whose names are known from one end of the land to the other; in fact, the cream of the town's population, its men of the highest character and of the loftiest intelligence.

In drafting a general bill for the control of the schools of the District of Columbia I have tried to meet this idea of local control by the best arrangement possible in a political division where popular suffrage is denied. The truth, however, that the best schools are those that are most largely under popular control can not be successfully contradicted nor denied. Nor can that other truth—that the enlarged and almost unmeasured influence of the public school system of the United States rests upon the sound foundation of an almost unlimited control of the schools by the people themselves. They have been left free to manage the essential features of primary, intermediate, and high school education, with the resultant of better schools in these departments than are afforded by systems where the entire management comes from without and wherein the people themselves have the least to do.

This fundamental truth of a more enlarged freedom of management for the schools of the District of Columbia has been borne in upon my mind by an investigation of this larger question of public education and will have to be met fairly and fully before any perfected system of education can find place in that locality.

WHAT OTHER CITIES HAVE DONE.

But it is not the general work of public education that we must look for its larger triumphs, nor for forms of procedure in a model system for Washington. Public education has won its greatest laurels in the larger cities of America, and the consideration given the subject there has been greater, if possible, than that given the whole subject throughout the country. The Census Department has divided the cities of the country into five groups and given the expenditures of these cities for all purposes in two bulletins bringing the information down to 1903, from which I extract the following items for a tabulation of my own:

*City expenditures for public education.*

| Size of group. | Group. | Number of cities. | Expenditure. |
|---|---|---|---|
| 300,000 and over | 1 | 14 | $62, 469, 689 |
| 100,000 to 300,000 | 2 | 25 | 16, 991, 062 |
| 50,000 to 100,000 | 3 | 43 | 12, 186, 881 |
| 25,000 to 50,000 | 4 | 93 | 12, 930, 221 |
| | | [a] 175 | 104, 577, 853 |
| 8,000 to 25,000 | 5 | 370 | 20, 051, 361 |
| | | [b] 545 | 124, 629, 214 |

[a] Cities over 25,000 expended in 1903. [b] Cities over 8,000 expended in 1903.

From this official statement it is seen that 545 cities of the United States expended in 1903 an aggregate of $124,629,214, or about one-half of the expenditure of the whole country, for public education. This tabulation enables us to form another interesting table containing most valuable information:

| | Each. |
|---|---|
| 14 cities expend annually an average of | $4, 460, 000 |
| 25 cities expend annually an average of | 649, 000 |
| 43 cities expend annually an average of | 283, 000 |
| 93 cities expend annually an average of | 139, 000 |
| 370 cities expend annually an average of | 54, 000 |

The fourteen cities expending an average annually of $4,460,000 are New York, Chicago, Philadelphia, St. Louis, Bos-

ton, Baltimore, Cleveland, Buffalo, San Francisco, Pittsburg, Cincinnati, Milwaukee, Detroit, and New Orleans.

But not all of these fourteen cities actually expended $4,460,000. To maintain this average some must expend more and others less.

The actual expenditure in 1903 was:

| | |
|---|---|
| New York | $28,091,477 |
| Chicago | 8,471,771 |
| Philadelphia | 5,265,019 |
| St. Louis | 2,859,163 |
| Boston | 5,002,024 |
| Baltimore | 1,848,778 |
| Cleveland | 2,335,201 |
| Buffalo | 1,651,403 |
| San Francisco | 1,333,398 |
| Pittsburg | 1,737,156 |
| Cincinnati | 1,151,293 |
| Milwaukee | 1,079,738 |
| Detroit | 1,098,632 |
| New Orleans | 539,636 |

Each of four of these cities actually expends $4,460,000 and more, while each of the remaining ten expends less than that sum. The least of them, however, expends more than half a million per annum, while seventeen out of twenty-five, in group two, each expends $500,000 or more, and two in group three also make the same several expenditure.

Four of these cities expend annually an aggregate of more than $46,834,000, or nearly one-fifth of all that is paid in the entire country, and about two-fifths of all that is paid by the 545 cities of the Union having a population of 8,000 or more.

It will be admitted by everyone that the expenditure for public education in the cities of the United States is very great and that the management of such enormous aggregates would call for the best thought of the land, working out through a number of years a system or a set of systems producing the best results attainable. Such has been the case. The management of the educational funds of great cities so as to make them yield the greatest amount of good for the pupils of the schools has been most seriously considered in every one of them, with a resultant growth in efficiency every year. The great newspapers of each of these cities have opened their columns to both temperate and intemperate discussion of the question. Nothing has been done secretly or outside of the domain of the voter's sphere. The result is that our great cities have systems of schools that are the marvel of the world. It has not been long since the teachers of England sent a commission to examine our city school systems. This committee was made up of the leading educational spirits of the United Kingdom, and its report was in every respect flattering to our national pride. Even now another committee from the same kingdom is abroad in our land, and its report will doubtless add to the laurels we have already won.

The first thing that strikes us in looking at the mass of historical matter connected with these systems is the fact that they are an evolution. They represent progressive growth. They are always looking for better things and change as their field of usefulness enlarges or as experience outlines a better way. There are some general principles, however, which seem to have crystallized themselves into an unchanging law, and it may be well at this time to analyze a little more narrowly these almost universal principles which obtained in the old District law and which I have not changed in the bill introduced by myself.

A CENTRAL BOARD.

It is an almost universal practice throughout the United States to commit the business interests of the smallest educational district to a board of not less than three men or women, called "directors," "commissioners," "trustees," or "committees." In Indiana the township is made the unit and the business interests of that township as to all its schools are committed to one man, but this does not apply to the greatest system of schools in Indiana, the city school system of Indianapolis, where a board of five school commissioners are in supreme control, with a single director as its executive arm as to purely business affairs. The township system obtains in a few other States, but the consensus of practice is the district system, with its business committee of three or more men.

In the 545 city schools of the Union almost all of them have their central board of education in supreme control.

The city having the largest school interests in the land is that of Greater New York. Under its charter the mayor of the city appoints for a term of five years a board of education, consisting of forty-six members, whose powers and duties as defined under the charter are: The powers of a corporation; the use, control, and disposition of school property; the establishment and maintenance of elementary, high, evening, and vacation schools; the maintenance of free lectures; appointment of superintendents, assistant superintendents, principals, teachers, and other officers; the adoption of a course of study; the approval of text-books; the designation of licenses and the examination of applicants; the control of the retirement fund and the retirement of teachers; the trial of teachers, and the general administration of the school fund and the school law. All of this may be found in the educational chapter (Chap. XVIII) of the revised New York City charter, passed April 22, 1901, in body of New York Statute Law.

By an act of the legislature of the State of Pennsylvania, approved April 22, 1905, the control of all the schools supported by any school district of the first class was vested in a board of public education, consisting of twenty-one members appointed by the judges of the courts of common pleas for a term of three years.

Under the statutes of Illinois the control of all the school interests of Chicago is vested in a board of education of twenty-one members, some of whom have served successively for periods ranging from seven to twenty-six years.

By an act of April 28, 1905, the school interests of the city of Boston were placed under the control of a school committee of five members to be elected by the people. This act was a reorganization act and reduced the size of the committee.

The cities of St. Louis, Cleveland, Cincinnati, Pittsburg, San Francisco, Indianapolis, Baltimore, Buffalo, and New Orleans, each and all have this central board, as do more than nine-tenths of all the other cities of the country. The city of Washington has had it for years and no act of reorganization should, in my opinion, abolish it, or do aught that will weaken its supreme power of control.

It will be seen that there is no unanimity in these charter laws as to the size of the board, its method of appointment, its term of office, or any of the other minor details pertaining to its creation and life. These are questions that may well be left to the judgment of each locality, and no matter how they are settled, will not affect the fundamental question of a board having supreme power to act at any and every moment of need. In my bill I have retained the number ordained by the law of 1906, the method of their selection and their term of office, but have provided that in all future selections the question of locality shall be of greater importance.

A second principle of almost universal application is the authorization of a superintendent of schools to whom is given the supreme control of the educational arm of the board of education. The present law provides for that office, and I have not changed it in my bill.

Referring now to the new features of the bill, I beg to call attention first of all to the creation of a series of nine local school districts as an adjunct to the board of education in its administrative arm and a link between the neighborhoods and the central power. I have heretofore outlined the tremendous influence that absolute control has exercised over the development of schools generally. The people selected the boards annually, and by and through this selection kept the management of the schools entirely in their hands. When charters were granted to city governments this absolute power of control was in a measure cut off and centralized in a board of education, appointed in some cases, elected in others. The idea seems to have been to rebuke the popular management of schools and to make them more and more ideal through the law of more closely scrutinized and selected agencies. The board and superintendent were not dependent upon the people, as of old, and the ideal of education became greater than the practical. The era of fads set in, and almost every conceivable monstrosity in the way of method found place in legitimate school work. In the cities of New York and Philadelphia this drifted on until a popular wave of discontent arose and a change was made. The change provided local school boards subordinate to the boards of education.

The gulf between the board of education and the people in the District of Columbia is wider and deeper than it ever was in New York or Philadelphia. There the people might at times get a chance to change the boards by voting for a change of appointing officers. In Washington suffrage is unknown, and the people must take what is given them, with no other redress than a constant show of discontent, resulting in frictions, disturbances, and turmoil.

While it is impossible under present conditions to give the people of the District suffrage, it is not impossible to give them a greater local control of the schools, with the consequent advantage of a greater interest in the schools.

LOCAL SCHOOL BOARDS.

In Greater New York this division of responsibility and recognition of the people was demanded as early as 1901, when the legislature authorized the board of education of the city of New York to divide the city into forty-six local school districts of as nearly equal school attendance as was possible, and to

appoint five persons resident therein as a local school board for each district. This act brought 230 persons into vital relations with the schools and cast upon them duties which, from the nature of the case, could not be fully performed by the central board, and which, therefore, were not performed to the greater or lesser injury of the schools.

The duties of these boards were minutely set out in the bill and detailed every feature of local management contained in my bill, and were as follows: The visitation of their schools quarterly; inspection of the same with reference to punctuality and regularity of pupils and teachers, the number and fidelity of the teachers; the studies, progress, order, and discipline of the pupils; the cleanliness, safety, warming, ventilation, and comfort of school premises; inquiry into the sufficiency of school accommodations; recommendation of new buildings, repairs and alterations of the same; reporting of derelictions of duty on the part of school officers; to excuse absence of teachers; to try and determine all matters relating to discipline, corporal punishment, and other matters affecting the administration of the schools in their respective districts rising upon the complaint of pupils, parents, or guardians against teachers or principals, and to impose penalties prescribed by the board of education; to transfer teachers from school to school within their respective districts, and generally to act as the administrative arm of the central school board in all affairs arising within their districts.

The same difficulties arose in my own city, Philadelphia, with the result that in April, 1905, the duties of the central board were confined to questions of general policy, and sectional school boards in and for each ward of the city, consisting of twelve members each, to be elected by the people for a term of three years, were provided for. The members of these sectional school boards were to be residents of the wards from which they were chosen and their duties were similar to those recited as to the city of New York, except the settlement of local disputes.

In the report of the city superintendent of the schools of New York for 1901, Mr. W. H. Maxwell, possibly one of the ablest superintendents of the United States, and so recognized by school men from one end of the United States to the other, said of these school boards that their greatest power lay in the fact that they would bring these schools of the city nearer to the people of the city, and thereby increase their efficiency. That in order to accomplish the greatest good great care should be exercised by the central board in dividing the city judiciously into school districts and a greater care that a wise selection be made of the local school board members.

In the report of the same superintendent for 1905 it was further recommended that in addition to the duties already cast by law on the local school boards, that the hearing of truancy cases be placed within their jurisdiction. This is the strongest corroborative evidence that local disputes of all kinds are best settled by men of the neighborhood, an extension of the principle of the common law that every man is entitled to a trial by a jury of his fellows in the bailiwick in which he lives. If after four years of work under the general law the district superintendents of the city of New York, whose duties bring them into close relationship with the local school boards, recommend that these boards be given additonal power over truancy, it is strong evidence that the boards have wisely served the purpose of their creation in the conservation of energy and are more effectually meeting the questions of local school disputes than was possible under the old régime.

Assistant Superintendent Higgins, of the New York Schools, in his report to Superintendent Maxwell in 1905, said of these boards:

> The effect of regular visits to the schools is generally overlooked. The members are residents of the district; hence they are known in person or by reputation to many of the parents and to more of the pupils. Their visits are incentives to the pupils and encouragement to the teachers, for one commendation from a friend or even from an acquaintance is more helpful than ten from a stranger. Even criticism from the same source is sugar-coated, and good results are gained without the bitter taste which follows that administered by nonresidents. These visits are also made the subject of conversation at home, and parents are gratified to learn that they have a neighbor who can give official attention to the schools. It is because of this local relation and other reasons that I venture to make this suggestion: That all cases arising under the compulsory education law be referred for adjustment to the local school board of the district in which they originate.

Another great advantage of the local school board is that it relieves the system of the blot cast upon it by many thinking people—that the organization of education is mainly carried on by paid officials to the exclusion of the voluntary element. There is no doubt but that a local school official acting without pay brings to his work a greater interest, if not a greater affection, than those who are simply so employed for gain. In addition to all this, such local school boards serve as schools of experience in the preparation of men for the higher duties of the central school board and educate a greater number of men as to the real needs as well as the real work of the schools themselves.

In the bill drawn by myself I have placed the original trial of all charges against a teacher for gross misconduct, insubordination, neglect of duty, or inefficiency, whether made by a principal, the superintendent of schools, the assistant superintendent, or by any parent or guardian, in the district in which the teacher is engaged, and have made the local school board of that district the trial board. Knowing the repulsiveness of star-chamber proceedings to the American mind, I have safeguarded the teacher's rights by requiring that the trial be open and fair; that the teacher be permitted to attend in person and by attorney, and that notice in writing of the time and place of said trial, accompanied by a copy of the charges, be sent through the mails to the accused at least five days before. The punishment prescribed is suspension for a fixed time without pay or dismissal. A report of their proceedings and findings is to be forwarded at once to the board of education as a supreme board of review, which is given the power to reject, confirm, or modify the finding, and whose action is final.

The distinction between the tenure of office of teachers and persons not teachers has been clearly and definitely pointed out by the court of appeals of the State of New York in People ex. rel. Callahan *v.* Board of Education (174 N. Y. Reports, pp. 174 and 175), and the permanency of the tenure of a teacher's position clearly differentiated from that of a mere employee. This decision does not give teachers a life tenure in their positions, as has been charged by some persons, but it does throw around teachers the permanent protection of law as to the tenure of office unless removed therefrom after a trial upon preferred charges. Life tenures in office are abhorrent to Americans, but a permanent tenure subject to removal upon charges is not a life tenure by any means. Snap judgments which destroy the permanency of official service are also abhorrent to the American sense of justice, and the bill I have prepared makes all such methods of procedure unlawful.

This difficulty arises with even stronger force when the question of license is reached. In all the States and cities some prearranged method is adopted for the ascertainment of the general scholastic ability of applicants, and licenses of different grades are authorized by law. The almost universal method is an examination, although exceptions are made in many cases in favor of normal and college graduates. Where licenses are granted for one year or for a term of years the tenure of office ceases with the life of the license. The burden of constantly recurring examinations has been recognized by educators and legislators as an unnecessary load for competent teachers to carry, and the claim allowed that licenses after a certain period of satisfactory work shall become permanent. This has been held to give a life tenure in office, but is as clearly subject to termination for cause as is the tenure growing out of contractual relation. Experience has demonstrated, however, that in many cases the obtaining of a permanent license stops all further effort of the teacher to perfect himself in his work and marks the beginning of decay. Teachers with life licenses are lifted at once from recurring periods of study for examinations, and in many cases give up study altogether. They rely upon their wits to keep pace with the more studious and become centers of factions opposed to regulations, or incompetent bodies of favored men and women.

In the bill I have submitted an independent board of examiners is provided for the initial entrance into the district schools and provision made for a permanent license, safeguarded by a provision for revocation by the board of superintendents after notice and trial, as in the case of charges for misconduct and insubordination.

The best justification and defense these examinations have had came from George William Curtis in these eloquent words:

> Is not every argument for the appointment of the great body of ministerial officers of the Government by fitness and character, wisely ascertained, infinitely stronger when applied to the selection of schoolteachers? And if the selection of those officers by methods which secure their independence, promote their self-respect, and stimulate their interest and zeal, instead of destroying greatly increases the efficiency of the public service, elevates the tone of public employment, and removes a reproach from the national name, is it to be apprehended that similar care would harm the character and efficiency of the public schools? In other branches of the public service, whatever objections may be urged against the reform system of appointment, it is undeniably better than the system which it supplants. Whatever foolish questions may be asked, whatever possible frauds practiced in an examination, they are wholly insignificant when compared with the unspeakable folly, and the certain fraud of appointment by patronage or mere personal and partisan favor. There could not be a worse system of selection in all the other branches of the public service. Is it the best one for the great department of primary education?

I believe that the requirement of certification or license before appointment is universal in all the States of the Union. The examination upon which the certificate or license issues is, then, the cardinal

point. What are the vital, essential conditions of effective examinations? To be properly effective, the examinations must be uniform, entirely competent, and wholly independent of the appointing power. The examiners must be sincerely interested in education, familiar with the duties of a teacher and with the requirements of the art of teaching, and capable of conducting an examination to ascertain both the scholastic attainments and the specific, professional fitness of the candidates. Wherever these conditions do not exist, the public school system, and therefore the whole community, suffers. It is a common wrong, a common injury. The people of this country tax themselves heavily enough for the support of schools and teachers to entitle them to the best and to the adoption of all means plainly necessary to secure the best.

All licenses wherever issued, so far as I have been able to ascertain, are, at the first, nothing more than trial licenses, expiring at the end of a year. In many cases the States require a second examination for a second license, and if the teacher shall not obtain a higher grade of license than before this fact is marked against him in the general scale of efficiency provided by the system. In other States the trial license is continued for one or two years longer upon the approval of the superintendent of schools or a board of superintendents, and at the end of the second license is made permanent upon the same condition. The permanent license is in the system of all schools, with all its attendant difficulties; and if the welfare of the schools demands that integrity of examination so admirably set out in the language of George William Curtis, it is but right and fair that a revocation of this license should follow at once where the records show that a teacher holding a permanent license has retrograded in professional ability or has become wholly inefficient in the work specially set for him to do. If it is a wrong to admit incompetent persons through fraud or favoritism to the positions of teachers in the public schools, it is an equal wrong to hold incompetent teachers in their places simply because they hold a license which seemingly gives them a life position in the schools.

EXECUTIVE WORK OF THE BOARD OF EDUCATION.

Under the terms of the present school law the executive work of the board of education is cast entirely upon a single expert agent, the superintendent of schools. My bill divides the executive work of the board into two parts, the strictly educational and the purely business. To the superintendent of schools is given the supreme authority, under the control of the board of education, of all matters pertaining to the educational functions of the system, and a second superintendent is provided, a superintendent of buildings and supplies, into whose hands, under rules prescribed by the board of education, is given all matters pertaining to buildings and repairs, care and maintenance of grounds, purchase, storage, and distribution of all supplies necessitated by the system of schools.

So important has this second division of superintendence become that in nearly all of the great cities it is entirely separated from the work of general superintendency and placed in the hands of a coordinate officer.

In Philadelphia the charter law made a threefold division of this executive work, and authorized a superintendent of schools, a superintendent of buildings, and a superintendent of supplies.

In Chicago the board of education separates its educational work from the purely business work by the maintenance of a business department, whose work is performed by a superintendent of supplies and an architect. In New York the work is cast upon three departments, as was the case in Philadelphia.

In Boston there is a complete separation of the work upon more radical lines. There is a board of education composed as hereinbefore stated controlling the educational work of the city, and a board of schoolhouse commissioners, appointed by the mayor, composed of three members—an architect, a master builder, and a lawyer—into whose hands is given the entire control of building, inspection, and repairs. The board of education has no authority over this board other than those limitations contained in the statements furnished when the original order is given. Thus Boston's board, during the last five years, has expended $7,000,000 on buildings and furnishings and $275,000 per annum on repairs. In all the large cities the expenditures for these specific services are from 40 to 50 per cent of the aggregate expenditures. The necessity for this new department in Washington school administration was deemed so urgent as to impel me to provide for it in the bill under discussion.

It has been said that nowhere in the country has the clash between the standard of accommodations and their cost been settled so satisfactorily as in Boston. The careful, conscientious work of the schoolhouse commission has established what is said to be an almost absolutely accurate standard of accommodation for primary, grammar, and high schools, coupled with the most economical cost for the same. The limit of accommodation for primaries of from eight to ten rooms is 35,000 cubic feet per room and 22 cents per cube; grammar school buildings from twelve to twenty rooms the limit of accommodation is 45,000 cubic feet per room at 26 cents per cube. The economy of cost represented by 22 cents per cube is one of the standards by which the efficiency of the schoolhouse department of Boston has been most severely tested, and for which it claims a high degree of praise. This 22 cents per cube, roughly speaking, is 84 per cent for building, 9 per cent for heating, 4 per cent for plumbing, and 3 per cent for electric work; that is, of every 22 cents expended for a cubic foot of accommodation, 18 cents is in the building, 2 cents in the heating, 1¼ cents in the plumbing, and three-fourths cent in the electrical work.

An analysis of the expenditures of this board from February 1, 1905, to February 1, 1906, shows that much more attention is paid to primary and grammar schools than to high and manual training schools. The expenditure was as follows:

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|---|---|
| For land and buildings— | |
| For primary schools | $589,818 |
| For grammar schools | 396,168 |
| For high schools | 24,490 |
| Not chargeable to any school | 18,613 |
| For manual training schools | 537 |

The abnormal development of high, normal, business, and manual training schools in Washington to the detriment of the fundamental basis of all schools, the primary and grammar schools, is nowhere better shown than in the buildings which are chargeable to each of these classes of schools. The primary and grammar school buildings are poor and insignificant compared with the buildings in the other classes. The primary and grammar school buildings are singularly deficient in accommodation, while the accommodation of the other classes far exceeds the demand. The ornaments of education are permitted to outweigh its utilities and the masses are neglected or made to suffer for the lack of accommodation in order that the few may progressively develop and be furnished with accommodation which they can not use. If the superintendent of buildings and supplies, as created by my bill, shall be able to revolutionize this system and give to the people of Washington abundant accommodations in the primary and grammar school grades at an economical standard of cost, he will have done as much for the true interests of public education as any other agency connected therewith.

My bill provides that this superintendent shall be an architect of good standing; that he shall give bond to the board of education for the faithful performance of his duties, and that he and all his subordinates shall be subject to the rules and regulations of the board of education. He is to do no private work upon any account, nor be interested, directly or indirectly, in any contract for building materials, the erection of any building, or the furnishing of school supplies, under penalties of not only dismissal from the service, but to a fine of not less than $10,000, to be recovered before any court in the District of Columbia having jurisdiction thereof; that this officer shall have supreme authority in the approval of all plans for new school buildings, for additions to existing school buildings, and for structural changes therein; that after contracts have been made by the board of education for any of these things, to supervise the builder or contractor, in order that the intention of the board of education shall not be overridden or changed. Supplementary to this, to purchase such books, apparatus, stationery, and other things as the board of education shall direct; to store these books and supplies, and to furnish them to the schools under the rules and regulations of the board and the direction of the superintendent. It is confidently expected that the creation of this office will take from the superintendent a large mass of purely office work which at present taxes his time to the detriment of real school work, and will place it in the hands of competent business men specially fitted for the work, and thereby increase the general efficiency of the system itself.

SUPERINTENDENCY.

The superintendent of schools, as the executive arm of the board of education in all strictly educational matters, is retained, and the law is drawn so as to be inapplicable to the present superintendent during the term for which he was selected.

The supremacy of his executive power is not changed, but for the improvement of the service a board of superintendents is created whose united experience and wisdom shall be necessary to certain ends. The truth is recognized throughout my entire bill that too much work thrown on a single board or a single individual destroys the efficiency of that board or individual. Hence the creation of the local school boards as an adjunct to the general board and the creation of a board of superintendents as an additional lever for effective superintendency. The general power of visitation is cast upon the superintendent. The

power of visitation implies personal investigation, personal inspection, and personal contact with the subordinate agencies. Heretofore so much of the purely business matter of education in the shape of official duties has been cast on the superintendent and his assistants as to weaken their scholastic efficiency. Reports from subordinates have been made to take the place of personal investigation, and this has had the tendency to build up a kind of bureau of officials, with red tape as its principal mechanism and the dry rot as its inevitable result. For intelligent supervision there must be knowledge gained by the eye and ear through a personal contact with the governed. The contrary policy results in a host of supervisors as adjuncts to the superintendency, reporting to the superintendents, usurping the rightful duties of the principal, increasing the general expense, and creating in its worst form a bureauocracy. The relief given by my bill through local boards and the establishment of a department under the superintendent of buildings and supplies will put mere office work in the hands of purely business men and give high-class men that time which is absolutely necessary to intelligently supervise and regulate the more important matters committed to their charge. The system will get the use of scholastic and trained ability at first hand and not through an intermediate body of irresponsible supervisors.

High-class men are selected as superintendents to make rules and regulations for the reception of pupils, their promotion, and their graduation; to investigate the text-books and scholastic supplies; to regulate the gradation of pupils and their courses of study; to recommend teacher assignments; to actually visit the schools regularly and inquire into the effectiveness of every school agency, and to advise, assist, and encourage the principals and teachers scholastically and not through the medium of red tape and bureau orders. This is a demand for scholastic ability, the ability for which they are paid and the ability the system demands.

It may be said that these positions exist already in the District system, and that my bill is simply an iteration. Nothing can be further from the fact. As hereinbefore pointed out, their existence is but nominal. The duties assigned these officials under the existing system are not sufficiently coordinated with the duties of other necessary agencies, nor are these other agencies so arranged as to make the superintendency effective.

SUPERVISION.

All extraneous supervision is abolished, and the necessary vital supervision of the schools placed in the hands of a real superintendency and the principals of the schools. One of the greatest evils of the Washington schools—and, in fact, a growing evil in all schools—has been the multiplication of intermediate supervising officers. The practice has made bureaucrats of the superintendents and machines of the principals, without any corresponding gain to the system. There has been a gradual weakening of the real scholastic ability of superintendents and principals, resulting in the filling of high schools with pupils not properly prepared and the world with graduates unworthy of the degree. Principals have been so shorn of their legitimate power as to become mere automatons, and the disintegrating work has gone on downward in an undue interference with teachers that paralyzes their individuality and unfits them for the only work for which the schools are created—the education of the children of the land.

Supervision has run riot, not in its genuine and legitimate sphere, but in ever-present interference and superficial control. There is a general complaint throughout the country as to oversupervision, that supervision that invades the jurisdiction, not only of principals, but of the teachers themselves. All such supervision is interference, and as such is a curse to the schools. In the last analysis the teacher is the school. It is from the teacher, in his daily and hourly contact with pupils, that all true education must spring. Everything else is system. As is the teacher so will be the school. Great and costly buildings are effective; costly and profound supervision has its legitimate place; but the real educative power—the sole agency for which all systems exist—is the vital educative element, the teacher in the grade. Every part of a system that helps the teacher is invaluable, while, as a corollary, every adjunct that invades the teacher's sphere, interferes with his scholastic judgment, or destroys his individual identity is a curse. Nowhere has system so vaunted itself as in supervision; and nowhere has its deadening, withering, and destructive results been more pronounced than in the supervision that simply interferes. Everything for a system that will fortify and strengthen the chief officer of the school, the patient, overworked, and ofttimes ill-paid teacher at the desk, but nothing whatever for a system that exalts itself over the child; that makes its glory more important than the children themselves; that substitutes interference for supervision and boasts of its corps of supervising interferers, overriding principals and undoing the power of teachers to do what they are fitted to do, and which they would do but for the officious interruptions of the overzealous, imprudent, and overpaid supervisors. I have tried in my bill to safeguard all vital and essential supervision, and have tried with equal energy to rid the Washington system of all useless supervision and to strengthen the hands of principals and teachers. Every power added to these two agencies is, in my opinion, an added power to the possibilities of the schools.

Such are the most salient features of the bill. There are many other details of management fully provided for, but which need no special analysis at this hour.

My aim has been to take up the piecemeal legislation that has obtained with reference to the great system of schools now prevailing in the District of Columbia and to embody it in a single great charter law, as has been done in every great system of city schools throughout the country. With a unified law it is possible to work out a proud position for the educational system of the capital city, but with the present scrappy, badly arranged, and widely scattered legislative enactments such a consummation is hardly possible.

I should like to see a system of schools in the District second to none in the country at large or in the world. I should like to see an effective system, a system giving the world graduates of excellence and worth, but above all giving to every boy and girl in the District the added elements of a sound primary education and the added self-respect which follows therefrom. With these he may unlock the doors of fate, swing wide the gates of opportunity, and properly and fairly adjust himself to that equality of chances which our wise and benign laws guarantee to every man.

APPENDIX.

[H. R. 25037, Fifty-ninth Congress, second session.]

In the House of Representatives.—January 28, 1907.—Mr. MORRELL introduced the following bill; which was referred to the Committee on the District of Columbia and ordered to be printed:

A bill to define the duties of the board of education of the District of Columbia, to further reorganize the schools of the District of Columbia, and for other purposes.

*Be it enacted, etc.*, That in addition to the board of education already established by section 2 of an act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1906, there shall be established a series of local school boards, whose powers and duties, tenure of office, appointment and removal shall be as follows:

On or before June 30, 1907, the board of education shall divide the District of Columbia into nine local school districts. These districts shall be compact in form and, as near as may be, of equal school attendance in the public schools therein. Subject to these conditions, the board of education shall thereafter have power every five years again to divide the said District of Columbia into the same number of local school districts as it deems proper. Upon the completion of this division into local districts the board of education shall prepare maps of the same, showing the boundaries and numbers of each local district, and shall file duly authenticated copies of the same with the supreme court judges of the District of Columbia, with the Commissioners of the District of Columbia, and, after the appointment of the local boards hereinafter provided for, with the chairman of each of these boards.

SEC. 2. That there shall be established in each of these local districts a local school board consisting of five members, to be appointed by the board of education of the District of Columbia within thirty days after June 30, 1907. No person shall be eligible for appointment who is under thirty years of age and who has not resided continuously in said local district for a period of three years next preceding the date of his appointment. Each member of said local boards shall hold office for a period of five years, except that upon the first appointment the tenure of office shall be as follows: One member shall be appointed to serve for one year, one for two years, one for three years, one for four years, and one for five years, and shall be so designated by the board of education in its letters of appointment. Each member of the local school board shall serve without pay.

SEC. 3. That section 2 of an act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1906, is hereby amended so as to vest the supreme control of the public schools of the District of Columbia in a board of education to be known and styled as the board of education of the District of Columbia. The members now serving upon the board as organized under the act referred to shall continue to serve until the expiration of their original appointment. In all new appointments under said section the judges of the supreme court of the District of Columbia shall select their appointees from the local school districts by this act established in the manner following: One member to be chosen from each local school district, who, in addition to the qualifications required by section 2 of the act of June 20, 1906, shall have resided within the boundaries of said local district for five years next preceding the date of his appointment, so that at the expiration of the terms of the members now serving the board of education of the District of Columbia shall consist of nine members, every one of whom shall be a resident of a different local school district.

SEC. 4. That the board of education of the District of Columbia shall, in addition to the other powers herein expressly conferred, have power—

First. To establish and conduct elementary schools, kindergartens, manual training schools, trade schools, truant schools, normal schools, night schools, and vacation schools.

Second. To maintain free lectures and courses of instruction for the people of the District of Columbia.

Third. To establish and conduct playgrounds in connection with the public schools.

Fourth. To establish new schools and discontinue or consolidate any of the existing schools.

SEC. 5. That the board of education shall keep full and accurate minutes and records of all its proceedings, and that any alteration, mutilation, defacement, extension, destruction, or amplification, with intent to defraud, of a record, minute, memorandum, notice, book, paper, or writing which the board of education of the District of Columbia is required to keep, is hereby made punishable by a fine of not less than $200 and not more than $500.

The secretary of the board of education shall have charge of the rooms, books, papers, and documents of the board and shall, in addition to his duties as secretary of the board, perform such other duties as may be required by its members or committees.

SEC. 6. That the board of education of the District of Columbia shall, immediately after the establishment of the local school districts herein provided for, group the same into three supervisory districts, each to be composed of three contiguous local school districts, to be numbered and styled supervisory district No. 1, supervisory district No. 2, and supervisory district No. 3, and whose administration and management shall be assigned to three assistant superintendents of schools, to be appointed by the board of education of the District of Columbia upon the recommendation of the superintendent of schools. Said assistent superintendents shall at all times be under the direction and control of the superintendent of schools, and shall, under his direction, carry out the rules of the board of education in all matters pertaining to the administration of the supervision of the white schools within the limits of the supervisory districts herein established, each of said assistant superintendents to reside during his term of appointment in the supervisory district to which he shall have been assigned. The board of education of the District of Columbia shall also appoint, upon the recommendation of the superintendent of schools, an additional assistant superintendent, who shall be under the control of the superintendent of schools and who shall perform like duties in the administration and have exclusive supervision of the colored schools of the entire District of Columbia, to be numbered and styled supervisory district No. 4. The said assistant superintendents shall be appointed for a term of three years.

SEC. 7. That in addition to the regular membership of the local school board provided for by this act there shall be two ex officio members, to wit: First, the resident member of the board of education of the District of Columbia, and, second, the assistant superintendent of the supervisory district of which the local school district forms a part. Each of these ex officio members shall have the right to speak at all meetings of the local school boards, but not the right to vote nor to hold the positions of chairman or secretary of the board: *Provided*, That the assistant superintendent for the colored schools shall be an ex officio member of any local school board whose boundaries contain a colored school, and shall have the same rights in these local boards as have the assistant superintendents of the regular supervisory districts.

SEC. 8. That it shall be the duty of the members of each of these local boards, within thirty days after their appointment to meet at the place designated by the board of education of the District of Columbia and organize by the election of a chairman, vice-chairman, and secretary, and to take and subscribe an oath to support the Constitution and laws of the United States. Any vacancy in any local school board caused by death, resignation, or otherwise shall be filled for the unexpired term by the board of education of the District of Columbia within ten days after the vacancy occurs. The officers of the local school board shall serve for one year and be subject to reelection. A vacancy in any of the offices of any of these local school boards shall be filled by the board in which the vacancy occurs at its next regular meeting.

SEC. 9. That subject to regulation by the rules and regulations of the board of education of the District of Columbia the duties and powers of the local school boards shall be as follows:

First. Each local school board shall meet once a month at a place in said District to be named by the board of education of the District of Columbia.

Second. Each local school board shall have power, and it shall be its duty, to adopt by-laws regulating the exercise of all powers and duties vested in it, which by-laws shall not conflict with the rules and regulations of the board of education of the District nor with the provisions of this act. Each local school board shall keep a record of its proceedings, which shall be open at all times to inspection by the board of education or any member thereof, or by any Member of the Congress of the United States. The secretary of the board shall have charge of the books, papers, and documents of the board, and shall receive an annual compensation of $100. The board of education of the District of Columbia shall provide such books, stationery, and other supplies as may be necessary for the proper performance of the duties of the local school boards. It shall also designate the regular meeting places of the local boards, which may be in any of the school buildings of their respective districts.

Third. In their respective districts the local school boards shall visit, at least four times a year, all the schools in the district, and inspect the same with respect to punctual and regular attendance of the pupils and teachers, the number and fidelity of the teachers, the studies, progress, order, and discipline of the pupils, the cleanliness, safety, warming, ventilation, and comfort of school premises, and shall call the attention of the board of education of the District of Columbia, without delay, to every matter requiring official action.

Fourth. They shall also, on or before the 1st day of July in each year, make a written report to the board of education of the District of Columbia, showing the condition of the schools, the efficiency of the teachers, and the wants of the district, especially in regard to schools and school premises.

Fifth. They shall make special reports to the board of education of the District of Columbia whenever, in their opinion, additional accommodation is necessary for kindergarten or elementary school purposes, with a recommendation of the sites within their respective districts which they consider it necessary to acquire for such purposes.

Sixth. They shall recommend such plans as in their opinion will consolidate the schools without impairing their efficiency. In this regard they are specially required to suggest plans by which the present eight-room buildings may be given over entirely to the first four grades of primary education, and by which a central grammar school building of from twelve to thirty rooms may be provided for a series of these primary buildings.

Seventh. They shall also recommend the erection of such buildings on said sites, or on any other property of the board of education of the District of Columbia, and such repairs or alterations of existing school buildings as they may deem necessary or desirable.

Eighth. They shall, from time to time, when additional accommodation is necessary, report to the board of education premises which are suitable and which may be hired for that purpose, with the terms upon which the same may be obtained, such report to be accompanied by a certificate from the resident member of the board of education that the premises so recommended comply with the laws and ordinances of the District of Columbia and with the rules and regulations of the board of education of the District of Columbia relating to buildings to be used for school purposes.

Ninth. They shall report immediately to the board of education any dereliction of duty on the part of the superintendent of schools, the assistant superintendents of schools, or any of their deputies or assistants, or the employees in their respective departments, and they shall present to the board of education all of the facts and circumstances constituting such dereliction of duty.

Tenth. They shall have power to excuse absences of teachers within their respective districts, subject, however, to the approval of the superintendent of schools in cases where teachers are excused with pay, and in accordance with the rules and regulations of the board of education governing such cases.

Eleventh. They shall try and determine all matters relating to discipline, corporal punishment, and other matters affecting the administration of the schools in their respective districts arising upon the complaint of pupils, parents, or guardians against teachers or principals, and shall impose such penalties as may be prescribed by the rules and regulations of the board of education. But they shall not have power to pass upon any complaint against a teacher until after the matter has been referred to the principal of the school in which such teacher is employed, and he has made a report thereon.

Twelfth. They shall have power, and it shall be their duty, to try charges made by a principal, the superintendent of schools, or the assistant superintendent of the district involved, or by any parent or guardian of a pupil residing in the district, against a teacher employed within their respective districts, for gross misconduct, insubordination, neglect of duty, or inefficiency. On receiving notice of said charges they shall immediately proceed to try and determine the case, and shall fix the penalty or punishment to be imposed for the offense committed, which shall consist of suspension for a fixed time without pay or dismissal. Their determination upon said charges and the penalty or punishment imposed therefor shall be reported immediately to the board of education of the District of Columbia, which may reject, confirm, or modify the determination of the local school board, and the penalty or punishment imposed, and the decision of the board of education of the District of Columbia shall be final. In all such cases, whether before the local school board or the board of education of the District of Columbia, the teacher who is on trial shall have the right to be attended by counsel and by as many friends of his selection as the respective boards may determine. At least five days previous to the date fixed for the trial or hearing a notice in writing shall be sent by mail to the teacher charged, together with a written copy of the charges or reason for the proposed dismissal. Appeal from the decision of the said board may be taken to the court of appeals of the District of Columbia, and the decision of said court shall be final, the costs of such an appeal to be a charge on the appellant: *Provided*, That the accused may, as is his or her personal privilege, waive a public trial or investigation, which waiver shall be in writing and shall be entered of record in the minutes of said board of education.

Thirteenth. They shall present charges of any dereliction of duty on the part of janitors in their respective districts, together with the proof thereof, to the board of education of the District of Columbia.

Fourteenth. They shall procure the enforcement of the general law, and the rules and regulations of the board of education relating to the sanitary condition of the schools and the health of the pupils in their respective districts.

Fifteenth. They shall have power to transfer teachers from school to school within their respective districts, but only after hearing the principals of the schools affected by such transfers, and subject to the approval of the superintendent of schools: *Provided, however*, That such transfers shall not involve promotion or increase of salary.

Sixteenth. They shall report to the board of education of the District of Columbia and to the superintendent of schools all vacancies in the teaching force as soon as such vacancies occur.

Seventeenth. The power of the board of education of the District of Columbia over all matters pertaining to the schools is to remain supreme, and the enumeration of the foregoing powers as incident and belonging to the local school boards shall not be taken as in any manner destroying the supremacy of the board of education. The local school boards are to be the chief advisers of the board of education of the District of Columbia and of the superintendent of schools as to local needs and conditions, and an administrative arm enlisting the best local thought for the advancement and development of the schools.

SEC. 10. That the executive work of the board of education of the District of Columbia shall be committed to two expert agents, who shall be appointed by the board of education for a period of three years, subject to removal for neglect of duty, insubordination, or inefficiency. Said agents shall be a superintendent of schools and a superintendent of buildings and supplies. They shall be responsible to the board of education of the District of Columbia for the conduct of their respective departments; shall make annual reports to the board, and shall, from time to time, submit such plans and suggestions for the improvement of the schools and the school system as the board of education may require, or as they shall deem expedient: *Provided*, That this provision as to a superintendent of schools shall not become applicable until the expiration of the term for which the present superintendent was appointed, unless a vacancy should occur through resignation, death, or removal.

SEC. 11. That the superintendent of buildings and supplies shall be an architect of good standing, and before entering upon the discharge of his duties shall take and subscribe an oath to support the Constitution and laws of the United States. He shall also give bond to the board of education of the District of Columbia in such amount as it may prescribe for the faithful performance of the duties of his office. He and all his assistants shall be subject to the rules and regulations of the board of education. Said superintendent of buildings and supplies shall do no private work upon any account, nor be interested directly or indirectly in any contract for building materials, the erection of any building, or the furnishing of school supplies. Any violation of this provision shall subject said officer to dismissal and to a fine of not less than $10,000, to be recovered before any court in the District of Columbia having jurisdiction thereof.

SEC. 12. That all plans for new school buildings, for additions to existing school buildings, and for structural changes shall be passed upon and must be approved by the superintendent of school buildings

and supplies, who shall submit the same to the board of education of the District of Columbia, whose action thereon shall be final. The superintendent of buildings and supplies shall, after contract made by the board of education for the erection of any new building, for additions to any existing school buildings, or for any structural changes in any old building, see that the contract of the builder or contractor is faithfully performed, and in case of any deviations or departures therefrom to report the same at once to the board of education of the District of Columbia.

SEC. 13. That the superintendent of buildings and supplies shall purchase such books, apparatus, stationery, and other things as he may be instructed to purchase by the board of education of the District of Columbia, and shall be governed in his purchases by the laws of the United States applicable to the purchase of Government supplies. He shall furnish these supplies to the schools of the District of Columbia in accordance with the rules and regulations of the board of education and under the direction of the superintendent of schools.

SEC. 14. That the superintendent of buildings and supplies shall, in general, be the executive officer of the board of education of the District of Columbia in all matters relating to the erection, alteration, or repair of buildings, care and maintenance of grounds, purchase, storage, and distribution of all supplies for the use of the schools, the board of education, the officers and employees thereof, the several local school boards, and the office of the superintendent of schools, and such other matters as may be assigned to him as such executive officer by the rules and regulations of the board of education of the District of Columbia.

SEC. 15. That no one shall be eligible for election to the position of superintendent of schools, or to the position of assistant superintendent of schools, who has not one of the following qualifications:

First. Graduation from a college or university, together with at least five years of successful experience in teaching or supervision since graduation.

Second. A principal's certificate from any school board of any of the States of the United States or from the board of education of the District of Columbia, together with eight years of successful experience in supervision or teaching.

SEC. 16. That the superintendent of schools shall have the right of visitation and inquiry in all of the schools of the District of Columbia as constituted under this or any preceding law, and shall report to the board of education of the District of Columbia on the educational system of the District and on the condition of any and all of the schools thereof. He shall have a seat in the board of education of the District of Columbia and the right to speak on all matters before the board, but not to vote.

SEC. 17. That the superintendent of schools, as often as he can consistent with his other duties, shall visit the schools of the District as he shall see fit, and inquire into all matters relating to the government, courses of study, methods of teaching, management and discipline of the schools, and the condition of the schoolhouses and of the schools generally; he shall advise and encourage the pupils and teachers and officers thereof; subject to the rules and regulations of the board of education, he shall prescribe suitable registers, blanks, forms, and regulations for the making of all reports, and for conducting all necessary business connected with the school system, and he shall cause the same, with such instructions and information as he shall deem conducive to the proper organization and government of the schools and the due execution of their duties by school officers, to be transmitted to the officers or persons intrusted with the execution of the same. He shall submit to the board of education an annual report containing a statement of the condition of the schools of the District and all matters relating to his office and such plans and suggestions for the improvement of the schools and the school system and for the advancements of public instruction in the District of Columbia as he shall deem expedient and as the rules and regulations of the board of education of the District of Columbia may require.

SEC. 18. That he shall enforce the compulsory education law of the District of Columbia and shall nominate the truant officers provided for by law. He shall also nominate to the judge of the juvenile court the probation officers required by law, and shall direct these officers in their duties.

SEC. 19. That he shall assign such clerks as may be assigned him by law to their various duties, and may suspend or discharge them for cause; but in such case the clerk or clerks so suspended or discharged shall have the right to appeal to the board of education of the District of Columbia.

SEC. 20. That he shall have power at any time to call together any or all of the assistant superintendents, directors, supervisors, principals, or teachers for consultation, and shall assign to them, subject to the rules and regulations of the board of education, such duties as in his judgment will be conducive to the welfare of the public schools in the District of Columbia. Three of the assistant superintendents shall be assigned by him to the work of supervision of the white schools in the supervisory districts hereinbefore established and the fourth one to the supervision of the colored schools of the entire District of Columbia. He shall also report any case of gross misconduct, insubordination, neglect of duty, or general inefficiency on the part of any assistant superintendent, director, supervisor, or principal to the board of education. He may also empower an assistant superintendent to execute all the duties of his office during his absence or disability.

SEC. 21. That the superintendent of schools and the four assistant superintendents of schools shall constitute the board of superintendents of the District of Columbia. The superintendent of schools shall preside over the board of superintendents, and all communications from the board shall be made in his name. The board shall have power to pass by-laws regulating its duties. It shall keep a list of all principals and teachers in the service of the board of education, with a record of the dates of their appointment, the grades and classes taught by them, and of such other matters as the board of education may prescribe. Such lists shall be open to the inspection of teachers so far as their own record is concerned, of members of the board of education, of the members of the local school boards, and of principals. All principals shall report to the board of superintendents all matters pertaining to the work of teachers under their control in such form as the superintendent of schools may require.

SEC. 22. That the board of superintendents shall establish for the schools, subject to the approval of the board of education, rules and regulations for the reception of pupils into the schools of the District, the promotion from grade to grade, from school to school, for the graduation from all grades of schools, and for the transfer of pupils from one school to another.

SEC. 23. That the board of superintendents shall recommend to the board of education such changes in text-books, apparatus, and scholastic supplies as in their opinion will advance the interests of the schools. They shall also determine the number of new text-books and the amount of apparatus and scholastic supplies needed for the succeeding year and report the same to the board of education of the District of Columbia.

SEC. 24. That the board of education of the District of Columbia, before acting upon the recommendation of the board of superintendents as to any proposed change in text-books, apparatus, or scholastic supplies, shall give public hearings, at such times and places as it may determine, to the publishing houses whose books are recommended for adoption and to those houses whose books would be displaced. At this hearing a free and full discussion shall be had as to the merits of the respective books, apparatus, and supplies, and the board may hear such principals or teachers as it may elect. If the board of education of the District of Columbia shall approve the recommendations of the board of superintendents in whole or in part, the changes shall be made under the rules and regulations of the board of education, and the books, apparatus, or supplies so adopted shall not again be changed for a period of three years: *Provided*, That the books, apparatus, and supplies not displaced by the final action of the board of education shall also remain unchanged for a like period of three years: *And provided further*, That nothing in this section limiting the hearing of the board of education to two publishing houses shall in any manner affect the action of the board of superintendents as to the number of publishing houses to be heard in the matter of recommendation.

SEC. 25. That the board of education of the District of Columbia shall have power to change the grades of all schools and of all classes of any high school or other school under its charge upon the written recommendation of the board of superintendents and upon the same recommendation to adopt and modify courses of study for all schools under its jurisdiction: *Provided*, That elastic and flexible courses of study for high and manual training schools shall be considered as of greater importance than the abstract demands of an ideal system and that morality and American citizenship shall be emphasized.

SEC. 26. That the board of superintendents, with the advice of the directors of the respective special branches, shall assign to the several local school districts such teachers of drawing, music, physical culture, manual training, sewing, or other special branches as the board of education of the District of Columbia may appoint, and the local school boards shall assign such teachers to their duties in the schools of the several districts to which they are appointed. The directors of special branches shall act as advisers to the board of superintendents, to the local school boards, and to principals with regard to the special branches they supervise, and under the direction of the superintendent of schools shall examine the work in their several branches, report upon the same, and instruct teachers in the teaching of their several branches.

SEC. 27. That the board of education of the District of Columbia shall have power, upon the nomination of the board of superintendents, to appoint such directors of special branches as are provided for by law for the term of three years; such directors shall be subject to the supervision and direction of the superintendent of schools. No person shall be eligible for appointment as director of a special branch who is not—

First. A graduate of a college or university recognized by the board of education of the District of Columbia; and

Second. A graduate from a course of professional training of at least two years in the special branch that he is to supervise or teach; and

Third. A teacher of that special branch with at least three years of successful experience.

SEC. 28. That under the supervision and direction of the superintendent of schools the assistant superintendents shall visit every school in the supervisory district to which they are assigned; shall inquire into all matter relating to the government, courses of study, methods of teaching, discipline and conduct of such schools, and the condition of the schoolhouses and of the schools generally; shall examine classes when necessary, and shall advise, assist, and encourage the pupils and teachers thereof.

SEC. 29. That the assistant superintendents shall report the results of their inspections, supervisions, and examinations to the superintendent of schools, who shall transmit such parts of such reports as he may consider necessary or proper to the board of education and to the local school boards for the districts for which the same are made, respectively. Such reports shall be made at such times concerning such matters and in such form as said superintendent of schools shall require. It shall further be the duty of each assistant superintendent to report to the local school boards within any local school district to which he is assigned, and through the superintendent of schools to the board of education, any case of gross misconduct, neglect of duty, or general inefficiency arising in such district on the part of any principal or teacher or other member of the educational staff within his jurisdiction.

SEC. 30. That, subject to regulations prescribed by the board of superintendents and under the supervision of the assistant superintendents in charge, the principal of each school shall have charge of the supervision of schools in his building or buildings, and shall direct the methods of teaching in all classes under his charge. And the board of education of the District of Columbia, upon the joint recommendation of the superintendent of schools and of the local school board of any local school district, shall so consolidate existing schools as to create a central grammar school, to which all grammar school pupils of the primary schools affected thereby shall be transferred, and to which the remaining primary schools shall be annexed as feeders. The board of education, upon the recommendation of the superintendent of schools, shall appoint a principal for this central grammar school, who shall also be principal of its annexed primary schools and shall supervise the same as herein provided. The positions of supervising principals are hereby abolished.

SEC. 31. That the board of superintendents shall have power, from time to time, to issue syllabuses of the topics in the various branches taught, which shall be regarded as the minimum amount of work required in such branches.

SEC. 32. That the board of education of the District of Columbia, on the recommendation of the board of superintendents, shall designate kinds or grades of licenses to teach, which may or shall be issued in the District of Columbia, together with the academic and professional qualifications required for each kind or grade of license.

SEC. 33. That the board of education of the District of Columbia, on the recommendation of the board of superintendents, shall also designate the academical and professional qualifications required for service as principals, assistant principals, heads of departments, assistants, and all other members of the teaching staff.

SEC. 34. That no license or certificate shall be granted to any person who is not of good moral character, nor to any person who shall not

first have presented a certificate from a physician recognized by the board of education as competent for the purpose, setting forth that said applicant is neither mentally nor physically disqualified by any chronic or acute physical defect from successfully performing the duties of a teacher: *Provided,* That this section shall not apply to any person now enrolled upon the educational staff of the District of Columbia.

SEC. 35. That a board of examiners is hereby constituted whose duty it shall be to examine all applicants who are required to be licensed as teachers in the District of Columbia, and to issue to those who pass the required tests of character, scholarship, and fitness such licenses as they are entitled to receive. Such board of examiners shall consist of the superintendent of schools, together with four persons appointed by the board of education upon the nomination of the superintendent of schools. The terms of these four examiners shall be for one, two, three, and four years and shall be so designated in their nominations and appointments, and as their terms expire their successors shall be appointed for a full term of four years, which shall thereafter be the full and regular term of said examiners. They shall each be paid $100 per annum, except that the superintendent of schools shall receive no additional compensation.

SEC. 36. That no person shall be appointed examiner who does not possess some one of the following qualifications:

First. A degree or diploma from a college or university recognized by the board, together with five years' successful experience in teaching since graduation.

Second. A State certificate obtained from the proper educational authorities of some State of the United States as the result of an examination held since 1880, with at least seven years' successful experience in teaching.

Third. The highest certificate issued by the school authorities of the District of Columbia since 1880, together with eight years' successful experience in teaching.

SEC. 37. That no assistant superintendent of schools, director, principal, or teacher engaged in the public school system of the District of Columbia shall be permitted to serve on the board of examiners.

SEC. 38. That the board of examiners shall hold such examinations as the superintendent of schools may prescribe and shall prepare all necessary eligible lists, which shall be kept in the office of the superintendent of schools and be open to inspection by members of the board of education, assistant superintendents, and local school boards. All licenses shall be issued in the name of the superintendent of schools of the District of Columbia.

SEC. 39. That graduates of colleges and universities who have pursued for not less than one year pedagogical courses satisfactory to the superintendent of schools; graduates of schools and colleges for the training of teachers approved by the superintendent of schools; teachers holding a State certificate issued by the proper authorities of any State of the United States since the year 1890, or persons who, on the 1st day of July, 1907, shall be assistant superintendents, supervisors, directors, supervising principals, principals, heads of departments, or teachers in the public schools of the District of Columbia may be exempted, in whole or in part, from such examination at the discretion of the superintendent of schools. The names of those to whom licenses shall be granted, including those exempted from examination, shall be entered by the superintendent of schools upon lists to be filed in his office, a separate list being made for each grade or kind of license for which the board of education shall by its rules and regulations make provision; and such lists shall always be open to the inspection of the members of the board of education, to local school boards, the assistant superintendents, and the principals of schools. Except as superintendent of schools or assistant superintendent of schools or superintendent of buildings and supplies, as director of a special branch, as principal of or teacher in a training school, or as principal of a high school, no person shall be appointed to any educational position whose name does not appear upon the proper eligible list. No person shall teach in any public school of the District of Columbia who has not such license, except as herein otherwise provided, nor shall any unlicensed teacher have any claim for salary.

SEC. 40. That licenses to teach shall be issued by the superintendent of schools for a period of one year, and may be renewed without examination in case the work of the holder is satisfactory to the superintendent of schools for two successive years. At the close of the third year of continuous successful service the superintendent of schools may make the license permanent. Authority to revoke any permanent license for cause shall be vested in the board of superintendents: *Provided, however,* That no permanent license shall be revoked until the causes have been investigated and a trial had as hereinbefore provided for.

SEC. 41. That principals, assistant principals, heads of departments, teachers, assistants, and all other members of the teaching staff shall be appointed during the month of August of each year by the board of education of the District of Columbia on the nomination of the board of superintendents for a term of one year from the 1st of September next ensuing; and their pay shall be made in twelve equal monthly installments, or for such time as they may retain their connection with the schools of the District: *Provided,* That upon all reappointments for any one or all of these positions preference shall be given to the old appointees, unless the good of the schools shall demand a change. Such nominations and appointments shall be made except in the case of high schools, manual training schools, or training schools for teachers, for the several local school districts, respectively, and when so made the principals, assistant principals, heads of departments, teachers, assistants, and all other members of the teaching staff shall be assigned to duty to such schools and to such positions in such schools as the board of superintendents shall determine. Where practicable, teachers shall be appointed for schools in the local school districts where they reside.

SEC. 42. That teachers and principals may be promoted or transferred from one school to another school within the District by the board of superintendents, subject to the approval of the board of education of the District of Columbia: *Provided, however,* That a teacher shall not be transferred from a school in one local school district to a school in another local school district without his consent. For all purposes affecting the appointment, promotion, or transfer of the teachers in any school, the assistant superintendent assigned to the local school district in which such school is situated, the principal of such school, and, in the case of transfer, the assistant superintendent and the principal of the school to which it is proposed to transfer a teacher, shall have seats in the board of superintendents, with votes on such propositions. The provisions of this section shall not be held to affect or impair the power of the several local school boards to transfer teachers from school to school within their respective districts, as hereinbefore provided.

SEC. 43. That except as herein provided, the nominations provided for above must be made from the list of properly certified principals and teachers and other persons eligible for service in the positions to be filled, in the regular order of the standing of the candidates on said lists: *Provided, however,* That the board of superintendents, subject to the proviso of section 41 of this act, may consider for each appointment the three persons whose names are highest on the appropriate eligible list. The existing eligible lists in the District of Columbia and the relative standing of persons whose names are on said lists shall not be affected by the passage of this act.

SEC. 44. That the nominations by the board of superintendents, as herein provided, shall be filed with the secretary of the board of education of the District of Columbia on or before the 10th day of July, 1907, and within the same time in each ensuing year. Within thirty days after the filing of such recommendation with the secretary of the board the board of education of the District of Columbia shall finally act upon said nomination, either by appointing such principals or teachers or other officers or by rejecting such nominations. A failure on the part of the board of superintendents to nominate within the time prescribed herein shall be held as equivalent to the nomination of the principals, teachers, or other members of the teaching staff at that time holding these positions under appointment by the board of education. A failure on the part of the board of education to confirm or reject a nomination within the time prescribed herein shall be held as equivalent to the appointment of the principals, teachers, or other members of the teaching staff. In case of a failure to appoint, other names shall be submitted by the board of superintendents to the board of education within two weeks after each failure until an appointment is made. In case of the consolidation of schools or of the discontinuance of any school or of the abolition by law of any position, principals, teachers, and holders of the abolished positions, if in good standing, shall be preferred in new appointments to be made in any of the schools of the District. Resignations of principals and teachers and of all other members of the teaching staff shall be made to the superintendent of schools.

SEC. 45. That principals, teachers, and other members of the teaching staff shall be retained solely upon their special fitness to teach, and in the assignment of such persons to duty their natural or acquired aptitudes for particular phases of teaching shall be duly considered. Principals shall perform a certain amount of actual teaching, and their fitness to supervise shall be determined by their special fitness to teach. Teachers in all schools shall be held responsible for the teaching of the regular grade work as outlined in the syllabuses of the board of superintendents. To attain this end, the principals shall instruct the teachers not only as to the matter involved, but as to the best methods of procedure. All such supervision, however, shall stop short of interference, and matter shall be deemed of greater importance than method. Supervision shall not extend to criticism of teachers before their classes nor to interference with teachers in the management of their classes. The true dignity of teachers as the ultimate agents of all right instruction shall be respected, and all regulations detracting from or destroying that dignity are expressly forbidden. All syllabuses shall be rationally and scientifically prepared by the board of superintendents with special reference to the matter to be taught, and be stated in as plain and concise language as the subject will permit without reference to the pedagogical or psychological reasons assumed to underlie it. The assistant superintendents shall specially explain these syllabuses, both as to matter and method, to the principals of the schools, and to this end are empowered to call the principals together from time to time and give them such instruction as they may deem fit. All principals who fail in special fitness to teach or in the higher aptitudes of supervision, together with all teachers who fail in actual teaching power or who willfully refuse the guidance of their principals, shall be deemed inefficient and dropped from the rolls.

SEC. 46. That teachers, to be retained upon the eligible list, shall attend all meetings called by the superintendent of schools or by the principal of the school to which they are assigned. The superintendent of schools, upon the recommendation of the board of superintendents, is also empowered to require principals or teachers to further fit themselves for the duties of their positions by attendance upon professional schools during the vacation months under penalty of being stricken from the rolls.

SEC. 47. That the schools of said District under the management and control of the board of education of the District of Columbia shall be free to all pupils over 5 and under 21 years of age residing in said District or who during such tutelage own property in and pay taxes levied by the government of the District of Columbia, or whose parents reside or are engaged in business or public duties therein or during such tutelage pay taxes levied by the government of the District of Columbia: *Provided,* That no child under 6 years of age shall be received in said schools except in kindergarten classes: *And provided further,* That nonresident or nontaxpaying pupils may be admitted to and taught in said schools on the payment of such amount, to be fixed by the board of education of the District of Columbia, as will cover the expense of their tuition and cost of text-books and school supplies used by them; and all payments hereunder shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

SEC. 48. That the board of education of the District of Columbia shall represent the schools and the school system of the District of Columbia before the Commissioners of the District of Columbia and before the committees of Congress in all matters pertaining to estimates and appropriations for educational purposes and in all other matters, and shall in general be the representative of the school system of the District in its entirety. On or before the 1st of October in each year it shall submit an estimate in detail of the money needed for the entire school system of the District during the next succeeding fiscal year to the Commissioners of the District of Columbia, who shall include the same in their estimate of money needed for the government of the District of Columbia. The board of education shall administer all money appropriated or available for educational purposes in the District of Columbia, subject to the general provisions of the law relating to the audit and payment of salaries and other claims.

SEC. 49. That the board of education of the District of Columbia shall provide such offices and rooms as it may deem advisable within the District of Columbia for the administration of the powers and duties conferred by this act upon the board of education, the local school boards, the board of superintendents, the superintendent of schools, and the board of examiners.

SEC. 50. That on and after July 1, 1907, all children of school age

being instructed in the schools of the District beyond the kindergarten grade shall be given a full school-day session, and the board of education, upon the recommendation of the proper local school board, shall have power to rent such additional property as may be required for this purpose. The board of education shall have power to dispose of such personal property used in the schools or other buildings under the charge of said board, upon the joint certificate of the superintendent of schools and of the superintendent of buildings and supplies, as is no longer required for use therein; and all money realized by the sale thereof shall be paid into the Treasury of the United States to the credit of a special rent fund, which is hereby appropriated to the payment of the additional rent charge authorized by this section.

SEC. 51. That the board of education shall make such provision as will secure prompt and efficient service for the selection and acquisition of sites, the planning and erection of new buildings for school purposes, and for the alteration and repair of existing buildings and for the regulation of the purchase and distribution of school books and supplies and for the execution and carrying into effect of all matters and things authority for which shall have been granted by the board and for the preservation of all school records. Subject to such provision, the superintendent of school buildings and supplies shall be the executive officer of the board in respect to all matters contained in this section or in respect to which he is charged with duties under the provisions of this act.

SEC. 52. That the board of education shall provide for the purchase of all books, apparatus, stationery, and other things necessary and expedient to enable the schools of the District to be properly and successfully conducted. It shall cause to be furnished all necessary supplies and shall make regulations for the furnishing thereof to the schools in the several local school districts. It shall have power to enact rules and regulations for the government of the superintendent of buildings and supplies, which rules and regulations shall provide that all supplies, as far as possible, shall be obtained by contract, made at public letting in the manner provided by law for obtaining other Government supplies.

SEC. 53. That requisitions for text-books, apparatus, and scholastic supplies shall be made by principals upon the superintendent of buildings and supplies under rules to be established by the board of education, but no requisition for any school shall be honored unless it is approved in writing by the assistant superintendent of the supervisory district where such school is situated.

SEC. 54. That section 6 of an act to fix and regulate the salaries, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1906, be amended so as to read as follows:

"SEC. 6. That the board of education of the District of Columbia shall have power to arrange all teachers in the classes and groups in the above schedule, except as hereinafter specified:

"For the year ending June 30, 1907, each principal, head of department, and teacher shall receive the salary in his class next above his present salary, and no teacher or principal shall in any event receive less than his present salary. If promoted to a higher class, he shall receive the salary in that class next above his present salary, and after June 30, 1907, if certified by the board of superintendents, he shall receive an annual increase within his class or group as herein provided, without action of the board of education; but no principal, head of department, or teacher shall in any one year receive more than one promotion within his class or group: *Provided*, That if the salary in his class next above his present salary shall be less than $25 in excess of his present salary he shall receive the next higher salary, so that no teacher shall receive for the first year an increase of less than $25.

"A teacher shall not be promoted from one class to another, except by the board of education of the District of Columbia, upon the recommendation of the board of superintendents.

"Every new teacher at the time of his appointment shall be assigned to a class or group by the board of education on the recommendation of the board of superintendents, and shall receive for the first year the minimum pay of said class or group. The first year in Group A, class 6, shall be probationary.

"For the purpose of this act a model teacher shall be held to be a teacher of the first or second grade, or of the kindergarten, whose special aptitude for primary teaching makes it desirable to retain him in said grades with the pay of a higher grade.

"Teachers of classes 1 and 2 shall receive an annual increase of salary of $25 for four years, or until the maximum is reached.

"Teachers of class 3 shall receive an annual increase of salary of $25 for ten years, or until the maximum is reached.

"Teachers of class 4 shall receive an annual increase of salary of $30 for ten years, or until the maximum is reached.

"Teachers of class 5 shall receive an annual increase of salary of $40 for ten years, or until the maximum is reached.

"Teachers in Group A of class 6, after the probationary year, shall receive an annual increase of salary of $100 for eight years; in Group B, of $100 for three years.

"The aforesaid equal annual increase of salary for each class or group of the teaching staff of the public schools of the District of Columbia shall be uniform throughout each class or group, and each of said persons shall at once, after the certification of the board of superintendents, receive all the emolument in accordance with the above schedule of minimum salaries to which said person is entitled by reason of merit, of experience, and of grade of class taught."

SEC. 55. That a public school teachers' retirement fund, to be made up from the following sources, is hereby created:

First. All money, pay, compensation, or salary forfeited, deducted, reserved, or withheld for any cause from any member or members of the teaching or supervising staff of the public schools of the District of Columbia. The superintendent of schools shall certify monthly to the board of education the amounts so forfeited, deducted, reserved, or withheld during the preceding month. Said amounts shall be turned into said retirement fund.

Second. All moneys received from donations, legacies, gifts, bequests, or otherwise for or on account of said fund.

Third. Ten per cent annually of all excise moneys or license fees belonging to the District of Columbia and derived or received by the collector of taxes from the granting of licenses, wholesale or retail, to sell strong or spirituous liquors, ale, wine, or beer in the District of Columbia. The Treasurer of the United States is authorized upon the receipt of any moneys from this source to place 10 per cent thereof in said retirement fund.

Fourth. One per cent of all the salaries of all members of the teaching and supervising staff of the public day schools of the District of Columbia, whether the same be kindergarten, primary, grammar, high, normal, manual training, or special, except that the amount deducted from the salary of any teacher or principal shall not exceed $30 in any one year, and the amount deducted from the salary of any supervising official shall not exceed $40 in any one year. And the board of education shall, after July 1, 1907, deduct on each and every pay roll of the teaching and supervising staff said 1 per cent from each and every amount earnable in the period covered by the said pay roll, notwithstanding the minimum salaries provided by section 4 of an act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1906, shall be thereby reduced, and shall certify monthly to the Treasurer of the United States the amounts so deducted, and said amounts shall by the Treasurer be turned into said retirement fund. All deductions made under the provisions of this clause from the salary of any person who may be dismissed from the service for cause before said person shall have become eligible for retirement under the provisions of this act shall be refunded to said person upon such dismissal.

Fifth. All such other methods of increment as may be duly and legally devised for the increase of said fund.

SEC. 56. That the Treasurer shall, on the 1st day of January, 1908, and on the same day in each succeeding year, invest the said permanent fund, and the income thereof is hereby appropriated and may be used by the board of education for the payment of annuities, and if necessary, in order to carry out the provisions of this act, the excess, after such time as such excess may accrue, of any sum over $500,000 is hereby appropriated and may be used by the board of education in the same manner as the income thereof.

SEC. 57. That the president of the board of education and two members of the board of education to be named by the president of the board, the superintendent of schools, and three members to be selected from the assistant superintendents, principals, assistants to principals, and teachers of the public day schools shall constitute a board of retirement. The three last-named members shall be chosen as follows:

On the third Saturday of May in each year the assistant superintendents, principals, assistants to principals, and teachers in each local school district, including teachers of normal, manual training, high, and kindergarten schools, directors, and teachers of special branches shall meet at the call of the assistant superintendent of each supervisory district, which call he shall issue at least one week before said meeting and at a place within the said local school district designated by him, to select by ballot one of their number as representative to serve for one year. At the close of said meeting the presiding officer shall transmit to the board of education the name and address of the representative so chosen. The district representatives shall meet at 4 o'clock in the afternoon of the fourth Saturday of May following their election at the hall of the board of education and choose by ballot three of their number to serve on the board of retirement for one, two, and three years from the 1st day of the following July, and shall certify their names and the term for which each was chosen to the board of education: *Provided*, That at the second and each succeeding annual meeting of these representatives they shall ballot for but one member, whose term of office shall be for three years.

SEC. 58. That should a vacancy occur among the members of the board of retirement so chosen, the representatives shall meet and choose by ballot one of their number to serve on the board of retirement for the unexpired term.

SEC. 59. That on the recommendation of the board of retirement, the board of education of the District of Columbia shall have power, by a two-thirds vote of all its members, to retire any member of the teaching or supervising staff of the public day schools of the District of Columbia who is mentally or physically incapacitated for the performance of duty and who has been engaged in the work of teaching or of school supervision, or of both combined, for a period aggregating twenty years, fifteen of which shall have been in the public day schools of the District of Columbia. And the board of education of the District of Columbia may retire from active service any member of the said teaching or supervising staff who shall have attained the age of 65 years and shall have been engaged in the work of teaching or schcol supervision, or both, for a period aggregating thirty years. On the recommendation of the board of retirement, the board of education of the District of Columbia shall have power, by a two-thirds vote of all its members, to retire upon his own application any member of the teaching or supervising staff of the public day schools of the District of Columbia who has been engaged in the work of teaching or supervision, or both, for a period aggregating thirty years, fifteen of which shall have been in the public day schools of the District of Columbia.

SEC. 60. That upon such retirement, whether voluntary or otherwise, the person retired shall be entitled to receive an annuity out of the teachers' retirement fund of not less than one-half of the annual salary paid to such person at the period of retirement. Any person retired under the provisions of this act after thirty years of service shall receive as an annuity one-half of the annual salary paid to said person at the date of said retirement, not to exceed, however, in the case of a teacher or principal the sum of $1,500 per annum and in the case of a supervising official $2,000 per annum. And in no case shall the annuity of any person who shall be retired after thirty years of service be less than $600. Any person retired after twenty years of service, but with less than thirty years of service, shall receive an annuity which bears the same ratio to the annuity provided for on retirement after thirty years of service as the total number of years of service of said person bears to thirty years. The annuities provided for by this act shall be payable in monthly installments. All retirements made under the provisions of this act shall take effect either on the 1st day of July or on the 1st day of January. The number of persons retired in any one year shall be so limited that the entire amount of the annuities to be paid for that year shall not be in excess of the estimated amount of the retirement fund applicable to the payment of annuities for that year.

SEC. 61. That the words "teaching and supervising staff of the public day schools of the District of Columbia" as used in these retirement sections shall include the superintendent of schools, the assistant superintendents of schools, directors, and assistant directors of special branches, principals, assistant principals, heads of departments, and all regular and special teachers of the public day schools of the District of Columbia. Nothing in this act shall be construed as prohibiting the reappointment to active service, on his own application, of any person who has been retired under the provisions of this act. Upon the reappointment of any such person the payment of the annuity of said person shall be discontinued.

SEC. 62. That the moneys, securities, and effects of the public school-teachers' retirement fund, and all pensions or annuities granted and payable from said funds, shall be and are exempt from levy and sale by virtue of an execution and from all process and proceedings to enjoin and recover the same by or on behalf of any creditor or person having or asserting any claims against, or debt or liability of, the pensioner or annuitant of said fund.

SEC. 63. That wherever the masculine pronoun appears in this act it shall be construed to apply to either male or female teachers or employees of the board.

SEC. 64. That this act, except as to the teachers and officers now employed, shall take effect from and after its passage, and be in full force and effect from and after the 1st day of July, 1907. All acts or parts of acts in conflict herewith are hereby repealed.

## Limiting the Hours of Service of Railroad Employees.

SPEECH

OF

# HON. WILLIAM S. BENNET,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

*Monday, February 18, 1907,*

On the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

Mr. BENNET of New York said:

Mr. SPEAKER: Some days since I referred briefly to the practical abolition of sweat shops in New York City. The remark was entirely incidental, but has had at least one important result. Mr. Marcus M. Marks, a prominent member of the National Civic Federation, a noted publicist and successful clothing manufacturer in a very large way, started an investigation of the subject, which resulted as shown by the following letter:

NATIONAL ASSOCIATION OF CLOTHIERS,
*New York, February 6, 1907.*

Hon. WILLIAM S. BENNET,
*House of Representatives, Washington, D. C.*

MY DEAR MR. BENNET: My attention has been called to your defense of New York City when the statement was made by Representative SIMS, of Tennessee, that sweat shops are a blot on our community, etc.

Recently, to assure myself that my position on this question was absolutely correct, I spent three days inspecting what were considered the worst workshops in the clothing trade, two days with Labor Commissioner Sherman and one of his deputies, and one day with a well-posted labor leader. I asked them all to show me the worst. While I found conditions of plumbing in some of the tenements outrageous (and I wish, by the way, that something could be done to hasten improvements in this connection), I found the shops well lighted, well ventilated, and the workmen fairly comfortable. Even "finishing" in the tenements, which is the worst phase of manufacturing, was conducted under vastly improved conditions. It was conceded by the labor commissioner, his deputy, and the third party referred to that the "sweat shop" in the clothing industry was practically a matter of the past. I am glad to be able to confirm your statement to that effect. Of course, we wish better and still better conditions. There should be no let-up in movements in the direction of progress. In saying this I express the sentiments of all our leading manufacturers.

With assurances of my esteem, I remain, very sincerely, yours,
MARCUS M. MARKS,
*687 Broadway, New York.*

This letter is important, not only because of its specific contents, but as another indication that good people in and out of labor unions, working together intelligently, can secure not only the enactment of proper regulations under the police power of the States, but also the rigid enforcement of such regulations. An enlightened public sentiment in any community acting on the legislative body nearest that community is after all the best and most mighty force behind good legislation.

## The Ship-Subsidy Bill.

SPEECH

OF

# HON. R. WAYNE PARKER,

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

*Wednesday, February 27, 1907,*

On the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. PARKER, under the general leave to print granted February 25, 1907, submitted the following remarks:

Mr. SPEAKER: This is so great a subject and includes so many branches that it is well to consider nothing but the particular measure which is now before the House.

It is not a general measure for subsidies based on speed or tonnage, but is purely to extend our mail steamship contracts and to institute an organized naval reserve of captains, mates, and sailors.

Direct mail service to the Atlantic and Pacific coast of South America by fast steamers is more than a public benefit. It is a public necessity that we should keep up such direct intercourse with our sister republics as shall put us on friendly terms with them and their people. Unless they know us and trust us the Monroe doctrine will soon be a thing of the past. European influence is growing in many of the South American states, and banking, trade, and colonization are being ardently encouraged by European governments. Anyone can indicate the natural and certain result unless we do something to assure the people of those republics that their interests are bound up with us and not with Europe.

The system of mail contracts proposed is one that has been adopted by every progressive nation on the globe and, most of all, by those that are devoted to free trade. Cargo goes more cheaply in the slower vessel. Passengers and mails must have speed. Every increase in speed makes a much greater increase in coal consumption, and if we do not intend to send our passengers and mails to South America by way of the subsidized European lines, we must spend part of the moneys which we get from the ocean mails in encouraging a fast passenger and mail service. The expense is a real economy, for every one of these steamers will be as available as a cruiser in time of war as if we built, manned, and maintained them as ships of the Navy at many times the cost.

There is no favoritism in the bill, and no danger of our paying more than the service is worth, because each contract will be open to competition by all responsible bidders. The amounts named are perhaps too low to secure the minimum speed of 16 knots. But if it is sufficient to support a greater speed, the line that offers to give the highest speed will receive the contract. This provision for competitive bidding as to the guaranteed actual running speed of the line will secure open competition for the speediest passenger and mail service and for the best naval reserve and cruisers that can be got for the money. This is not subsidy. It is a bill to provide for the national defense and to encourage our commerce and friendly intercourse with our neighbors at the least competitive cost.

When the question of cost was raised in this body, I opposed the decrease by one-third of the sum payable on the Argentine mail contract. I said (RECORD, Mar. 1, p. 4424):

Mr. Chairman, I desire to be heard in opposition to this amendment. Mr. Chairman, I do not desire to take up anybody's time on this, and I have only a single sentence to utter to the committee. If we expect to maintain the Monroe doctrine over the American Continent, we must adopt such measures as will bring us by mail and speedy traffic in continual intercourse with our friends and brother republics of the south, and we must spare no money that is necessary to have a speedy service. If you do not give enough, you will not get the service at all.

I have no more to say to a patriotic House.

I have no liking for subsidies if they can be avoided. They may sometimes be necessary. But this is not a subsidy, but a system of competitive mail contracts. Feeling, as I do, that we need direct American mail and passenger communication; that we need a reserve of speedy cruisers, with their officers and crews; that it is far cheaper and better to have them in the merchant-marine reserve than in the active navy, and that the fullest and fairest competition is provided, I can not but lament that this wise, conservative, and moderate measure has been filibustered to its grave by a small minority of the body to which the House substitute was returned and by which a much stronger act has been passed.

The last section of the bill provides for the organization of the sailors and officers of our merchant marine into a naval reserve. There is no subject on which I have felt and spoken so strongly for many years. On the continent of Europe the whole merchant marine of every state is organized as a part of its navy. Every sailor and officer serves for a while on a man-of-war, and he and his ship are part of the reserve fighting force of the nation. In England and America there is and can be no such compulsory service. The provisions of this bill for an annual retainer to officers and men, giving about $5 a month to the officers and less than half that sum to the men, are copied from the provisions of the English act. That system has been a great success as to officers, who are proud to take their year's training in the navy and to wear the uniform and fly the flag to which that service entitles them. The naval certificate of proficiency as an officer is required for employment upon all the great liners, and such a system as to officers is likely to be as great a success here as abroad. Perhaps its best result is in bringing the naval officer and the simple sea captain in touch with one another, in the same way that we are trying to bring the Regular Army in touch with the militia, but to a

much greater extent, inasmuch as sailors meet the same dangers and the same problems of navigation, engineering, electricity, and command, whether they be in public or private service. So far as the officer is concerned, the naval-reserve system proposed by this act is certain to create a brotherhood of the sea which will broaden and benefit not only the officers of the merchant marine but those of the Navy as well.

The experience of Great Britain with her naval reserve does not give much encouragement as to the success of the proposed system as to petty officers and men. The English system provides an annual training of some weeks, during which the sailors are paid the regular wages of the navy; but that training takes them away from their ordinary employments, so that the vessel owners do not care to employ a reserve man, and the retainer of $30 or $40 a year is, after all, so small that few choose to take it who are really employed at sea. The English naval reserve has never been recruited to anywhere near its full strength, and its membership has been largely composed of the amphibious loafers who haunt shore towns. Finally, the ranks of the reserve have been opened to old navy men who have seen many years' service and retired. As a result, the English naval reserve, unlike those of France and Germany, does not include an active body of sailors employed in the merchant marine. Like conditions would probably produce like effects here, and it is improbable that any considerable body of American seamen will join the ranks of a naval reserve which offers so few advantages and such small pay.

This would be of little consequence if we had plenty of American sailors to flock to the flag on the first rumor of war, as Americans always do. The real trouble is that the number of American sailors grows less from year to year. Americans can do better on land. They get better pay and more chance of promotion. In old times every sailor on a ship might have an interest in the voyage. Merchant adventurers in every little coast town enlisted their crews to join in the chances of whale and seal fisheries, gathering gold or slaves on the Guinea coast, breaking blockades, trading to revolted colonies in the Spanish Main, or carrying silks and spices of the East Indies or the sweets of the West Indies through the pirate haunts of the Malay Islands, the Levant, or the Gulf of Mexico. The dangers as well as the profits and the risks of such a life of adventure appealed to every boy in England and America who had a drop of the blood of the old Norse sea kings. But the dangers, the profits, and the risks are gone for the sailor.

The trade of the world is carried on fixed ocean routes, whether by the liner or the tramp. Courage is no longer needed, for there are no foes to meet. Seamanship is usually not required in the sailor, who has become a mere deck hand. Liner and tramp alike hire the cheapest labor that can be got. Lines to the Orient are manned by Orientals. Nearer home the vessels are filled with motley crews made up of nations who are ready to work for small wages, and a shipowner hires his men where he can get them cheapest.

These conditions are not confined to America. It is not generally realized that while the merchant marine of Great Britain has grown from year to year, it is being manned more and more by foreigners. The number of British subjects, not including Lascars, who were employed in the merchant marine of the United Kingdom as petty officers and sailors was, in 1857, 96,914. In 1875 it was 82,000; in 1889 it was 60,709, and in 1901 it was only 44,290. These figures, of course, only include petty officers and seamen properly so called, and modern crews include many other employments, such as firemen, stewards, engineers, etc. If we compare 1875 with 1901, British sail tonnage had fallen off one-half, steam tonnage had nearly or quite quadrupled, and the total tonnage had grown some 60 per cent, and the total crews had increased about one-tenth—from 204,500 to 225,080—but the British crew had fallen off in numbers from 182,000 men to 151,380, or over 30,000 less. Foreigners had increased some 17,000 and lascars over 35,000, or, all together, over 52,000 more. It is idle to think that Americans or English will go to sea as mere laborers aboard ship in competition with all the ill-paid races of the world. The American and English boy will only go where there is brotherhood as well as pay and a chance of promotion. Neither the Americans nor the English are ready for universal conscription. We can not, like France and Germany, fill our merchant marine with sailors by counting sea service as military service. It is not enough to have our own ships if they are to be manned, like the English, by the cheapest labor that can be got. We shall have no complete naval reserve unless we can make it to the advantage of the vessel owner to employ Americans and give them a chance of promotion. It is by good pay and a chance of promotion that the British and American navies are recruited. In our own Navy the average pay is $30 a month. Chief petty officers get as high as $85 a month, with a chance of promotion to the post of warrant officer, with a pay that sometimes is over $1,900 a year, besides food, etc. Merchant ships can not afford such wages, and if they paid them they could not run in competition with foreign ships and their ill-paid crews.

All the statutes that have been proposed contain provisions that a certain proportion of the crew should be Americans. Such provisions are idle, for, even if enforced, the ships would hire the lowest-priced Americans they could find, and the better sailors would often come from other races.

The time has come when this problem must be met. The greatest cities of our country are situated on the coast. Their defense must be intrusted to a Navy which will be small in time of peace, but must be increased in time of war from Americans who are seamen. It is not a question of very great expense. If we paid to owners and charterers of American vessels engaged in the foreign trade an average of $25 a month for every American employed on such vessel who had received his training in the Naval Reserve 10,000 such men would cost but $3,000,000.

Authorities agree that America can and will build ships if it shall not cost more to run them, and the difference in that cost is almost solely in the higher wages paid to the crew. If we should protect American labor at sea by paying to the ship this difference in wages it will pay to run the ships and therefore to own the ships which these 10,000 men can man. By this course we should build up the merchant marine by simply paying the difference of cost of employing American labor, without the dangers which must attend subsidies based upon speed or tonnage, in view of the changing cost at which goods are carried and speed is obtained. While we should therefore welcome any system involving the enrollment of a naval reserve of sailors the real question will be to provide paying employment for the members of that reserve, and the simplest course would seem to be to pay to the vessel owner a sufficient sum to induce him to employ the members of this reserve at American wages—that is, to pay him the difference between American and foreign labor. I had the pleasure of urging a bill in this regard before the naval board, elaborating the scheme in the RECORD of April 22, 1904, and on November 25 I brought it before the Merchant Marine Commission in a short argument, which I print as an appendix.

If the first enlistment in the Navy was for but one year, as a matter of practice, after a year's service a sailor could go to any shipowner, proud of his certificate of service and enrollment as a member of the reserve, and ask employment at a fair rate in consideration of the sum which would be paid to the vessel for every month that he was so employed.

The question presses for solution. It is graver every year. Subsidies on speed or tonnage will secure ships, but will not man them. Our motto for the merchant marine must be: "Seamen as well as ships; let American ships be manned by American officers and sailors enlisted, enrolled, and trained in our Navy and ready for any emergency; the country can well afford to pay the additional cost of their employment."

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## APPENDIX.

*Hearings before the Merchant Marine Commission, Friday, November 25, 1904—Statement of Hon. Richard Wayne Parker, Representative in Congress from the Seventh district of New Jersey.*

Representative PARKER. Mr. Chairman and gentlemen, the present need, in my judgment, is of a system that will induce Americans to go to sea.

They will not do so now because no shipowner can afford to employ them when he can get foreigners so much cheaper.

But no system will be complete that will not see that the ships which shall carry our flag shall not only be built and owned, but officered and manned, by Americans. No system will be profitable which shall not make it pay the shipowner to hire Americans.

Any full relief must deal with the personnel. It must provide for seamen as well as ships.

Let American ships be manned by American sailors, enlisted, enrolled, and trained in our Navy and ready for any emergency. The nation can well afford to pay to the shipowner the additional cost of their employment, and if that additional cost be paid, it would pay our merchants to own and operate ships.

### DIRECT PROTECTION.

The trouble is the difference in wages. A subsidy that is based on that difference would be direct protection not only to the shipowner, but to the seaman and to the Navy, to which they would be a reserve.

Americans do not go to sea. In the report of the Commissioner of Navigation for 1903 Mr. Chamberlain says:

"All American vessels on salt water which go out of sight of land for any time during the year would be fully manned by 50,000 men, including masters."

More than half the sailors on these ships are Americans—perhaps about 30,000 men in the merchant service, whereas the Navy requires some 34,000 to man our ships fully, and boys have to be drawn from the interior.

It is easy to see why Americans do not go to sea. In the old times a ship's success depended upon her crew. To be successful at all she had to be fully manned with brave men, ready and able to unload and load their vessel on any coast, to strip her to the girt lines, to beach

her to repair her, sometimes practically to rebuild her, ready to meet pirates, privateers, and savage tribes, and eager to go wherever profit could be found, from the Tropics to the poles. In such employment a vessel fully manned with brave Americans interested in the venture made more money than another manned with hirelings. No wonder that our boys then went to sea.

FOREIGNERS CHEAPER.

Now all is changed. Big liners ply even the remote Pacific on fixed ocean ways. They are even driving out the tramp. It is pure business to hire the cheapest men, and no bounties or subsidies on tonnage or speed, or by way of postal subvention, will bring the American into the crew while the foreigner can be had cheaper.

This is not theory, but experience. Great Britain has maintained and increased her merchant marine by postal and admiralty aids of every kind, but their crews are less and less British crews.

I have here, by the kindness of the Naval Intelligence Office, the Report of the Naval Reserves Committee of Great Britain, 1903. This committee states (p. 7):

"8. Since 1859 the requirements of the navy have outgrown the power of the mercantile marine to supply them. The former have increased; the number of British seamen employed in the latter has decreased."

The naval force grew from 73,104 in 1859 (see 2, p. 7), to 122,500 in 1902–3 (see 3, same page).

On the other hand (p. 8, par. 9), "in 1857 there were 96,914 petty officers and sailors, British subjects, not including lascars, employed in the mercantile marine of the United Kingdom. In 1875 it was estimated that there were 82,000. In 1889 the estimated numbers had fallen to 60,709, whilst in 1901 there were only 44,290."

DECREASE OF BRITISH SEAMEN.

A careful table covering the years from 1875 to 1901 is contained on page 75 of the same report, and the figures are startling. The sail tonnage of merchant vessels registered under the merchant shipping acts had gone down by half, but the steam tonnage had nearly or quite quadrupled, so that the total tonnage had grown 60 per cent, from nearly 6,000,000 (5,785,000) tons in 1875 to over 9,000,000 (9,388,176) tons in 1901. The total crew had likewise increased 10 per cent, from 204,500 to 225,080, while, on the contrary, the British crew had fallen in number from 182,000 men to 151,380, the balance of the crew being made up by the increase of foreigners and lascars. Foreigners had increased from 20,500 men to 37,170, and lascars had increased from 2,000 men to 37,430. Thus over 52,000 foreigners and lascars, mostly lascars, had been added to the British merchant marine in this short period, and over 30,000 less British seamen were in that marine.

The figures are still more startling if you disregard engineers, firemen, etc., and go to the ranks of pure seamen. Officers, 38,000 in 1875 had become 26,030 in 1901; petty officers, 10,000 had become 7,630; sailors, 72,000 had become 36,660; the apprentices, 14,500 had become 5,170. Including officers, petty officers, sailors, boys, and apprentices, the number of British seamen proper had fallen from 134,500 in 1875 to 76,390 in 1901, or nearly half. It is perfectly plain that the influx of lascars and Chinese and people of all other races who can go cheaply into the British service is destroying the British merchant marine, just as it is destroying the American merchant marine.

WHAT INCENTIVE?

Now, the question is how to meet this condition; how to give Americans an incentive to go to sea. It is idle to try to do it by statutory requirements. An apprentice system is good, but it is another burden on our ships, unless they are compensated for it. Statutes may require that a certain proportion of every crew shall be Americans, but in this case the vessel will employ the very cheapest Americans they can get, and even this raises the wages on the ship, so that every other sailor who comes aboard, nondescript or Chinese, insists upon getting the same wages, and the expenses of our ships are increased without getting Americans after all.

We must institute an American system as to the manning of our ships. Little aid can be had from the experience of other nations. Norway, Italy, Greece, and Spain have no difficulty because they have the cheapest sailors in the world. England has made a failure of her attempt to encourage the British sailor by a naval-reserve system. That system is a great success as to officers. Captains and mates are allowed to go temporarily into the navy, where they are examined and certified as to fitness, and obtain the glory of being attached to the naval service and the standing of having passed their examination. That system has thus created a roll of captains and officers in the merchant marine of whom any nation should be proud. We need a like system in America.

FAILED AS TO SAILORS.

But that system has failed as to sailors. The naval-reserve pay is niggardly—about $15 a year for ordinary seamen and about double that for engineers, while twenty-eight days of annual training is asked from every man. Shipowners will not employ men who must leave them for this training, and, as a rule, therefore, sailors do not belong to the naval reserve, which has to be recruited partially from longshoremen, fishermen, and others who are not really seamen. The whole system has failed to encourage the sailor.

We can learn nothing by the experience of Germany and France, which, with other continental countries, encourage their marine by making service therein with a short naval training constitute an exemption from military obligations, the equivalent of a large bounty to the seafaring man. Every man ashore has to serve his years in the actives and a longer course of years in the reserves of the army, while the man who is at sea, after a certain amount of naval training, can have his wages in his ordinary profession and be exempt from military service. This keeps the ranks of seamen full, while England has failed, in that in twenty-five years her seamen at sea have fallen off by one-half.

A SAILOR-RESERVE BILL.

There seems to be no remedy for the fact that Americans do not go to sea except to see that it will pay them to do so. It will not get Americans to go to sea to give postal subsidies or tonnage subsidies or freight subsidies or speed subsidies. It will not prevent the shipowner's hiring the cheapest labor he can get. But Americans will go to sea if they can have good wages as well as a chance of graded service with promotion. In that regard we may follow the foreign naval reserve system, avoiding their mistakes.

To that end I drafted a sailor-reserve act to establish a naval volunteer force of seamen—H. R. 5079 of this Congress. I explained its features as a tentative measure in remarks submitted April 22, 1904, on the discussion of the act for the appointment of this commission. It has been favorably considered by the Navy Department, which only feels that the naval estimates should not bear the whole expense. The proposition is that the United States shall pay the ship so much each month for every man employed who shall be enlisted and enrolled and shall have served his necessary training in the United States Naval Reserve, and that thereby the shipowner shall receive not only compensation for the difference in cost of employing Americans, but also a very considerable bounty to the ship. If that ship employ 200 men at an allowance of $20 a month for each man, it would amount to nearly $50,000 a year. It would be less in smaller ships. If the allowance shall be increased for speed and proper construction of the vessel, it might be even greater than this sum. No enormous amount, however, is required. If 25,000 Americans be enlisted in such a naval sailor reserve, it would at that rate amount to only $5,000,000 in a year.

NAVAL VOLUNTEERS.

But the proposition, stated briefly, is that the Secretary of the Navy may form a force of not over 30,000 men, to be called "naval volunteers"—a sailor reserve, enlisted for five years. Facilities are to be provided by which such volunteers as appear and report—they are not forced to—shall be instructed and trained and exercised on shore or on board ship, at such times and places and under the command of such officers as the Secretary thinks fit, and they may be also examined and certified as to their fitness as officers of the force and of merchant vessels.

The President may call them into active service in time of war or of emergency. They are entitled to pay when they are in service. The Secretary of the Navy may make rules for their organization, and he may discharge anyone at any time. He may organize them into classes, and then comes the encouragement to the Americans to join:

"That in order to encourage the merchant marine and the employment of such naval volunteers therein there shall be paid to the owners or charterers of any vessel of the United States which shall be engaged in foreign trade or in the deep-sea fisheries, for every naval volunteer actually employed and serving on such vessel during every deep-sea fishing voyage or foreign trading voyage, the monthly sums hereinafter provided for, for every month of the duration of such voyage: *Provided, however*, That no such payment shall be made unless such naval volunteer shall have been in actual training, as mentioned in section 3, for a period equal to as many months as the years or fractions of a year that he has been enrolled and enlisted as such naval volunteer: *And provided further*, That he has been certified as fit for the office or position held by him on such merchant or fishing vessel.

"The Secretary of the Navy shall fix the rates of pay aforesaid for various grades, which rates shall not be above $20 a month for any grade up to petty officers, nor above $30 a month for engineers or mates, nor above $40 a month for captain, and which rates may be graded according to the character and size of the vessel, the kind of voyage, and the grade of service as may be deemed best by the Secretary of the Navy."

AUXILIARY CRUISERS.

And then follows a provision to encourage vessels of high speed and sufficient strength:

"That whenever such foreign voyage shall be in a steam vessel and her time between ports on such voyage shall represent a speed of over 10 knots an hour on the shortest courses between such ports, then the pay in the last section mentioned shall be increased in proportion as the speed represented by such time bears to 10 knots: *Provided*, That such vessel shall have been built or strengthened and kept in condition as may be fixed by naval regulations and to the satisfaction of the Secretary of the Navy: *Provided further*, That such vessel shall have entered into bond or agreement, satisfactory to such Secretary, that such vessel may be taken by the United States at an appraisement of its fair value whenever the President shall declare an emergency that renders such taking advisable."

Such a system of bounty for employing Americans and for their organization as a naval reserve is not exclusive of any other arrangement for postal, naval, or freight subsidy or discriminating duties. There are difficulties as to bounties upon freight, tonnage, and speed. Some of us remember ancient railroad charters which provided minimum rates, which are often four or five times as much as are now actually charged by the railroads. A tonnage subsidy may be reasonable when made and unreasonable afterwards. High speeds become usual speeds. The United States once granted a postal subsidy for a fast mail, to be run at extra speed, and the railroads now have several equally fast trains upon the road and still get their subsidy. There is prevalent objection, and honest objection, to the granting of bounties on tonnage or speed, because speed increases and tonnage rates decrease. There can be no objection whatever to bountying men, and paying the difference between foreign and American wages, and that difference would be by no means inconsiderable as an encouragement to American shipping. But it can be added to any other system.

USEFUL MEN IN NEED.

At any rate this plan is likely to give us men available in time of need. It will enable the Government to know where they are, for if it pay the vessel owner on production of a certificate of enrollment of the man, with inspection to see that it is the same man, the Government will know where your man is and can get him at any time. Meanwhile he will be proud that he can go to a vessel owner and say that he is a naval volunteer, and can claim larger wages than others, because the ship will get something for employing him.

This plan also provides for grades and classes of service and examinations and training for promotion into the higher grades. The nation can well afford to pay for the employment of American captains in American ships. Every such captain in time of war is worth everything to us. Sailors can be promptly trained, but not American captains, and it is a grief that the race is almost going out of existence with the decay of the sailing vessel. It is the key to American supremacy upon the sea that Americans be there. And we must encourage the American officer, give him his turn of duty in the war vessel, his certificate of fitness, his uniform as a sailor-reserve captain, his fraternity as a brother of the sea.

The training of the Naval Reserve has been a matter of some difficulty. A few weeks each year are hard for the man to find and for the Government to employ."

A YEAR IN THE NAVY.

I have talked with a great many naval officers, one of whom made a rather appropriate suggestion—that perhaps a year's work in the Navy might be the qualification for the reserve. We might avoid many desertions in the Navy if the first enlistment were for one year, with the

privilege of enlisting afterwards for five years, or of going into the sailor reserve, so that they can be called back into the Navy in case of emergency. This would avoid the difficulties of short annual training.

There was a romance of the sea in ancient days. That romance is gone, and the American no longer cares to go there, because he is not paid properly for its hardships. Meanwhile the military nations of the continent of Europe are able to keep up their sea power and put their men on the sea, bountying them by exemption from military service, while America and England are falling behind in the race. We must resume our heritage as heirs of the sea king. We must get our boys on the free ocean, not by conscription, as a continental tyrannical power may do, but by extra allowance to the ships for every sailor that is available for national defense. I hope that some such plan will be embodied in the recommendation which may be made by this Commission.

THE FRENCH FISHERMEN.

Mr. Chairman, I believe I have done. I have taken too much time.

Senator LODGE. In alluding to the foreign systems you did not speak of the French. Is it not true that the French give fishing licenses only to men who have served a certain time in the navy?

Representative PARKER. Yes, sir.

Senator LODGE. They have to serve first in the navy, and then they get their licenses as fishermen.

Representative PARKER. Yes, sir; a short service.

Senator LODGE. A short service.

Representative PARKER. It is different from the military service. They do not have to serve on shore.

Senator LODGE. All those Breton fishermen have to serve a short time or some time in the navy before they can get their licenses as fishermen?

Representative PARKER. Yes, sir.

Senator LODGE. So a man has to spend a little time in the navy before he can be licensed. I did not know how far it had been extended.

Representative PARKER. It is extended to everybody who follows the sea in any way for a profession, and he is, as I say, excused from onerous military duty and allowed to follow the sea freely. No wonder they do follow the sea.

Senator LODGE. They get a certain amount of work out of all the men who want to be fishermen or sailors?

A BOUNTY TO THE SHIP.

Representative PARKER. Yes, sir; we should do it in the other way by a bounty to the ship which will let them pay the men for going to sea. I have copies of the remarks I submitted on this subject in the House. It was not a speech. I will hand them to the clerk.

The CHAIRMAN. We shall be pleased if you will leave us some copies.

Representative PARKER. I have tried not to repeat what I said there. This matter of figures is entirely new.

I have to return this pamphlet to the Naval Intelligence Office, unless the Commission would desire to have it left possibly for the quotations.

The CHAIRMAN. I think if you would leave it, unless we can get another copy, it may be desirable to have a portion of it copied.

Secretary MORTON. I think probably the chief intelligence officer can get another copy of it.

The CHAIRMAN. Thank you. We will see that it is returned.

Representative PARKER. I will so report, then.

The bill referred to by Mr. PARKER is as follows:

A bill (H. R. 5079) for the establishment of a naval volunteer force of seamen and for the government of the same.

Whereas it is expedient that there should be a volunteer force of seamen for service in the Navy in time of emergency, that they should be duly trained, and that the foreign trade of the United States should be encouraged, as well as the employment of such seamen in such foreign trade: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the Secretary of the Navy to raise and keep up a number of men not exceeding thirty thousand, to be called "naval volunteers," such men to be enlisted from among seafaring men and others who may be deemed suitable for service.

SEC. 2. That such volunteers shall be enlisted for five years.

SEC. 3. That the Secretary of the Navy shall provide facilities whereby such volunteers as may appear and report shall be instructed, trained, and exercised on shore or on board any ship, at such times and places and under the command of such officers as the said Secretary may think fit, and whereby such volunteers may also be examined and certified as to their fitness as officers of such force and of merchant vessels.

SEC. 4. That it shall be lawful for the President in case of emergency communicated to Congress, or proclaimed, if Congress be not sitting, to order that any or all of such volunteers shall be called into actual service; and upon such order and such notice thereof as may be prescribed by Navy regulation, every naval volunteer who shall not appear and enter into actual service shall be subject to the penalties of desertion.

SEC. 5. That such naval volunteers when in actual service, or when training as aforesaid, shall be entitled to pay and allowances for actual service in the Navy, and shall be subject to the discipline of the Navy, as fully as if regularly enlisted therein, and shall be organized, armed, and uniformed as may be provided from time to time by regulation.

The Secretary of the Navy may prescribe rules and regulations for their organization and training, and may at any time discharge any such naval volunteer, and may organize them into classes, and make rules and regulations as to the time, places, and manner of their service.

SEC. 6. That in order to encourage the merchant marine and the employment of such naval volunteers therein there shall be paid to the owners or charterers of any vessel of the United States which shall be engaged in foreign trade or in the deep-sea fisheries, for every naval volunteer actually employed and serving on such vessel during every deep-sea fishing voyage or foreign trading voyage, the monthly sums hereinafter provided for, for every month of the duration of such voyage: *Provided, however*, That no such payment shall be made unless such naval volunteer shall have been in actual training, as mentioned in section 3, for a period equal to as many months as the years or fractions of a year that he has been enrolled and enlisted as such naval volunteer: *And provided further*, That he has been certified as fit for the office or position held by him on such merchant or fishing vessel.

The Secretary of the Navy shall fix the rates of pay aforesaid for various grades, which rates shall not be above $20 a month for any grade up to petty officers, nor above $30 a month for engineers or mates, nor above $40 a month for captain, and which rates may be graded according to the character and size of the vessel, the kind of voyage, and the grade of service, as may be deemed best by the Secretary of the Navy.

SEC. 7. That whenever such foreign voyage shall be in a steam vessel and her time between ports on such voyage shall represent a speed of over 10 knots an hour on the shortest courses between such ports, then the pay in the last section mentioned shall be increased in proportion as the speed represented by such time bears to 10 knots: *Provided*, That such vessel shall have been built or strengthened and kept in condition as may be fixed by naval regulations and to the satisfaction of the Secretary of the Navy: *Provided further*, That such vessels shall have entered into bond or agreement, satisfactory to such Secretary, that such vessel may be taken by the United States at an appraisement of its fair value whenever the President shall declare an emergency that renders such taking advisable.

## The Ship-Subsidy Bill.

### SPEECH

OF

### HON. EDMUND H. HINSHAW,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

*Thursday, February 28, 1907,*

On the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. HINSHAW said:

Mr. CHAIRMAN: For many years and in various ways the shipping interests of this country have been seeking aid through Congress from the Treasury in the way of a subsidy. For the building and running of ships in the merchant marine numerous plans and devices have been employed, usually disguised by some patriotic motive and under the contention that such schemes were wholly in the interest of the country at large and not for private gain. Sometimes a cargo subsidy was proposed, which means that the United States will pay to the owner of an American vessel a certain bonus or bounty for transporting cargoes in vessels of a certain speed and capacity. Other schemes have been to pay enormous prices for the transportation of the mails. March 3, 1891, an act was passed providing that the Postmaster-General could pay for the transportation of the mails in American vessels $4 per mile in vessels of 20 knots per hour, $2 per mile in vessels of 16 knots per hour, and $1 per mile in vessels of 12 knots per hour. Under this act four vessels have been paid, and for fifteen years have been plying between this country and Europe, receiving about $760,000 per year. But even the advocates of subsidy acknowledge that the effect of this act has been practically without benefit to the American merchant marine. The payment of this money has been merely a bounty or bonus to these shipowners, and has not resulted in substantial benefit to our country.

Last year there was passed through the Senate of the United States a bill (S. 529) which provided for a cargo subsidy. It, in short, provided for the payment annually of $5 per ton for American vessels engaged in the foreign trade for twelve months, $4 annually for nine months, and $2.50 annually for six months' service. In addition, that bill provided for fortnightly or monthly mail service from ports on the Atlantic coast to Brazil, $300,000 fortnightly; from the Atlantic coast to Uruguay and Argentina, $375,000 fortnightly; from the Atlantic coast to South Africa, $375,000 fortnightly; from the Gulf coast to Brazil, $275,000 fortnightly; from the Atlantic coast and Gulf to Cuba, $125,000 semiweekly; from New Orleans to Central America and Panama, $75,000 weekly; from the Gulf coast to Mexico, $50,000 weekly; from the Pacific coast to Hawaii, Japan, and the Philippines, $600,000 fortnightly; from Puget Sound to Japan and the Philippines, $420,000 fortnightly; from the Pacific coast to Australasia, $217,000, in addition to about $290,000 now paid to the Spreckles Line; from the Pacific coast to Panama, $120,000 fortnightly. The vessels required under the bill range from 12 to 16 knots per hour, and one-half of the sums paid for fortnightly service to be paid in the event that contracts were made for monthly service.

After this bill passed the Senate it came to the House Committee on Merchant Marine and Fisheries, of which I am a member. Extensive hearings were had, mainly on behalf of the Senate bill, at which much interesting information was developed. In January of this year those who had been so earnestly promoting the cargo-subsidy proposition abandoned that portion of the programme, and the substitute bill now under consideration was voted out of the committee by the historic vote of 8 to 7. Believing as I did that the substitute mail subsidy was only a subterfuge—using the language of Mr.

HUMPHREY, a member of the committee in favor of the legislation—and would be of no lasting benefit to the American people I voted against a favorable report of the measure.

Briefly, this proposed substitute now under consideration is an amendment to the mail-subsidy act of March 3, 1891, and provides that the Postmaster-General is authorized to make contracts for a term of ten years with citizens of the United States for carrying mails on steamships hereafter built in the United States or now in service and between ports of the United States and ports on the routes and for the amounts, to wit—I give only the fortnightly service, the monthly service receiving only one-half the compensation, and the vessels are 16 knots' speed, except for the Panama service. First, from the Atlantic coast to Brazil, $600,000 a year; second, from the Atlantic coast to Argentina, $800,000; third, from the Gulf to Panama (14 knots' speed), $150,000; fourth, from the Pacific coast to Panama and Chile, $600,000; fifth, from the Pacific coast to Japan and the Philippines, $700,000; sixth, from Puget Sound to Japan and the Philippines, $700,000; seventh, from the Pacific coast to points in Australasia, $200,000, in addition to about $290,000 now paid to the Oceanic, or Spreckles, Line. In addition to this the bill provides for the organization of a naval reserve.

It is 5,000 miles from New York to Rio de Janeiro, and it is estimated that it would require five steamers, costing $6,000,000, and that each would receive $27,000 for each trip. It is 6,000 miles from New York to Buenos Ayres, and each vessel would receive about $33,000 a voyage. The line from the west coast to Chile, 6,000 miles, would receive a like amount. In these three cases the payment would be between $5 and $6 per mile. From the best information obtainable, it is fairly clear that the cost of operating and maintaining these vessels would be much less than the amount of the subsidy, so that the United States, under this bill, is called upon to pay the operating expenses of these vessels, thus leaving a part of the subsidy and all the money received from freight traffic wholly a profit to the owners. These amounts are excessive and rapacious. Even if each vessel should cost $1,200,000, the United States would save money by building and owning the vessels herself. However, there is nothing in this bill that obliges the owners to construct or operate a vessel of any particular size or cost. To be sure, the speed is to be ascertained upon a trial trip of four hours, 16 knots per hour. This of itself, however, does not mean the building of a vessel of more than 5,000 tons. If our commerce is to be substantially benefited by this subsidy, there should be a requirement that these vessels be of at least 10,000 tons, and perhaps larger. In fact, there is running between this country and South America to-day a very large number of so-called "tramp steamers" which carry all the freight now offered in South America for this country or to be transported from here to South America, at rates which have not been considered exorbitant. Almost all orders for merchandise are now sent by cable dispatch and not by mail. If this bill provided for a reasonable and proper payment for the transportation of the mails, it is probable that no one would object, but when the amounts are made so out of proportion to the service rendered, it seems to me that there is no excuse for it.

In fact, this bill is being promoted primarily by the shipbuilders of this country. Cramp and others of Philadelphia appeared before the committee urging this legislation. Mr. Gary, head of the steel trust, likewise appeared in its favor. In the main the labor organizations of the country are opposed to it. The Patrons of Husbandry and the farmers' organizations are strongly opposed to this form of taking from the Treasury money which might be used in upbuilding the agricultural and other interests of the country.

The subsidies provided in this bill for the trans-Pacific lines are without excuse or palliation. Already there is a line of steamers owned by J. J. Hill which runs between Puget Sound and the Orient in connection with his railroads—the Northern Pacific and Great Northern. He has stated that they are a paying proposition. They receive no subsidy. Whatever may be said to the contrary it is my firm opinion that he would be the recipient of the bounty named in this bill. His vessels are of 14½ knots speed, and this act provides for 16-knot vessels. The bill, however, provides that the speed shall be "deemed complied with if satisfactory speed is developed during a trial of four hours' continuous steaming at sea in ordinary weather." This means that a trial speed, with coal picked by hand, with vessel scraped and in prime condition, engines and machinery in the most perfect repair, shall be made for four hours, and without doubt a 14½-knot vessel could comply with these requirements. The line owned by E. H. Harriman, now running between San Francisco and the Orient, is composed of 16-knot vessels and of course could readily comply with the conditions, and while it is generally supposed that Mr. Harriman is the wealthiest man in the country he probably would not be opposed to accepting this subsidy on that account. The line from San Francisco to New Zealand and Australia already receives, under the act of 1891, about $290,000 and is under contract with this Government at that rate for about seven years yet to come; but it now seeks to avoid that contract and obtain a gratuity by this bill of $200,000 more without rendering additional service. This line is run by Spreckels, the sugar king, and is composed of 16-knot vessels.

The subsidy proposed to be paid by this bill aggregates $3,850,000, and under the terms of the bill contracts are to be made for ten years, and it is expressly provided that while Congress may repeal this act it can not abrogate or annul the contracts already made. Thus we are sure to have an expenditure in the next ten years of $38,500,000, and doubtless if this legislation is passed the amounts herein given will be found to be wholly inadequate to meet the demands of the subsidy hunters, and every succeeding Congress will be importuned for increases on lines to various parts of the world. Those who are opposing this legislation have contended from the beginning that this is but the entering wedge. We know that this is true, because we have heard upon this floor and through the press many expressions of this kind. I for one am convinced that the shipbuilders, shipowners, and owners of railways who expect to profit from these contracts, will never relax their efforts until this country is induced to give annually from the Treasury from eight to ten millions of dollars. Even after contracts have been solemnly entered into between certain lines of vessels and the Government the owners of these ships do not hesitate to come again to Congress asking for additional subsidies upon the plea that the contracts which they have entered into are not sufficiently remunerative. The Spreckels, or Oceanic Line, running between San Francisco, New Zealand, and Australia, has a contract with the Government for a triweekly service, for which they receive about $293,000 a year in addition to the profits from the commerce which they carry. They likewise receive a subsidy from the other countries to which they run for bringing their mail to this country. What assurance have we now that even if this extra $200,000 a year be given this line that they will not be here demanding additional amounts in a few years?

It seems to me that this is a dangerous policy for the Government to embark upon. Our appropriations are already exceedingly large. We will expend this year more than $90,000,000 for improvements of rivers and harbors; about one hundred million for the maintenance and enlargement of the Navy; about seventy-five million to maintain the Army; about one hundred and forty-five million for pensions, a most worthy expenditure. We have increased the salaries of rural carriers, which was demanded by every dictate of justice; there are now about 43,000 of them in the country. We have increased the salaries of the city carriers, also a mere act of justice. The appropriations for the maintenance of the legislative, executive, and judicial branches of our Government are enormous. We give large sums to the agricultural experiment stations and colleges of the country, an expenditure justifiable because of the expansion and growth of these great interests and necessary for the internal improvement of the country. We are appropriating for the Geological, Geodetic, and topographical surveys. We appropriated large sums for the preservation of the forests, investigation of water supply, and the reclamation of arid lands. We expend large sums for the inspection of meats, made necessary for the protection of consumers. The appropriations for this session alone will aggregate nearly $1,000,000,000. Our country is exceedingly prosperous. Labor is employed at high wages. Capital finds abundant opportunities for investment and profit. All industries are at the highest tension. The railroads can not carry all the freight. We need more cars, tracks, better terminal facilities far more than we need ships. We are all anxious to build up the merchant marine, but I do not believe that the farmers and producers of this country are in favor of paying out of the National Treasury for individual enterprises vast sums of money and mortgaging the resources of the country for years to come, making contracts which can not be annulled and setting loose upon future Congresses a vast horde of interested beneficiaries and public plunderers.

It must also be remembered that if we send cargoes of goods to Brazil, Argentina, and Chile, we must receive and purchase from them in return. From Brazil we doubtless will receive for years to come vast supplies of coffee, because we do not produce coffee in continental United States. The coffee of Porto Rico is now seeking a market here, and I confidently believe that before many years we will obtain from this, our own island,

all the coffee that it can produce, and then in this commodity we will not be so completely dependent upon Brazil.

But how about Argentina? What does she produce and sell? Wheat, beef, and hides, the identical articles which we produce in such abundance that we export the former two. As it is now, with our tariff on hides, we use 80 per cent of Argentina's production, and our good friends from Boston are trying to have the tariff on hides abolished so that they can use the entire product of Argentina in direct competition with the products of western farms. Incidentally it may be remarked that the people of New England and the East are the chief advocates of this subsidy proposition. I can not believe that the farmers of the Mississippi and Missouri valleys are greatly interested in having the raw materials of manufactures and agricultural products of Chile, Argentina, and Peru shipped into the United States. Those countries certainly will not, under this act or any other, buy from the United States the very articles they produce.

Under our coastwise laws none but American-built ships can engage in trade on the Great Lakes or along the coasts of the United States, no foreign ships whatever being allowed in this trade, which is the most remunerative of any in the world. Vast shipyards have started up on the Great Lakes and Atlantic coast to supply ships for this particular trade, and it has been demonstrated and abundantly appears in the hearings before your committee that these ships, both passenger and freight, can be built and are now being built just as cheaply in these American shipyards as are similar ships in any part of the world. They receive no subsidy, but of course are protected from the competition of foreign ships. Nevertheless, American capital and labor have so thoroughly entered into the building of these ships that competition is keen and complete in the coastwise and lake trade. There is no reason why these shipyards can not produce vessels for the foreign trade as cheaply as they do upon the Clyde or in other foreign shipyards. Under our present tariff law materials for the building of ships to be used in foreign trade come into this country free of duty. The other principal item is labor, which of course is much more expensive in this country than in any other, but the uniform testimony before our committee was to the effect that, while American wages are much higher than abroad, the greater efficiency, skill, and intelligence of the American workingman make up for the difference in the wage.

The fact is that both capital and labor in this country are so well and profitably engaged in building and running railroads, in producing raw material and manufacturing it, and in feeding, clothing, housing, and educating the millions of free and happy American citizens and their families that there is at present no sufficient temptation for them to go out upon the uncertain seas after foreign trade.

It has been intimated that because other countries subsidize their ships it is therefore incumbent upon the United States to do likewise. Germany, England, and France are essentially warring nations. They maintain great navies and standing armies, which we with our greater wealth and population do not attempt to emulate. It is needful for those nations who are always menaced by the specter of war to have merchant ships instantly available for use as transports. And so, for the purpose of bolstering the failing fortunes of this bill, lurid pictures of war have been conjured up to intimidate us into the enactment of this measure. But the sane American, viewing the history of his country and the direction of its policies, sees no war clouds upon the horizon and fears no contest which present resources can not amply sustain.

## The Ship-Subsidy Bill.

### SPEECH
OF
### HON. FRANK W. MONDELL,
OF WYOMING,

IN THE HOUSE OF REPRESENTATIVES,

*Wednesday, February 27, 1907.*

On the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. MONDELL said:

Mr. CHAIRMAN: I am very glad, indeed, to have the opportunity to lend my influence and my vote to the bill under discussion. In my opinion the legislation is not only wise, but timely, and it will, I believe, have a most helpful and beneficial influence in the establishment and maintenance of friendly and cordial relations between the United States and countries toward which we sustain peculiar and mutually advantageous political relations, and in extending our trade by affording increasing opportunities for profitable markets for the products of our soil and manufactures.

Mr. Chairman, I am as enthusiastic in support of this measure as I was fixed in my opposition to the bill as it came to the House, for I am unalterably opposed to the adoption of any measure providing for a cargo or tonnage subsidy to ocean freight carriers. I should be very glad, indeed, to witness the upbuilding of the American merchant marine and to aid in the passage of any proper legislation that might result in the increase of shipping carrying the American flag, but I do not believe cargo bounty would permanently have that effect, and if it did we would not, in my opinion, be justified in taxing the people of the country to build up that particular industry on the high seas.

Our people and our capital will embark in the business of shipping on the high seas as soon and as rapidly as the business can be carried on under our flag at a reasonable profit. In the meantime, with limitless opportunities for investment of American capital in other fields of industry, I for one am perfectly content that the bulk of our ocean-bound commerce shall be carried in those ships that will carry it most advantageously and at the lowest rates without regard to the flag they fly.

This bill, however, contains no provision for cargo bounty and subsidy. On the contrary, it proposes the establishment of seven speedy, regular lines of steamships between important ports of the United States and ports in South America and the Orient.

First, a line from an Atlantic port to Brazil; second, from an Atlantic port to Argentina; third, from a Gulf port to the Isthmus of Panama; fourth, from a Pacific port to Panama, Peru, and Chile; fifth, from a Pacific port, by way of Hawaii, to Japan, China, and the Philippines; sixth, from a Pacific port north of Cape Mendocino to Japan, China, and the Philippines; seventh, from a Pacific port, by way of Hawaii and the Samoan Islands, to Australia.

To encourage the establishment of these lines it is proposed to grant for each line mail pay or bounty of from three hundred to four hundred thousand dollars per annum for a monthly service and from six hundred to seven hundred thousand dollars for a fortnightly service, except in the case of the Gulf coast-Panama route, for which from seventy-five to one hundred and fifty thousand dollars is to be paid.

In order to obtain the benefits of this legislation, first-class ships must be provided, capable in the case of the Panama route of maintaining a speed of 14 knots, and in the case of all other routes, a speed of 16 knots. It has also provided that the repairs for these steamships shall be made in the United States, and provisions are made for the enrollment of the crews of these vessels, or such members thereof as are willing to undertake such service, as members of our Naval Reserve.

These lines of swift ocean messengers, flying the American flag, carrying American mails and American products, if established, will require the services of not less than thirty-two 16-knot steamers, which must be built in the United States, be first-class in every respect, approved with a view to their use as auxiliary cruisers or transports in times of war, and held at the disposal of the Government at all times. The legislation will therefore provide us with that class of vessels which, with the upbuilding of the Navy, we stand most greatly in need—large and powerful scouts and cruisers, manned by American seamen.

By reason of the Monroe doctrine we sustain peculiar relations with the countries of South and Central America. We have constituted ourselves their protectors from foreign aggression, and in a certain sense we stand their sponsors before the world; but notwithstanding this peculiar and important political relationship we have no direct, regular, and speedy connection with the most important capitals and trade centers of South America. Those countries are developing prodigiously, their trade and commerce are increasing by leaps and bounds, and yet we of all the important commercial countries of the globe are alone without the means of direct, regular, and speedy communication with those lands and their markets.

The Orient is just awakening to a new and mighty development. The marvelous industrial growth and expansion of Japan is certain to be duplicated on a large scale in China. We can not afford to forego the opportunity for participating in a large measure in the growing trade and commerce of eastern seas. Further than that, our flag is planted at the very crossroads of eastern political activity, trade, and commerce. Our Pacific ports look out upon the mighty sea that is to bear this vastly

increasing trade, while our outpost at Hawaii constitutes its most important crossroads.

Every consideration, political and commercial, calls us to our duty of maintaining not alone with an armament of war, but with the swift messengers of peace, good-fellowship, and trade, that constantly increasing influence on the Pacific and in the Orient to which our national position, our growth, and development, political, economic, and commercial, call us.

The time is ripe for this legislation. We have already delayed too long the establishment of fast mail, passenger, and commercial lines between our ports and South America and the Orient; while our commercial rivals, taking advantage of our neglect and indifference, have, by the payment of subsidies similar to those we now provide, but much larger, established close and friendly social and important and profitable commercial relations with regions where, but for our neglect, now tardily proposed to be remedied, ours would and should be the commanding influence and commerce.

The maximum expenditure of about three and one-half million dollars per annum proposed in this measure would be well spent, if it promised no immediate or direct returns in increased postal receipts or trade, in the benefits which will accrue by the establishment of a better understanding and closer social and political relations between our people and those of the nations of South America, whose political fortunes and future are so clearly interwoven with ours, and with the great empires of the East, with whose people we must inevitably continue to be brought into contact in the peaceful conquest of the Pacific; but it is estimated by those qualified to judge that a large portion of the expenditure proposed will be returned in postal receipts, and there can be no doubt but what the establishment of these swift messengers of trade, carrying American merchants and American drummers with their goods and wares swiftly, promptly, and regularly to the great trade centers of South America and of the Orient, will rapidly and vastly increase the market for American products and manufactures.

I congratulate the House and the country upon the promised enactment of this legislation, which, in my opinion, marks a new epoch in our development; for turning now from the old-established and hotly contested European marts of international trade, we go forth to tardily seek a better acquaintance and closer and larger trade relationship, which will be mutually profitable, with our sister republics of the south and across the vast stretches of the Pacific, to a closer connection with our own possessions, and a further cementing of the ties of our traditional friendship and a larger share in the trade, commerce, and political activities of the awakening empires of the Orient.

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## River and Harbor Appropriation Bill.

### SPEECH

OF

# HON. ROBERT F. BROUSSARD,

OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

*Wednesday, February 6, 1907.*

On the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BROUSSARD said:

Mr. CHAIRMAN: In the year 1873 the Congress of the United States provided for "a survey for connecting the inland waterways along the margin of the Gulf of Mexico, from Donaldsonville, La., to the Rio Grande in Texas, by cuts and canals," and in the same year the survey was commenced and was completed in 1875. The report of the survey was made to the Chief of Engineers of the United States Army by Capt. C. W. Howell, United States Army. The first conception of this project, however, dates back further than the year 1873, it having been conceived by the Louisiana and Texas Canal Company. This company had a partial survey made by Mr. Peler, a civil engineer, who later assisted the United States engineer in charge of the work. Of the findings and objects of this Louisiana and Texas Canal Company I have been unable to find any trace.

In the first session of the Fifty-sixth Congress my attention was accidentally called to the project, and I instituted a search for the old reports of the Engineer Department of the Army and found the Howell report of 1875. I then resolved to revive the project and immediately introduced H. R. 7080, a bill providing for a resurvey of this waterway. I was unsuccessful in that Congress. In the Fifty-seventh Congress former Congressman Cooper, then representing the Texas district adjacent to mine, joined in the prosecution of the matter, and in the first session of that Congress introduced H. R. 7071. We had no better success in that Congress. In the Fifty-eighth Congress, second session, Congressman GARNER of Texas introduced H. R. 5751 and I reintroduced my bill of the previous Congress, being H. R. 7867, and Congressman GARNER and I joined efforts in pressing the survey. Aided most materially by Congressman BURGESS of Texas and Congressman RANSDELL of Louisiana, both of whom had meanwhile become members of the Rivers and Harbors Committee of the House, and with the cooperation of Congressmen PUJO and ROBERTSON of Louisiana and BROOCKS and GREGG of Texas, through whose district this waterway is projected, we secured an appropriation in the last session of that Congress for a preliminary examination of it. Soon thereafter a convention for the discussion and furtherance of this project was called at Victoria, Tex. On account of yellow fever and resulting quarantine restrictions, however, the interested people of southwestern Louisiana were unable to attend the convention. So great was the success of the Victoria gathering that a similar meeting was held at Lake Charles, La., and the enthusiasm and interest displayed in this convention exceeded that of the Texas city. The seeds of success were sown in Victoria and began to bear fruit immediately after the quarantines were raised and Major Jadwin was able to continue his survey in Louisiana. The result of his investigation was a favorable report on the entire project.

I have tried to give an impartial history of this project. I trust that I have done full justice to everyone thus far connected with our success, and that I may be pardoned personal reference to myself in the narration of events leading to this convention. Let no one claim exclusive credit for what has been done; there is credit enough for all, and the work to the final culmination of this important matter is such that all may gain further laurels and the blessings of this and generations to come by aiding in the good work.

The cycles of the history of the world have been labeled by the historian with the name of the main accomplishment in the advancement and progress and the civilization of each cycle. The age of electricity is to be followed by the age of canals. This is to be the age of canals. The duty of canalizing this country is one devolving upon us, and let no one underestimate the tremendous scope of this duty or the benefit to accrue from the duty well performed. Its importance to the welfare of our people—to their economic and industrial advancement and the civilizing effects upon them—is beyond the conception of this generation. Canal construction is but in its infancy; it is too early to even predict its ultimate accomplishments; of one fact we are sure, the whole tendency of canalizing this country is in the direction of development, of advancement, and of improvement. Anyone doubting this has but to study the effect of the cutting of the Suez Canal upon the trade of the Orient as well as upon that of all of Europe. He has but to speculate upon the resulting effects of the opening of the Panama Canal on the fortunes, the economic, the industrial developments of the people of the world.

I said canal construction is but in its infancy. Almost all of the canals of the world have been cut within the last fifty years. The nine main ship canals of the world were cut in the order following:

The Suez Canal, 90 miles between seas, was commenced in 1859 and completed in 1869.

The Cronstadt and St. Petersburg Canal, running from St. Petersburg to Bay Cronstadt, a distance of 16 miles, was commenced in 1877 and opened to navigation in 1890.

The Corinth Canal, 4 miles long, connecting the Gulf of Corinth with the Gulf of Ægina, was begun in 1884 and completed in 1893.

The Manchester Canal, 35½ miles long, running from Manchester to the Mersey River, was opened to navigation in 1894.

The Kaiser Wilhelm, 61 miles in length, and connecting the Baltic and North seas, was commenced in 1887 and concluded in 1895.

The Elbe and Trave Canal, also connecting the North and Baltic seas, but shorter than the Kaiser Wilhelm by 20 miles, commenced the year the latter was opened to navigation, was concluded in 1900.

The Welland Canal, connecting Lakes Erie and Ontario, and the Sault Ste. Marie, connecting Lakes Superior and Huron, the former a Canadian and the latter an American canal. These are the nine principal ship canals of the world. The last two canals give, together with their connecting lakes and rivers, continuous passage from the head of Lake Superior to Lake On-

tario and the St. Lawrence River. True the Welland was cut in 1833, but it was insignificant until it was enlarged in 1871 and 1900. So also the Sault Ste. Marie was cut in 1855 and enlarged in 1881 and 1896 by our Government.

The Canadian canal at St. Marys River was opened in 1895. Of these I shall have occasion to refer to again. Thus it is noticed of what recent origin has been the opening of the important canals of the world.

I shall not here enumerate the numberless smaller or less important canals that have been cut on every part of the globe, all of recent construction, as that would serve no useful purpose at this time. Suffice it to say that France has 3,021 miles of canals; Holland, 2,224; Germany, 1,511; Belgium, 1,229; United Kingdom, 3,097; the United States has thirty-seven navigation canals, with a mileage of 2,443 miles.

I can not leave this phase of the subject, however, without making reference to the Imperial, or Grand, Canal of China, 4,000 miles in length and connecting Hangchow and Peking. There are two peculiar reasons for my special mention of this canal. One is its antiquity, it being said to have existed in its present state at the time Columbus discovered America. The other is the varied uses which these ancient people make of it. Says the United States consul at Hangchow, Mr. Anderson:

Leading from the Grand Canal in each direction are smaller canals, and from these lead still smaller canals, until there is hardly a single tract of 40 acres that is not reached by some sort of a ditch generally capable of carrying good-sized boats.

Now, what uses do the Chinese make of this canal?

They use it for navigation.

They use it for irrigation.

They use it for fishing. They catch shellfish from its bottom.

They gather muck from the bottom to be used for fertilizer.

They use the floating weeds, grasses, and other vegetable débris gathered from it for food.

They use the weeds growing along its banks for weaving baskets and for fuel.

They use the swampy places along the canal to grow lotus roots, out of which arrowroot is made.

They grow water nuts, especially water chestnuts, in the best parts of these swampy places.

They have duck farms all along the canal, though how a duck can eke a living in the waters of the canal after the Chinaman has raked it is a puzzle to me; and finally, they use the water of the canal for laundering, for culinary, and for bathing purposes.

I said awhile ago that I should again refer to the Canadian and American canals, connecting together the great inland seas forming the northern border of the United States.

With regards the Canadian canal I shall simply quote from United States Consul Bettinger's report of March 21, 1906, the following:

From the point where the waters of Canada mingle with those of the Atlantic to a Canadian port at the head of Lake Superior, along the entire course of which a vessel may sail in Canadian waters, the distance is 2,200 statute miles.

From the Straits of Belle Isle to Montreal the St. Lawrence River extends 986 miles, with a channel wide enough and deep enough for ocean steamers.

From Lake Superior to Three Rivers on the St. Lawrence where tidal influences, a few hour's sail from Montreal, there is a drop in level to the extent of 600 feet—that is, a vessel from Montreal on its voyage to Port Arthur has to ascend 600 feet. To attain this height there is a system of locks in operation, by means of which vessels are lifted 551 feet, leaving 49 feet to be overcome by working against a downward stream, which at one place, near Iroquois, often necessitates a tug to help the steamer up the river.

CANALS.

Between Montreal and Kingston the canals, with their length, lock dimensions, and height of lift, are as follows:

| Canal. | Length. | Length of locks. | Lift of locks. |
|---|---|---|---|
| | *Miles.* | *Feet.* | *Feet.* |
| Lachine | 8¼ | 270 | 45 |
| Soulanges | 11 | 280 | 84 |
| Cornwall | 11 | 270 | 48 |
| Farrans Point | 1 | 300 | 3½ |
| Rapide Plat | 8½ | 270 | 11½ |
| Galops | 7½ | 800<br>270 | 15½ |
| Murray | 5½ | (a) | (a) |

[a] No locks.

The width of the locks is 45 feet and depth of water on the sills is 14 feet. On their course down from Kingston to Montreal several of the canals are not used, as the rapids are run with safety. From Kingston the course west is through Lake Ontario until Port Dalhousie is reached, where the Welland Canal is entered. This splendid construction extends 26¾ miles. The total lift is 326¾ feet, which is effected by twenty-six locks, each 270 by 45 feet, with a depth of 14 feet. From the end of the Welland Canal, Port Claiborne, there is deep water to Sault Canal—394 miles. The Sault Ste. Marie Canal extends 5,967 feet. It has only one lock, which is 900 by 60 feet, and lowest depth 20 feet and 3 inches, the total rise being 18 feet. Another water course runs from Montreal to Ottawa and turns down to Kingston, a total distance of 245 miles. The rivers Ottawa and Rideau are part of this waterway. The canals on this route are: Lachine, 8½ miles; St. Anne lock and piers, one-eighth of a mile; Carillon Canal, three-fourths of a mile; Greenville, 5¾ miles. From Ottawa to Kingston—126½ miles—there are thirty-five locks. Besides these main-line canals, there are others on the line of the Richelieu River, in Ontario, through the Petersburg district, in Cape Breton, and a number of branches acting as feeders to the Rideau and the Welland systems.

As to the St. Marys Canal at Sault Ste. Marie, Mich., I shall simply quote from Mr. J. A. Farlie's In Annals of the American Academy of Political and Social Sciences, January, 1898, the following:

There has been a canal around the falls in St. Marys River between Lake Superior and Lake Michigan, available for vessels drawing not more than 12 feet of water, from 1855 on, but fifteen years later the average annual increase of 21 per cent of each year's freight traffic over that of the preceding year made it so evident that the canal would be soon inadequate for the increasing commerce that the United States Government began improvements, and by 1881 had completed an 18-foot channel between the lakes and provided a 515-foot lock with a single lift of 20 feet for carrying vessels from the level of one lake to that of the other. The continued growth of the traffic led to an improved 20-foot channel, provided with an 800-foot lock, in 1896. Following the example of the United States, the Dominion of Canada built a canal around the Canadian side of the falls in 1895.

The volume of traffic through this canal far exceeds that through the Suez Canal. In 1881 the traffic at the old St. Marys Falls Canal was 1,560,000, as against 4,130,000 tons through the Suez Canal; but with the enlargement of the American canal a rapid increase in traffic immediately developed. By 1889 it equaled that of the Suez Canal (about 7,000,000 tons in each). In 1895 a tonnage of 15,000,000 tons went through the St. Marys Falls Canal, as compared with 8,500,000 tons through the Suez Canal, and in 1901 the figures for the St. Marys Canal were 28,403,065 tons. The present traffic through the American canal exceeds the total foreign trade of the port of New York and is equal to nearly half of the total volume of the foreign trade of the United States. In value the traffic through St. Marys Falls Canal presents less imposing figures, though even in this respect it is by no means insignificant.

The value of freight passing through the canal in 1896 is estimated at $195,000,000, and in 1891 at $290,000,000. The Indian traffic through the Suez Canal in 1896 is valued at $360,000,000. Nevertheless, a trade increasing nearly $1,000,000 a year within a period of five years may prima facie be expected to have had important economic effects.

As in the case of the Suez Canal, the most striking results have been on the machinery trade, the influence of the St. Marys Falls Canal on the shipping industry of the Great Lakes being especially marked. It is not too much to say that the development of the carrying trade of the Great Lakes, both in numbers and kinds of vessels used, is due almost wholly to the "Soo" Canal. From 1881 to 1895 the volume of commerce through the Detroit River increased from 17,500,000 tons to 29,000,000 tons. During the same period the volume of commerce through St. Marys Falls Canal increased by 13,500,000 tons, and as a larger share of the canal traffic goes through the Detroit River to Lake Erie ports, the increase in the traffic of the Detroit River is seen to have been mainly in the traffic from Lake Superior, made possible by the existence of the canal and locks at Sault Ste. Marie. This increase in traffic means a corresponding increase in the number of vessels in the lake-carrying trade, and probably half of the 3,230 vessels on the Lakes are employed in business depending on the canal. Between 1883 and 1897 the total tonnage on the Lakes increased from 720,000 to 1,410,000 tons, the increase being more than the total increase in the American merchant marine during this time. Further, while in 1883 the lake tonnage was but one-sixth of the total American merchant marine, in 1897 it was nearly two-sevenths of the total.

What else has been accomplished? From the same authority I quote:

The geographical changes in production that have resulted from the operation of the St. Marys Falls Canal have been accompanied by important movements of population. A definite connection can be shown between the canal and certain particular population movements, but with other changes the canal has been only one of several factors. The increase of population around the shores of Lake Superior may be fairly ascribed to the development which has been given to that country by the canal. Taking the counties bordering on Lake Superior we find that from 1880 to 1890 the population of the Michigan counties increased from 61,750 to 116,600; of the Wisconsin counties from 8,000 to 41,000, and of the Minnesota counties from 6,400 to 54,700. The total increase is not a startling figure in the United States, but compared with the percentage of increase in these same States as a whole the result is striking. During the decade the population in Michigan and Wisconsin increased in each case about 27 per cent and of Minnesota about 70 per cent. In the Lake Superior counties the per cent of increase was in Michigan 90 per cent, in Wisconsin 400 per cent, and in Minnesota 800 per cent. The only explanation of the difference is that new lines of industry have been opened up by the larger "Soo" canal. One conspicuous feature of this increase of population in the Lake Superior region is the development of the cities. Of the total increase of 136,000, 72,000 occurs in the six cities of Duluth, Superior, Ishpeming, Ashland, Marquette, and Iron Mountain.

Duluth, from a town of 3,500 in 1880, had become a city of 33,000 by 1890, and six years later had a population of 60,000. Ishpeming increased during the ten years from 6,000 to 11,000. Superior from 4,700 to 9,000, while the other three places were not in existence in 1880, but had populations between 8,500 and 12,000 in 1890.

From these facts and figures of development following upon the Government improving the waterways of various localities we can safely predict a future of unequaled growth and advancement for the fertile lands of Louisiana and Texas contiguous to the proposed waterway.

This project has been pronounced not only feasible, but even easy of accomplishment. It is not an engineering feat, as was the canalization of the Seine for 155 miles, from Paris to Rouen, with nine stations of movable and immovable dams for the drainage of superfluous waters, as well as locks to insure in low-water stages continuous navigation.

Nor like the Canal du Midi, from Toulouse, on the Garonne, to Cotte, on the Mediterranean, 150 miles in length with 114 locks and 600 feet in rise.

Nor like the St. Quentin Canal, with 58 miles of length and its 35 locks and two subterranean passages at its summit-level pond, respectively 3,609 and 18,700 feet in length.

Nor like the Erie Canal, with its 72 locks in its length of 387 miles.

Nor like the Ohio Canal, from Cleveland to Portsmouth, Ohio, with its 150 locks in 317 miles.

Nor like a dozen more American canals which I could name with their innumerable locks.

It is simply a question of digging dirt, a greater part of which has already been dug.

True, the expense of cutting this waterway was estimated in 1875 at $8,039,461.19, and that for only a canal 6 feet in depth, but now the cost of dredging is not nearly so much as then. For instance, the dredging in 1875 was estimated to cost all the way from 40 cents to $1 per cubic yard. No one dreams that with modern machinery the most difficult and expensive cut would come near costing even the smaller figure of the lowest cubic-yard estimate of the 1875 estimate. Thus we see that the cost of locks is eliminated, while the deepest cuts would cost but a small fraction of the estimated cost of 1875.

In fact, Major Jadwin recommended the entire canal, and his estimate of the cost was as follows:

| Franklin to— | Miles. | Cost. | Maintenance. |
|---|---|---|---|
| Vermilion River | 49 | $125,900 | $10,000 |
| Point opposite Mermenteau River | 43 | 163,392 | 10,000 |
| Point opposite Calcasieu River | 37 | 224,329 | 10,000 |
| Mouth of Sabine River | 35 | 164,886 | 10,000 |
| Galveston | 97 | 637,683 | 20,000 |
| Brazos River | 54 | 141,528 | 20,000 |
| Pass Cavallo | 78 | 552,497 | 20,000 |
| Aransas Pass | 62 | 65,850 | 10,000 |
| Point Isabel | 139 | 717,262 | 25,000 |
| Rio Grande | 10 | 138,946 | 10,000 |
| Lock (Howell's) | ..... | 18,739 | ..... |
| Total | 604 | 2,951,013 | 145,000 |

The dimensions of the proposed waterway are the same throughout, i. e., available depth of 5 feet and bottom width of 40 feet.

Although Major Jadwin recommended the entire project, the Board of Engineers for Rivers and Harbors could be prevailed upon to accept only 208 miles of the project, to cost $496,670.80, with $50,000 for maintenance, their recommendation being as follows and which is carried in the pending river and harbor bill:

| | Miles. | Cost. | Maintenance. |
|---|---|---|---|
| Mississippi River to Franklin (covered by existing projects) | ..... | ..... | ..... |
| Franklin to Mermenteau River | 92 | $289,292.00 | $20,000.00 |
| Galveston to Brazos River | 54 | 141,528.80 | 20,000.00 |
| Aransas Pass to Cavallo Pass | 62 | 65,850.00 | 10,000.00 |
| Total | 208 | 496,670.80 | 50,000.00 |

Now that 208 miles of the canal have been provided for, the agitation of the matter should not only continue until the waterway is constructed in its entirety; but after then the demand for 9 feet in depth and 80 feet in width for the canal should be made and supported by every person who lives along this proposed waterway. A water course only 5 feet deep and 40 feet wide is not sufficient to handle the enormous traffic that lies waiting in southwestern Louisiana and southern Texas to be floated to market via the inland water route.

While those of us who have taken such interest in this important enterprise are glad that we have launched it on a safe basis, we can not but regret that the Board of Engineers did not see fit to approve the entire project, and to me there is another source of regret, which I am compelled to refer to at this moment. My first resolution for a survey of this project, as well as subsequent resolutions, provided that the inland waterway should start at Donaldsonville, La., go down Lafourche Bayou, take the course of the Attakapas Canal into Lake Verret, thence up the Teche. The order of survey included in the river and harbor bill directed that the survey start from Donaldsonville. I can not but regret that Major Jadwin did not submit plans, specifications, and estimates of cost for that portion of the route, but should have decided instead to start the waterway at Franklin, availing himself of the Plaquemine route to reach the Mississippi River. This is particularly unfortunate, for the reason that Bayou Lafourche is dammed at its head, and there is a great desire to have a lock replace the dam established by order of Congress. The burden of constructing this lock has been placed by both Congress and the State legislature upon the Atchafalaya and Lafourche levee districts jointly. The cost of this lock seems to be far in excess of the ability of these two boards, and so there are some differences said to exist in Louisiana over this dam and the lock.

I am reliably informed that the two boards are willing to subscribe $500,000 toward the construction of this lock, and it is my candid opinion that Congress should contribute the balance of the money necessary for its construction. It is my sincere hope that Congress will in the near future recognize the importance of this matter, avail itself of the offer of these two boards, and provide the necessary balance, and thus relieve the people who are now complaining of the existence of the dam. I shall certainly do everything in my power to commit Congress to the project.

For what purpose should this waterway be cut?

For coast defense—to move safely, easily, unexposed from storms and the enemy, troops, ammunition and armament, coast artillery, light-draft cruisers, and provisions in case of need. For that purpose it should not be less than 9 feet deep—to move these to any point of attack—to reach the great number of streams emptying themselves into the Gulf of Mexico, which the inland waterway will traverse in its grand function of linking the Mississippi and Rio Grande—to move these component parts of defense up the Rio Grande in case it should be our misfortune to again disagree with our western neighbor, which God forbid or long delay—to move these from the West to the Mississippi River, thence down the great river to the Gulf, or up the river to where? Let me tell you where, to the Great Lakes in the North.

From Chicago to Joliet, Ill., the city of Chicago has cut a drainage canal. That city, where things are done, has cut 30 miles of canals at a cost of $1,000,000 per mile. It proposes in the near future to spend twenty million more. It contends that if the United States Government will do for Chicago what it did for the wheat growers of Lake Superior and the iron mine owners and miners of the territory west of that great lake, when the Government took charge of the work already done by local contribution at Sault Ste. Marie—take possession of the Chicago Canal and spend $25,000,000 more, or half what Chicago has spent on it, the Great Lakes will have 14 feet all-water route connecting them with the Mississippi River and the Gulf of Mexico. Not long ago Congressmen LORIMER and RAINEY made a trip in a boat of small draft from Chicago to New Orleans. They traveled 1,500 miles, and I was with them a short part of the trip. They organized waterways associations in every city, town, and hamlet between Chicago and New Orleans. At no distant day this work will be done. Move, then, those objects I have just mentioned to the Great Lakes.

Again, lately, a bill passed the Congress for the authority to cut a canal through the States of Pennsylvania and Ohio, connecting the Ohio River with Lake Erie. This ship canal shall begin on the Ohio River at some point between Beaver and Pittsburg to some accessible harbor on Lake Erie and shall have a depth of at least 12 feet. Move these objects, then, up the Ohio River into Lake Erie.

Such, therefore, is the purpose of cutting this waterway, but the incidental benefits are no less important; they are of a magnitude the extent of which is in the future and baffles accurate estimate. Through this waterway may be moved the full half of the sugar production of the United States, practically the entire sulphur production of the United States, nine-tenths of the entire production of rice, nearly all of the salt mined in America, a large percentage of cotton production, the bulk of oil production, the immense product of the forest—of pine, cypress, and hard wood of southwest Louisiana and southern Texas—the reclamation of thousands upon thousands of acres of land of such rich and varied qualities that it can produce everything grown on the earth, the opening of abattoirs to prepare into meat the immense herds of cattle roaming the vast plains of Texas, instead of sending them to Chicago and Kansas City to there be prepared and reshipped to us and sold at prices including the freight both ways. Thousands of barrels of oil, the cheapest fuel; wood of excellent quality, variety, and in great quantity; and with navigation facilities into these rich

forests, the establishment of factories to convert these woods into merchantable articles is sure to follow.

Who shall say where it will end? Who shall say?

The flour that is manufactured on Lake Superior and now finds its way into Canada, the Atlantic seaboard, into the North and East, everywhere by all-water route at cheap freight rates, will then find its way down the Mississippi River and land in southwest Louisiana and southern Texas by an all-water route at a vastly reduced cost of transportation. The iron of Lake Superior and the varied manufactures of iron—the agricultural implements there manufactured—the grain crops of all kinds, will have the same privilege. The coal loaded at Pittsburg will be floated down this waterway at a minimum cost and be consumed at reduced prices. We, on our part, will reverse the course of the travels of the crafts bringing these things to us. We will send back our rice, our sugar, and our lumber and the manufactures thereof, our sulphur, our salt, and our meats—all back to the North and East at rates now unthought of by the transportation companies. Every town tributary to the waterway shall have equal enjoyment of every port of the Gulf. Every city or town along the natural water courses tributary to the waterway will become a customer to every port of entry between the two great rivers it is sought to connect. All of these thriving towns will be privileged to use New Orleans, Galveston, Morgan City, Calcasieu, Port Arthur, Sabine Pass—all will be equally accessible to each. The increase of population that followed the cutting of the Sault Ste. Marie Canal will follow the cutting of this waterway.

But, gentlemen, that is not all; this waterway will regulate railway rates. It is well for Congress to pass laws to regulate railway rates; but, after all, water navigation, water competition, is the sole self-acting regulator of railway rates. I quote a pertinent paragraph from Mr. O. P. Austin, Chief of the Bureau of Statistics of the United States Department of Commerce and Labor:

> Railway tariffs are badly adapted to commercial fluctuations. In this respect water carriage presents incomparably greater elasticity. Waterways also create a new competition and often cause railways to reduce their tariffs. It is a happy method of forcing the hands of railway monopolies. Here is the heart of the question. The interest of the country is to have its transportation at the cheapest price possible. In this age, especially when the sharpness of international competition seems not to know any limits, carriage at the lowest price is an absolute necessity. Now, navigable waterways afford an economical method of transportation par excellence. Not only do they prevent the exaggeration of rates by railways, and, indeed, often produce reductions which permit certain industries to compete in foreign markets, but in many cases they also permit the operation and development of natural riches, mine and quarries, which by their remote situation can not incur the comparatively high freights of railways in bringing their products to market. This means of transportation is strongly recognized on the European continent.

How germane to the living issue of the day—indeed, "here is the heart of the question." The waterway shall be constructed; it shall have a depth of 9 feet; it shall be constructed by the Federal Government.

That it should be constructed by the Government—that all canals shall be constructed by the Government—is a vital question with the people of this Republic. The policy of European countries and of Canada is never one to be tolerated with us. Of Holland's 2,224 miles of canals, 1,511 are owned by the railroads; of 3,869 miles of canals in the United Kingdom, 2,768 miles, or more than two-thirds of the mileage, is in the control of the railroads. So the policy is pursued in other countries. The canals are the feeders of the railroads, and so they should be, and so they incidentally become under Government ownership of them; but while they feed the railroads, so far as the circumstances require, the main function under Government ownership of them is to primarily regulate the charges for freight transportation, and incidentally only to supply and be supplied of freight going or coming from localities beyond the operations of each. The private ownership of canals means the railroad ownership of them; the railroad ownership of them means that the main function of the canal is destroyed, that of competing and by competing in freight rates throw out the full benefit of the cheapness of this system of transportation. It is to dwarf the usefulness of canals and to permit them to fulfill their secondary function solely, which may be better performed by a railroad.

This great Government of ours must open its purse to better improvement of its rivers and harbors, to the cutting of canals, even if in so doing it finds that it can spend less in armament, in colonial possessions, in strange, alien, and obnoxious government abroad with no profit to our people. This is but the beginning of the canal age. This Government of ours, the foremost nation in the race for commercial supremacy, ever mindful of the welfare of its people, must realize that we are now entering the canal age, and in order to hold our lead in the march of progress and civilization this Government's policy toward its waterways must be generous and magnanimous.

## River and Harbor Appropriations.

### SPEECH

OF

# HON. J. B. BENNETT,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

*Wednesday, February 6, 1907.*

On the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BENNETT of Kentucky said:

Mr. CHAIRMAN: The bill under consideration carries an appropriation and authorization of more than $83,000,000 for the improvement of various rivers and harbors, which is, I am glad to note, a very large increase over the amount carried in any river and harbor bill heretofore reported to this House. This increase meets with my hearty approval, because it is responsive to a sentiment in the country demanding more liberal appropriations than have heretofore been made for the improvement of the waterways and harbors of the country.

The people of all sections of the country seem recently to have become thoroughly aroused to the importance of improvements of the character provided for in this bill to facilitate the growing commerce of the country and cheapen and regulate the rates of transportation, and have been manifesting an awakened interest in them everywhere, both individually and as organized bodies, and any river and harbor bill introduced here that failed to recognize by increase of appropriation this universal demand of the people of the country would prove disappointing when enacted into law. I therefore, Mr. Chairman, congratulate the Rivers and Harbors Committee and its distinguished chairman, the gentleman from Ohio, that in this bill they have responded to some extent to the earnest appeals of the people everywhere in the country by increasing the appropriations carried in this bill, and although the bill does not contain all that I have earnestly desired it should, yet it does contain provisions in which my constituency are deeply interested, and is therefore entitled to my support, and I hope it will become a law.

The only criticism, Mr. Chairman, that I have to offer on the bill is that it does not go far enough, and that places that should have been provided for are not included in the bill, but it may be said, in justification of this action by the committee, that the amount authorized and appropriated is very large and seems to be well distributed throughout the country, and I have no doubt that in the judgment of the committee it has been equitably distributed; but I am sure, Mr. Chairman, that projects of equal merit to others provided for in the bill have been passed by, and I want to speak, briefly, of one thus treated in my section of the country. I refer to the project for the improvement of the Big Sandy River and the Tug and Levisa Forks of this river.

Earnest appeals have been made to the committee for a small appropriation and authorization to continue work upon this project, but these appeals have met with no response in this bill, the committee, it is understood, insisting that the increased appropriation for the improvement of the Ohio River should be satisfactory to this section of the country.

The Big Sandy River, with the Tug Fork thereof, forms the boundary line between the States of Kentucky and West Virginia, and drains a territory rich in mineral resources, as I shall presently show; and I believe and have earnestly insisted that provision should be made in this bill for continuation of improvements already begun on this river.

I have the honor, Mr. Chairman, to represent on this floor a district in Kentucky which borders upon the Big Sandy River for a distance of more than 40 miles; and the State of Kentucky borders upon these two rivers for about 100 miles, and the Levisa Fork, whose junction with the Tug Fork forms the Big Sandy, extends for a distance of about 100 miles through the mountain region of the State of Kentucky. The people of my district and the people of all eastern Kentucky and of western West Virginia are interested directly and deeply in the improvement of these rivers, and the completion of the improvements contemplated by surveys already made would add greatly to the commerce of the country and afford to the people of the United States as great benefits, in my judgment, as the improvement of any stream of like size in the whole country.

Mr. Chairman, I want to call the attention of the committee

to the vast resources of the territory drained by these rivers, that would find in the improved river an outlet to the commercial world. The figures I refer to are not based upon mere conjecture. They are taken from a report made by Prof. C. N. Brown, of the Ohio State University, who was selected by the engineer in charge, because of his large experience and eminent fitness for the work, to thoroughly investigate and make report of the resources of this territory. He went upon the ground, and his estimates are based upon facts learned by actual observation and data obtained from the Kentucky State geological survey. This report will be found in House Document No. 235, Fifty-sixth Congress, second session. On page 14 of document referred to Professor Brown states as follows:

The two branches of the Big Sandy River coming together at Louisa, Ky., drain an area of about 4,000 square miles, lying in the States of Kentucky, West Virginia, and Virginia. The Levisa Fork is the western and larger branch, and its basin includes about 1,600 square miles in Kentucky and about 800 square miles in Virginia. The Tug Fork is the eastern branch and forms a part of the boundary line between Kentucky and West Virginia. It drains about 500 square miles in Kentucky, 700 square miles in Virginia, and 400 square miles in West Virginia.

These streams are navigated by small steamboats, ranging from 20 to 137 tons burden, during the winter and spring and by "push boats" during the summer and fall. The boats go to Fish Trap, the mouth of Russell Fork, on the Levisa Fork, or about 100 miles above Louisa. On the Tug Fork they go to the mouth of Sycamore Creek, about 4 miles above Williamson, W. Va., and 61 miles above Louisa.

The area drained by these streams and their branches is rough and mountainous, and includes a part of the Cumberland Mountains. The valleys are usually quite narrow, giving very little land adapted to agriculture, and the hills or mountains rise from 200 feet to 1,500 or 1,600 above the streams. The area has had a dense growth of hardwood forest, including black walnut, poplar, oak, and other valuable and merchantable timber. Most of the timber near the main streams has been removed, but there is yet a very large amount of valuable timber that can be brought to market on these streams and will furnish employment to large numbers of men for many years to come.

The entire drainage basin of the Big Sandy River is included in the great Appalachian coal field, which extends from Pennsylvania to Alabama, and which includes the great coal and iron regions of Pennsylvania, Ohio, West Virginia, Kentucky, Virginia, Tennessee, and Alabama.

Some of the minerals of great economic worth peculiar to this great Appalachian basin are now known and worked in the Big Sandy Valley, and it is probable that others will be discovered in paying quantities as the region under consideration is prospected and developed.

The principal minerals of economic value and importance to be expected and sought for in this region are as follows: Coal, iron ore, clays, building materials, oil and gas, salt, glass sand, etc.

The coal is at present considered to be by far the most important and valuable of the minerals so far found or developed in the Big Sandy Valley, and the bulk of this report is devoted to this mineral. Before taking up the description of the coal field a short statement will be made of each of the other minerals observed in the valley.

It will be noticed from this statement that the territory drained by the Big Sandy and its forks is of very great extent, and that it abounds in mineral wealth, while virgin forests of timber yet exist in many localities and productive lands are found all over this territory; but by far the greatest element of wealth and the one that would add most to the commerce of the river and the world is the splendid deposits of most all kinds of coal, which exists in almost inexhaustible quantities throughout the entire basin contiguous to the river. From this report we learn that the quality of this coal is unsurpassed and the supply practically unlimited. I again quote from Professor Brown's report, same document, page 50. He states:

Gathering the estimates made for the various counties, we have an estimate of the number of tons of coal that may be expected to come down the Levisa Fork Valley before the coal fields are exhausted:

| | Tons. |
|---|---|
| Lawrence County | 55, 296, 000 |
| Johnson County | 419, 840, 000 |
| Floyd County | 256, 000, 000 |
| Knott County | 64, 000, 000 |
| Pike County | 751, 360, 000 |
| Letcher County | |
| Total | 1, 546, 496, 000 |

This number is so vast that one can not grasp its meaning without some kind of comparison. For this purpose the following few statistics have been gathered from the most convenient sources.

From the report of the inspector of mines of Ohio for 1896 the following is taken:

Amount of coal (including anthracite) shipped up the Great Lakes from Ohio, Pennsylvania, Maryland, and West Virginia:

| | Tons. |
|---|---|
| During 1890 | 5, 200, 449 |
| During 1891 | 6, 016, 331 |
| During 1892 | 7, 596, 812 |
| During 1893 | 7, 773, 580 |
| During 1894 | 6, 869, 257 |
| During 1895 | 7, 318, 234 |
| During 1896 | 8, 914, 327 |
| Average of the seven years | 7, 098, 429 |

If we assume that this trade has or will grow to, say, 10,000,000 tons per year, we see that the Levisa Fork has enough coal to supply the entire lake trade for over one hundred and fifty years.

From the report of the Chief of Engineers for 1895, page 2091, Maj. W. H. Heuer gives the following as the total shipments of coal from Pittsburg, Pa., down the Ohio River in boats and barges:

| | Tons. |
|---|---|
| During 1886 | 3, 483, 232 |
| During 1887 | 2, 155, 702 |
| During 1888 | 4, 174, 376 |
| During 1889 | 2, 589, 639 |
| During 1890 | 3, 420, 357 |
| During 1891 | 2, 893, 752 |
| During 1892 | 2, 299, 294 |
| During 1893 | 2, 364, 401 |
| During 1894 | 2, 453, 787 |
| During 1895 | 2, 393, 873 |
| Average of ten years | 2, 822, 841 |

If we assume the coal shipped on the river from Pittsburg to be 6,000,000 tons per year, we see that the Levisa Fork could supply this trade for over two hundred years.

If it should be thought that the estimates given for the various counties are too large, it is seen that they may be reduced by a large per cent and still show an enormous quantity of coal in this valley. It is believed that those best acquainted with the valley will criticise this report because the estimates are made as small as they are, but it is thought best to err on this side.

Again, on page 62 of his report, he gives estimates of amount of coal found on Tug Fork, as follows:

| | Tons. |
|---|---|
| Lawrence County, Ky | Not estimated. |
| Wayne County, W. Va | Not estimated. |
| Martin County, Ky | 151, 040, 000 |
| Pike County, Ky. (northern part) | 289, 280, 000 |
| Mingo County, W. Va | 230, 400, 000 |
| Total | 670, 720, 000 |

Stating this quantity in the same units as used for the Levisa Fork, we see that the Tug Fork could maintain the coal trade in the Great Lakes for sixty-seven years, or could maintain the Pittsburg shipments on the river for over one hundred years.

| | Tons. |
|---|---|
| On Levisa Fork | 1, 546, 496, 000 |
| On Tug Fork | 670, 720, 000 |
| Total | 2, 217, 216, 000 |

This quantity is so great that it may be thought that the estimates have been too liberal, but even if it be discounted 50 per cent there is still left a quantity almost beyond conception. But it is thought that the estimates have been quite conservative and that the quantity of available coal in these valleys is much more than above stated.

The estimate of 1,000 tons of coal for each acre of coal 1 foot thick is at least 20 per cent below what is now obtained in many coal fields, and it is probably 25 per cent below what can be obtained with the best modern methods of mining.

The estimates of acreage and thickness of the seams is much less than what is claimed by many persons thoroughly acquainted with the field, some of whom are not in any way interested in its development.

We find the same facts, with comments thereon, presented by Mr. B. F. Thomas, resident engineer at Louisa, Ky., in final report of date November 10, 1900, from which we quote. On pages 20 and 21 of final report he states, with reference to the resources of this territory, as follows:

The summary here presented is of the coal tributary to the proposed slack-water improvement, and is made up partly of the above-mentioned report and partly from other sources, and is believed to be an exceedingly conservative estimate:

| | Tons. |
|---|---|
| Lawrence County, Ky | 150, 000, 000 |
| Johnson County, Ky | 600, 000, 000 |
| Martin County, Ky | 300, 000, 000 |
| Floyd County, Ky | 350, 000, 000 |
| Pike County, Ky | 1, 000, 000, 000 |
| Knott County, Ky | 100, 000, 000 |
| Letcher County, Ky | 100, 000, 000 |
| Wayne County, W. Va | 50, 000, 000 |
| Mingo County, W. Va | 350, 000, 000 |
| Total | 3, 000, 000, 000 |

In order to be able to form some idea as to the significance of the above figures, some statistical information is given as to the area, production, and water shipment of coal in the United States.

The Appalachian coal field furnishes about two-thirds of all the bituminous output of the United States, and is about 900 miles long and contains about 63,000 square miles. Of this area, West Virginia has 17,000 and Kentucky 9,000 square miles. Nearly one-half of the latter lies tributary to the rivers under consideration—Big Sandy, Levisa, and Tug.

The largest coal-producing area in this field is that of Pennsylvania, which ranges from 40,000,000 to 50,000,000 tons per annum. Of this about 3,000,000 tons are shipped by water to western and southern points. The total bituminous coal production of the United States varies from 130,000,000 to 140,000,000 tons per annum. The total lake shipments of bituminous coal amount to from 5,000,000 to 6,000,000 tons per annum.

It will be seen from the above figures that the quantity of coal estimated in the Big Sandy field is equivalent to the entire output of the United States for nearly twenty years—would supply the production of the Pennsylvania field for over fifty years, would furnish that transported from Pittsburg by river for one thousand years, and would equal the entire lake traffic for four thousand and fifty years.

Professor Brown's report, referred to heretofore, gives the locations, sizes of veins, and analyses of the various coals found in the Big Sandy Valley, and it is only necessary in this report to summarize the approximate quantities.

As an introduction to this summary it may be well to quote from the Brown report the following:

In order to form some idea of the total possible traffic that the coal of the Big Sandy Valley may furnish to the river when improved and the railroads when built estimates of the total tonnage of coal will be made, but it must be remembered that any statements as to the quantity of coal that may be obtained from any particular large area of this valley must of necessity be rough estimates, on account of the lack of accurate data as to the areas and thickness of the various veins.

In making the estimates that will be given hereafter every precaution will be taken to make them conservative and less than the general belief of those persons best able to judge the matter from a thorough acquaintance with the valley. Some of the companies holding large areas of coal lands have had a few surveys made of the crop lines of the principal veins on their lands, and these have been made use of. The topographical contour maps made by the United States Geological Survey were studied on the ground, and other notes taken from observations made during the extended tour of the valley.

It will be estimated that 1,000 tons of 2,000 pounds each can be shipped for each foot of thickness from each acre. This is to include the total shipment of coal, including lump, nut, and pea coal. This allows for about 700 tons per foot per acre to be lost in ribs and pillars and in "faults" and "horsebacks." In many mines 1,200 tons of lump coal besides all the nut and pea coal is shipped from each acre for each foot of thickness of clean coal.

The above assumptions give 640,000 net tons (2,000 pounds) for each foot of thickness for each square mile, and this number will be used in the estimates made below.

Mr. Chairman, it seems to me that these figures of the probable amount of coal available for commerce should convince the most skeptical of the desirability of the Government improving these streams at as early a date as possible, so as to afford cheaper transportation to this vast amount of coal and other products now inaccessible.

If this project had been presented to the committee and to Congress as an original proposition, it would come with that merit that should at once command the attention of both the committee and this great body, and be provided for with as liberal an appropriation as would be warranted by the revenues available for such purposes. It certainly would deserve fair treatment in any rivers and harbors bill where justice to deserving projects was intended. But, Mr. Chairman, the appropriation requested for these rivers does not come as an original project, and this is greater reason why it should have been provided for in this bill.

Several years ago Congress committed itself in favor of the project for improving these rivers; and I want to state here, as briefly as possible, what has heretofore been done by the Government upon these rivers toward securing slack water to this great coal field. About the year 1878 the Federal Government began making small appropriations for the Big Sandy and its forks, but these appropriations for a long time were scarcely sufficient for maintenance of the streams and did not warrant the commencement of new constructions, but in 1880 the project for a lock and fixed dam near Louisa, Ky., was adopted, which was so modified in 1891 as to provide for a movable instead of a fixed dam. This project was completed in 1896, and the lock and dam is now in operation. In the year 1898 a project for the improvement of these rivers to Pikeville, on Levisa Fork, and to Pond Creek, on Tug Fork, was submitted by Maj. W. H. Bixby, Corps of Engineers, being about 114 miles on Levisa Fork and about 90 miles on Tug Fork, which it was claimed would extend slack water into the heart of these coal fields. This project required the construction of three dams on Big Sandy River proper and ten on Levisa Fork and eight on Tug Fork, a total of twenty-one dams, at an estimated average cost of $225,000 for each dam, or an estimated cost of $4,725,000 for the entire project. Still later, to wit, March 3, 1899, the rivers and harbors bill contained the following provisions relative to the Big Sandy River and its forks:

Improving Big Sandy River, Kentucky and West Virginia: Continuing improvement, $52,500: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete two locks and dams in the Big Sandy River between Louisa and the mouth of Big Sandy River, in accordance with the report of April 27, 1898, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $420,000, exclusive of the amount herein and heretofore appropriated: *Provided further*, That of the amount authorized to be expended, $1,000 may be expended for the maintenance of Levisa Fork and $1,500 on Tug Fork, and $20,000, or so much thereof as may be necessary, for a detailed survey of the Big Sandy River and Levisa and Tug forks of the same in Kentucky and West Virginia: *Provided*, That the rest of the amount may be used for the local survey, acquisition of sites, and commencement of construction of the above-named locks and dams.

Since the adoption of the above provision two locks and dams have been constructed in the Big Sandy River proper, one at Catlettsburg, Ky., and one at Kavanaugh, Ky., which have been found sufficient to carry slack water from Catlettsburg to Louisa, thus affording a 6-foot stage in the Big Sandy River proper with one less lock and dam than was supposed to be necessary in Major Bixby's original estimate. Provision has also been made for the construction of Lock No. 1, Tug Fork, and Lock No. 1, Levisa Fork, and construction of these locks has been completed, but they are of no benefit to navigation on the stream, because dams have not been provided for. It is estimated that $117,500 each is necessary to construct the dams for each of these locks, which are necessary to complete these two improvements, and without this the work that has been done is absolutely useless.

According to the statement of the engineer in charge, there has heretofore been expended on these rivers, exclusive of maintenance of Tug and Levisa forks, the sum of $1,090,108.50. It will be seen, therefore, that the project for the improvement of these streams is well progressed, and that a large sum of money has heretofore been expended with a view to tapping these immense coal fields, and yet the improvement has not advanced far enough to be of any considerable benefit to other than local traffic, and much is required yet to be done in order to obtain full benefit of the money already expended on this project. The committee has been liberal with appropriations and authorizations in the bill reported to most all portions of the country, but this particular project has been entirely neglected. We do not ask, Mr. Chairman, that this river should be treated by the committee with greater liberality than other rivers of the country of equal imporance and promise, but we do insist that it is entitled to fair and just treatment by this body, and that this bill should carry at least an appropriation large enough to furnish dams for the incompleted projects on Tug and Levisa forks which have been commenced. It is estimated that the amount necessary to do this work is $235,000, and this comparatively small amount should have been reported by the committee and incorporated in this bill. The vast natural resources of the region that will soon be reached if this improvement is continued, its great benefit to the thousands residing in the territory touched and those in proximity thereto, the benefits to the whole country from the cheap fuel that will become accessible, and the large amount already expended by the Government that is as yet of only local benefit all point to the wisdom of completing this work as expeditiously as possible and cry out against its neglect or abandonment.

I understand the fact, Mr. Chairman, that the demands made upon the Rivers and Harbors Committee from all sections of the country are very great, and that it is impossible to satisfy them all and hold the appropriations of this bill within reasonable bounds; but, notwithstanding this fact, we feel that a small part of the estimated cost of the completed project on these rivers should have been carried in this bill, and that its failure is hardly compensated for by liberal appropriations for the Ohio River, although the sting of its loss may be less poignant when it is remembered that appropriations for the Ohio River benefiting navigation carry with them needed and lasting benefits to all the inhabitants of the Big Sandy Valley, because without the improvement of the Ohio the improvement of Big Sandy would be of much less benefit.

The vast resources of the Big Sandy Valley require the improvement of both the Ohio and Big Sandy rivers to enter into the commerce of the country, and if those which are needed nearest home can not be had at this time we are pleased to note that others equally important to the completed project of navigation on these rivers are provided for.

This bill carries an appropriation and authorization of more than $4,000,000 for the improvement of the Ohio River, with a view to securing in the end a 9-foot stage of slack water from Pittsburg to Cairo. This is the most liberal appropriation that has ever been carried in any rivers and harbors bill for this object, and these provisions, I know, are heartily indorsed by the people of my district and of the entire Ohio Valley. The only criticism that is likely to be made upon them is that the amount provided is not as large as we should have been glad to have. There is one question, Mr. Chairman, on which the people of the Ohio Valley are undivided, and that is the desirability of early action on the part of this body providing for the completion of the Ohio River project. The great and increasing commerce of the valley, which the railroads of the valley are unable to provide for, demands its speedy completion. The heavy freight rates charged by the railroads for moving the immense products of this valley to market constitute a heavy tax upon consumers everywhere in the country, and the completion of this project would, no doubt, reduce them largely, and thus be an inestimable benefit to consumers everywhere in the country.

There is produced on the fertile farms of the Ohio Valley and its tributaries everything that can be grown from the ground in this climate in the greatest abundance. Thrifty cities line its shores that are filled with manufacturing industries of almost every kind that ship their products to all the markets of the world, while the rich deposits of mineral wealth before mentioned is but an instance of many similar ones that exist, all of

which will be cheapened to consumers everywhere by the inevitable lowering of freight rates that will certainly follow its completion.

I do not agree, Mr. Chairman, with the view I heard expressed on this floor the other day that commerce will not again develop upon an improved river because, as a matter of choice, it prefers the railroads. With some kinds of freight this may be true, but not with all. Most of the commerce will seek that facility of transportation that affords the lowest freight rates when reliability is reasonably secured, while the inability to carry all the freight seeking carriage would force upon the river much freight at any rate.

This bill provides for the completion of Locks and Dams Nos. 26, 8, and 37 on the Ohio River and also a large appropriation for the falls of the river at Louisville, Ky. I confess I should have been better pleased with the bill, Mr. Chairman, if the locks and dams at Portsmouth and Catlettsburg had been provided for also; but I am aware of the fact that all of them could not be provided for in the same bill, and the distinguished chairman of the Rivers and Harbors Committee has informed the House that in making appropriations for those provided for the committee has followed the recommendation of the Board of Engineers, placing the first dams at the points most needed, and we are very much consoled in our disappointment by this declaration of the distinguished chairman, because we note that the next locks and dams recommended by the Board of Engineers are at Parkersburg, W. Va., Catlettsburg, Ky., and at Portsmouth, Ohio, in the order named. Following the precedent of this bill, we shall expect the locks and dams at these points to be provided for in the next rivers and harbors bill, and have no doubt that this will be the case.

## The Late Hon. Rockwood Hoar.

### REMARKS

OF

### HON. CHARLES H. GROSVENOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

*Sunday, February 10, 1907.*

The House having under consideration the following resolutions:

"*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. ROCKWOOD HOAR, late a Member of this House from the State of Massachusetts.

"*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of the memorial exercises of the day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased"—

Mr. GROSVENOR said:

Mr. SPEAKER: Death with its merciless hand has not stricken a more worthy Member of the House of Representatives since I had the honor to be a Member of it than ROCKWOOD HOAR. He came from Massachusetts. He was the son of one of the most distinguished men of Massachusetts, George Frisbie Hoar, who as lawyer, literary man, patriot, and statesman had few equals and no superior in the Senate of the United States. His long service to his country made him an honored leader of opinion, and so it was reasonable for us to expect, when his son came to take his seat in the House of Representatives, more than the average of excellence, and we were not disappointed. He had a mind as sharp and incisive as the mind of his father. He was laborious, industrious, and clear-headed. He struck at the marrow of questions and studied them with diligence and aptitude.

As a member of the Committee on the Revision of the Laws he showed especial fitness and especial adaptation. He was making his way rapidly to a high position in the House of Representatives. He exhibited the elements of mental accuracy, incisive, clear, and brilliant.

I knew nothing of his history prior to his appearance here, but it did not take any of us long to discover that there had come amongst us a man destined for high position.

A more untimely death has not occurred in the House of Representatives in recent years.

I took delight in talking with him. His knowledge of literature, history, events of the past was of a high grade and his conversational powers of the very best.

It may be said of him that he exhibited a possibility fully equal to the high position attained by his father. He was genial, pleasant, considerate of others, was popular in the House of Representatives, and his popularity was of that stanch and endurable character that would have made him a prominent and distinguished personage in any assemblage of men.

His State has suffered an irreparable loss. The House of Representatives can well mourn the loss of a man who bid fair to be so valuable. His associates may well pay this tribute to his memory. There was every reason to believe that he would be a conspicuous member of the Massachusetts delegation, and I join in this brief and imperfect tribute to a man whose death I consider not only a national but a personal loss.

## River and Harbor Appropriation Bill.

### SPEECH

OF

### HON. EATON J. BOWERS,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

*Thursday, February 7, 1907.*

On the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BOWERS said:

Mr. CHAIRMAN: It is not my purpose to enter into the general discussion of this bill except in a very brief way. I am in entire accord with those gentlemen who have declared that this is the best rivers and harbors bill that has ever been presented to this House. I regard it as the best in many ways. It comes nearer covering every deserving project in the United States than any previous bill that I have examined, and it appropriates more money to the improvement of our waterways than any of its predecessors.

The following statement taken from the report of the committee will show the amounts appropriated and authorized by the bills for some years past:

| Year. | Cash. | Authorized. | Total. |
|---|---|---|---|
| 1896 | $12,659,550.00 | $59,616,404.91 | $72,275,954.91 |
| 1899 | 16,091,841.94 | 23,866,324.13 | 39,958,166.07 |
| 1902 | 26,771,442.00 | 38,336,160.00 | 65,107,602.00 |
| 1905 | 18,181,875.41 | 17,184,657.63 | 35,366,533.04 |
| 1907 (as reported by Committee on Rivers and Harbors) | 35,181,612.00 | 48,634,526.00 | 83,816,138.00 |

This marked increase in the amount appropriated may be credited to two factors:

First. The increasing importance of water transportation, not only as a means of carriage, but as a competitor of rail lines, and the consequent influence upon all transportation rates.

Second. The awakening of the public mind to the above facts and to the importance of the development of water transportation, as shown by the popular and increasing demand for not only larger river and harbor bills, but also for annual instead of biannual appropriations. A great force and influence in bringing these matters before the people and in educating the public mind has been the National Rivers and Harbors Congress, to whose effective work I am happy to bear witness, and whose laduable efforts will, I trust, be continued until all their objects have been attained. To my mind the improvement of our harbors and inland waterways is of more importance to the internal development and commercial welfare of our people than any other matter now before Congress. It is admitted that the question of transportation is the greatest of all business questions now up for governmental solution, and in my opinion the primary and greatest step in its solution is the development of our waterways. But of that I shall have more to say further on in my remarks.

This bill marks, to a certain extent, a new plan, which the committee has wisely adopted, that of providing, wherever practicable, money enough to complete every project which it inaugurates. A most important departure and practice, in my opinion, because it obviates all trouble and difficulty resulting from partially completed projects. Again, it is apparent that every section of the United States has been cared for, and the appropriations and authorizations are intelligently distributed all over the country. By this I do not mean that the money has been distributed according to State lines, or geographical lines, or to various localities in order that the Government's aid may be equally or equitably distributed over the whole country, regardless of merit, or commerce and its needs. No worse plan

could be devised and none would find less favor with the committee which reported this bill. But a careful and painstaking examination of the rivers and harbors, and of the commerce and needs of every part of the United States, has been made by the committee and by the engineers under its directions, and the worthy and needy projects all over and in every part of the country have been cared for as fully and adequately as possible within the limits in which it was necessary to frame this measure. I congratulate the South, that section of the country from which I come, upon the recognition which it has received, and I specially congratulate the State of Mississippi upon the provisions made for its rivers and harbors.

As it is my purpose to address my remarks largely to the appropriations made for that State and especially for my own district, the Sixth, I shall proceed at once to a statement of the projects in that district, of the appropriations made therefor, and to a brief discussion of those projects.

All the seacoast of Mississippi lies in my district, and I am perfectly familiar not only with every cove and harbor, but with almost every foot of coast line which lies within our borders. It has long clamored for recognition and improvement, but until a few years back was only partially successful. Recently the attention of the engineers has been turned in that direction, and the results of improvement may be described as truly marvelous. A great commerce has been built up, young and thriving cities have grown and flourished on our coast, rail lines have been built, and more are now building, from the interior to our ports, and trade and commerce have flourished as never before. The following brief statistics will be of interest:

Pascagoula, for which $200,000 is appropriated for further improvement and maintenance, received its first substantial recognition in the river and harbor act of 1899, since which time there has been appropriated, exclusive of the amount carried in this bill, $529,000, the amount herein appropriated swelling the total to $729,000. The residue of $320,622 necessary to complete the present project will be appropriated as fast as estimated by the engineers. The splendid results of these expenditures are told in the following figures, compiled and furnished by the Commercial Club of that place:

In 1896, the only year before the present improvement was undertaken for which I have data, the exports from Pascagoula amounted to $1,561,400. Note the remarkable increase in the past eight years, as shown by the following table:

| | |
|---|---|
| 1899 | $2,051,312 |
| 1900 | 2,269,178 |
| 1901 | 2,629,000 |
| 1902 | 3,176,125 |
| 1903 | 3,405,450 |
| 1904 | 3,828,792 |
| 1905 | 4,142,630 |
| 1906 | 5,004,214 |

And in addition to these figures the inbound commerce by rail and water for 1906 amounted to $3,020,000, making a grand total for 1906 of $8,024,214. Surely a magnificent showing, justifying not only the expenditures already made, but an equally liberal policy in the future.

The dredging of Horn Island bar to a depth of 21 feet, which was provided for by the rivers and harbors bill of 1905, and which has been accomplished, and for the maintenance of which an appropriation of $9,000 is carried by this bill, will greatly facilitate and increase the commerce of this important port.

An appropriation of $10,000 for the further improvement of upper Pascagoula, Leaf, and Chickasahay rivers also appears in the bill, and the maintenance of these streams, specially important as logging streams and as a timber supply for the port of Pascagoula, is thus assured.

Biloxi is provided for by an appropriation of $9,000 for the maintenance of the present channel and depth at that point, and in addition a survey is ordered not only of the present channel, but for an extension thereof around the peninsula at the eastern end of the town and into the sheltered waters of Back Bay, with a view of deepening the channel to such depth as commerce may demand and of extending same into the sheltered and commodious harbor of Back Bay. The necessity and importance of this improvement will be obvious to all those who understand the locality. The front of Biloxi is more or less exposed, the Back Bay is perfectly sheltered and protected, and the extension of the channel into that bay will not only reach all the large plants situated thereon, but afford an absolutely perfect and protected anchorage.

For the Pearl River a new plan has been adopted designed to make the river navigable from Rockport to the mouth all the year, and an appropriation of $30,000, three times as much as heretofore carried in any one bill, is made available for immediate work. The entire plan contemplates the expenditure of $100,000 in the next few years to complete this improvement and the remaining seventy thousand will follow as rapidly as it can be used by the engineers. A survey is directed for the removal of the bar at the mouth of East Pearl River, and that serious obstruction to the navigation of that important stream will soon be removed.

The difficulties that for so long have beset and vexed the navigation of Wolf and Jordan rivers are removed by an appropriation of $30,000 for the removal of the bars at the mouths of these streams, and just here I wish to answer the criticism which some gentlemen have aimed at the small streams provided for in this bill. No one who will take the trouble to look into the commerce of the small streams found worthy of improvement will ever thereafter ridicule or oppose appropriations for their betterment. The commercial figures given by the gentlemen who have discussed this question more at length, notably my colleague [Mr. HUMPHREYS of Mississippi], are almost astounding. I want to add the facts as to Wolf and Jordan rivers to the already formidable data arrayed in behalf of the small streams. In 1904, the last year for which I have any detailed figures, the tonnage of these two small streams was 105,116 tons, valued at about $1,900,000, and the river and harbor board report that the tonnage for 1905 showed a material increase over that of the preceding year. And this great business was done despite the fact that the bars at the mouths of these rivers were impassable nearly half the time, and consequently nearly one-half the time of the vessels wasted. Surely such a condition not only justified but called loudly for relief.

For the maintenance of Gulfport Harbor, including the anchorage basin and the channel from Ship Island thereto, this bill carries the sum of $100,000, a sum sufficient for the maintenance of the present channel available for vessels of 22 feet. Indeed, frequently vessels of deeper draft use this channel without difficulty.

I have no hesitation in saying that the story of Gulfport is without a parallel in the history of the improvement of waterways. With an appropriation of only $150,000, a channel 22 feet deep and 300 feet wide has been dredged from Ship Island to the main shore, and a perfectly sheltered anchorage basin half a mile long by one-quarter mile wide has been provided. It is a matter of common knowledge that this work has cost over one million and a half dollars, and that the excess has been provided by the gentleman who did the work and who is of course interested in Gulfport. But interest or no interest, I challenge the annals and records of river and harbor improvement to produce another case of such progressive public spirit and high civic ideals and action. The sum expended by the Government at Gulfport, viz, $150,000, has achieved results that I challenge the world to match at the price. The port was opened for business in 1902. Note the following marvelous growth of commerce:

EXPORTS.

*Comparative shipments from Gulfport by water for the years 1902, 1903, 1904, 1905, and 1906.*

| Year. | Vessels. | Lumber. | Rosin. | Turpentine. | Tonnage. | Estimated value. |
|---|---|---|---|---|---|---|
| | | *Feet B. M.* | *Barrels.* | *Gallons.* | | |
| 1902 | 31 | 19,035,252 | ..... | ..... | 42,830 | $338,000 |
| 1903 | 111 | 105,849,522 | ..... | ..... | 238,162 | 1,665,000 |
| 1904 | 269 | 245,213,829 | 92,726 | 255,480 | 568,000 | 4,025,196 |
| 1905[a] | ..... | 207,614,000 | 112,549 | 577,200 | 488,132 | 5,227,571 |
| 1906 | ..... | 300,000,000 | 110,736 | 565,000 | 693,000 | 7,322,561 |

[a] Port practically closed three months in 1905 on account of quarantine.

The movement in and out by rail for said port was as follows:

| Year. | Inbound. | | Outbound. | | Total. | |
|---|---|---|---|---|---|---|
| | Tons. | Value. | Tons. | Value. | Tons. | Value. |
| 1904 | 370,259 | $12,228,822.00 | 68,283 | $6,139,872.00 | 438,542 | $18,368,755.00 |
| 1905[a] | 316,807 | 15,252,712.48 | 74,834 | 5,885,530.17 | 391,641 | 21,138,247.00 |
| 1906 | 389,843 | 15,769,815.00 | 70,964 | 7,066,260.00 | 460,807 | 22,836,075.00 |

[a] Port practically closed three months in 1905 on account of quarantine.

From these tables it will be seen that in five years the exports have grown over 1,600 per cent in volume and over 2,100 per cent in value—from 42,830 tons in 1902 to 693,000 tons in 1906; from $338,000 in 1902 to $7,322,561 in 1906; and the combined business by both rail and water for the year 1906 reaches the enormous total of $30,158,636. And I repeat that nowhere in this country has the same trifling expenditure of money produced the same wonderful results. By the last river and harbor bill a new survey of Gulfport channel and harbor was ordered with a view of determining whether the commerce required its further deepening. Owing to the existence of the contract for maintenance, the question was not passed upon on its merits; and as this bill carries a provision for the cancellation of that contract, the matter will be sent back to the engineers to be passed upon anew and on its merits. And just here I desire to

applaud the committee for the liberal and public spirit that prompted their assent to the recision of this contract. It is an act of justice that will be applauded by all who know anything of the facts.

In the outset I expressed great satisfaction with this bill, and I repeat that expression. I confess that I would be more pleased if it contained a provision for which I labored and for which I am still hopeful, viz, for the construction of a seagoing hydraulic dredge for use on the Mississippi coast. Experience has demonstrated that the Government can, where it owns a dredge, do its work for much less than it can contract it out. In some cases the difference is so great as to be almost appalling. If we can secure a dredge for use on our coast and in our projects, it assures for all time to come that all our harbors will not only be cared for *but that they will be improved to their utmost capacity.* The ownership and presence of the dredge will so reduce the cost that all objections to undertaking any of our work will be entirely overcome.

With this bill—and I say it with a pride that I hope is pardonable—every river and harbor in my district that is capable of improvement receives governmental aid and is taken care of. Every survey that has been made has resulted in improvement and an appropriation, and there is not a stream in the Sixth district that is seeking aid or a harbor on our whole coast that is not provided for. While I was unable to add this dredge to the very full and liberal appropriation (in every case the full amount estimated by the engineers and in some instances more) made for this district, I venture to express the hope that the Senate may insert the provision, and that it will be retained in conference.

Just a few words more, Mr. Chairman, and I will conclude. In the Fifty-eighth Congress, speaking on this subject, I said:

> Upon the internal development of this country on a large, grand, and sufficient scale depends in a great measure, if not entirely, its commercial welfare, prosperity, and supremacy. That development can not be wrought out except by the improvement of its rivers and harbors, because the problem of transportation lies at the very threshold of commerce, and no commerce can be successfully or profitably pursued without the fullest, freest, and cheapest methods of transportation.

And, again, further along in the course of my remarks:

> I am a firm believer, Mr. Chairman, in the necessity and efficiency of competition as a prime—indeed a necessary—factor in the attainment of the cheapest and most efficient service. My face is firmly set against every consolidation or combination which looks in any way toward the destruction, amalgamation, or swallowing up of any line or factor in the problem of transportation, the greatest, in my judgment, which now faces the industries and commerce of America.
>
> Even though I be mistaken in my prediction that these ports are necessary, absolutely and imperatively necessary, to the welfare, development, and upbuilding of the agriculture, commerce, and manufactures of the State—and I have not the slightest fear that I am mistaken—there can be no mistake in the statement that they are needed as competitors to other ports through which the commerce might move. But this is not all. No agency has been so potent or effective in the past in regulating and reducing rates on railroads as water competition. Wherever water has competed with rail lines, cheap rates and great commercial prosperity have unfailingly followed, and, if for no other reason, it is apparent that these waterways should be improved for the results that must accrue in the permanent reduction of freight rates by all routes.
>
> One more thought in this direction. All rail lines seek the sea, as commerce seeks the shortest and cheapest route, and wherever cheap, easy, convenient, and commodious ports are made available for the use of the commercial public, then to those ports old lines of transportation extend and build, and new lines reach out to them, until they have become the point of convergence of numerous arteries of commerce which penetrate all of the country which is tributary thereto and whose products can or ought to be transported through these gateways. From these ports, when developed, there will run into the interior new lines of carriers, until the whole country becomes one vast web and network of convenient lines which will, profitably to themselves as well as to the people, serve the commerce of all the country round.

I do not believe that I can better express my idea of the importance of the development of our waterways than by repeating that language. And I congratulate the committee, the Congress, and the nation upon the broad and liberal policy evidenced by this bill.

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## The Power of Congress to Legislate on Child Labor.

SPEECH

OF

# HON. HERBERT PARSONS,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

*Saturday, March 2, 1907,*

On the sundry civil appropriation bill.

Mr. PARSONS said:

Mr. CHAIRMAN: The bill under consideration contains an appropriation for the investigation of the conditions of woman and child labor. I make use of this opportunity, therefore, to discuss the power of Congress to legislate in regard to the labor of women and children.

Earlier in this session the Congress passed a law providing that the Department of Commerce and Labor should investigate the industrial, social, moral, educational, and physical condition of woman and child workers throughout the country, and it is for this investigation that this bill appropriates $150,000. The bill for the investigation was opposed in this House by the chairman of the Committee on Appropriations, the gentleman from Minnesota [Mr. TAWNEY], and on his motion a resolution was passed calling upon the Committee on the Judiciary for a report on the power of the Congress to legislate in regard to the labor of women and children. This direction to the Committee on the Judiciary also necessarily related to bills prohibiting interstate transportation of the products of factories and mines using the labor of children under 14 years of age, one of which was introduced in the Senate by the Senator from Indiana [Mr. BEVERIDGE] and in this House by me.

The Committee on the Judiciary recently reported to the effect that Congress had no power to legislate in regard to the labor of women and children. I propose in these remarks to dispute the accuracy of that report. I shall not at this time argue the desirability of Federal legislation or whether some of the statements made in regard to the evils of child labor are exaggerated or not. The agitation throughout the country and the legislation or attempts at legislation in many of the States reveal an evil that needs correction, and convinces me that if Congress has the power to grapple with the evil, and so be the most efficient force to eradicate it, it will shortly exercise the power.

The report of the Committee on the Judiciary is, with all respect, a remarkable document. It quotes and cites the language used by the Federal courts in various cases. It does not, however, give the facts in a single case and it omits to call the attention of the House to several cases which point to a conclusion the very opposite of that reached by the committee. I have no doubt that should the Congress legislate in the matter the constitutionality of the legislation would some day be disputed and that in the opinions of the Federal courts mere expressions could be found to apparently substantiate the argument of unconstitutionality. This is true of every attack made on the constitutionality of legislation of the Congress in regard to interstate commerce. But it is the decisions, as interpreted by the opinions of the court, that make the law, and not mere words used by the courts.

To bring the matter clearly before the Committee, I here quote the first section of the bill introduced by Senator BEVERIDGE in the Senate and by myself in this House. It reads as follows:

> *Be it enacted, etc.*, That six months from and after the passage of this act no carrier of interstate commerce shall transport or accept for transportation the products of any factory or mine in which children under 14 years of age are employed or permitted to work, which products are offered to said interstate carrier by the firm, person, or corporation owning or operating said factory or mine, or any officer or agent or servant thereof, for transportation into any other State or Territory than the one in which said factory or mine is located.

Members will notice that the prohibition attaches only at the point when the products of such child labor enter interstate commerce. There is no direct attempt by the bill to regulate or affect factory or mine conditions within a State. The bill amounts to a prohibition of the transportation of their products in interstate commerce if the labor of children under 14 years of age has been used. The simple question, therefore, is, Has the Congress the power to prohibit from interstate commerce whatever it thinks should be prohibited?

Parenthetically let me say that this power under the interstate-commerce clause is not the only power that Congress can exercise in regard to the labor of children, nor is the method attempted the only way in which Congress can exercise its interstate-commerce power in this regard. It, of course, can exercise the police power in the District of Columbia and the Territories. It can also say that neither the Government of the United States nor the Government of the District of Columbia nor the government of any Territory shall purchase the product of any factory or mine in which children are employed. This would be rather far-reaching. The Congress could further deal with child labor in regard to all labor which was in the current of interstate commerce. In the recent case of Swift *v.* United States the Supreme Court, in holding the Sherman antitrust law applicable to a combination of dealers in fresh meats, decided that it was not necessary to prove that all the products were to go into interstate commerce, but that it was sufficient to show that the course of business was, to use the language of Mr. Justice Holmes, in "a current of commerce among the States," and that, as in the business many cattle were shipped into a State from out of that State and after dressing shipped out into

another State, the business was one in the current of interstate commerce.

There is much complaint of child labor in cotton mills. Under the foregoing decision it is not impossible that in every case where the cotton was shipped to the mill from outside the State—and a considerable portion of the product was sold outside the State—a law of Congress framed on the "current of commerce" theory could deal with child labor in a variety of cotton mills, as, for instance, in the cotton mills of Massachusetts and even in some of those in the South.

But this power is nothing like as effective as the power asked for in the bill the first paragraph of which I just quoted.

Can the Congress legislate to prohibit from interstate commerce products of factories and mines in which the labor of children under 14 years of age is used? The power of the Congress in this regard depends upon the interstate commerce clause in the Constitution, which reads: "To regulate commerce with foreign nations and among the several States and with the Indian tribes." The power to prohibit thus depends upon the power given by the words "to regulate." Does "regulation" include "prohibition?" Has the Supreme Court gone so far as to decide that? Upon what interpretation has the Congress itself acted?

In order to place the matter clearly before the committee I shall avoid the discussion of a long line of Federal cases. The answers to the foregoing questions are, however, that the Supreme Court has decided that the power of regulation includes the power of prohibition, and that Congress has repeatedly acted upon that interpretation of the power.

The Supreme Court decided it in the Lottery case, which is not cited by the report of the Committee on the Judiciary.

In that case the defendants were indicted for conspiring to ship lottery tickets by express from one State to another. The Federal statute provided punishment for such an act, thus, in effect, prohibiting the transportation of lottery tickets in interstate commerce. The court, after holding that the tickets were subjects of traffic, also held that Congress had "plenary power over such commerce and may prohibit the carriage of such tickets from State to State." (Lottery case, 188 U. S., 321.)

It has been said by the Supreme Court that the power to regulate interstate commerce is the same as the power to regulate foreign commerce, and that court has upheld prohibitions of importation of impure tea and counterfeit coin. Upon that power is based the prohibition in the Dingley tariff law against the importation of convict-made goods.

What has the Congress itself done? It passed the lottery act, heretofore mentioned. It passed the meat-inspection bill, which prohibits from interstate commerce meat which is not stamped "Inspected and passed." It may be that this legislation could be upheld on the principle that meat packing is in the "current of interstate commerce;" but the statute in the respect mentioned is not framed on that theory. In the pure-food law the Congress acted on the theory that the power to regulate included the power to prohibit. One section of that act prohibits from interstate commerce food that contains terra alba. Suppose that we paraphrased that section and let it read as applied to child labor, it would read thus: "That * * * any person who delivers for shipment from any State * * * to another State any confectionery if it *is the product of child labor* (contains terra alba)." Would it not be equally valid in law?

This House has passed a bill prohibiting convict-made goods from interstate commerce. The court of appeals of the State of New York held a State statute unconstitutional which forbade the sale of convict-made goods unless they were stamped "convict made," and based its decision, the case being one of goods shipped from Ohio to New York, on the ground that the statute as applicable to such a case was repugnant to the commerce clause of the Federal Constitution. The Ohio supreme court did the same. On the same principle those courts would, in a similar case, be compelled to hold unconstitutional a State statute that forbade the sale of goods made in another State by child labor. We can legislate as to child labor just as much as and no more than we can as to convict labor, and all that would be necessary in drawing the bill would be to copy verbatim the convict-made goods bill except to substitute the word "child" for the word "convict."

The Congress has acted on the same principle in the act to prohibit from interstate commerce any article designed to prevent conception, and the constitutionality of the act was sustained by the court for the northern district of California. In the act in regard to diseased cattle, insect pests, falsely stamped silver articles, nitroglycerin and explosive materials the Congress has placed upon the power to regulate a practical interpretation, which includes in such power the right to prohibit.

I admit that the power is far-reaching. I admit that under it there is almost nothing as to which Congress can not legislate. The power is greater even than the police power of the States. There let me suggest a limitation on the power of Congress to prohibit which may occur to the minds of some. It is sometimes said that although the power to regulate includes the power to prohibit, the Supreme Court will pass upon the question whether the prohibition in a particular case is a proper method of "regulating." Granted that that is so, what test will the Supreme Court apply? Some will say that some such limitation of the principle was set forth or intended or acted upon in the lottery case. Assuming that that was so, what, in effect, would be that principle? It would be merely this, that the power to regulate involved the power to prohibit to the extent that in intra-state legislation by State legislatures the police power permitted prohibition? If that is the limitation on the power to prohibit, then that limitation includes the case of child labor, for the regulation of child labor is a proper exercise of the police power of the States.

Let me therefore repeat that the Supreme Court has decided that the power to regulate includes the power to prohibit; that the Congress, and in particular this House, has repeatedly acted on this interpretation, and that the power to prohibit from interstate commerce the products of child labor is ample.

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## River and Harbor Appropriation Bill.

### SPEECH

OF

# HON. JAMES A. HUGHES,

OF WEST VIRGINIA,

### IN THE HOUSE OF REPRESENTATIVES,

*Thursday, February 7, 1907,*

On the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. HUGHES said:

Mr. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE: I wish to offer the following amendment:

On page 74, line 9, insert the following, in accordance with the recommendation of the Chief of Engineers:

"For improving the Big Sandy River and its tributaries, $361,300, to be used for the following purposes: To complete each of the dams, No. 1, respectively, in the Levisa and Tug forks of the said river, $235,000; for a steel service bridge at Lock No. 1, in the Big Sandy River, $7,000; for an additional lock house at Lock No. 2, in the Big Sandy River, $1,800; for dredging plant, $17,500."

I feel that this amendment should be part of this bill and will try to give the committee at this time my reasons for same. The improvement of the Big Sandy River was begun more than twenty years ago and has progressed very slowly. Our appropriations in this improvement have been small and far between, but we have not raised any serious objections up to this time. We now feel that leaving us entirely out of the river and harbor bill is treating us unfairly, to say the least. In the main river, from Catlettsburg, Ky., which is located at the mouth of the Big Sandy River, to its fork, which is situate at Louisa, Ky., is a distance of 27 miles. There are now three dams completed.

We have in each fork of the river a lock completed. We have a lock in the Levisa Fork, which is located about 8 miles above Louisa, Ky., and we have another lock in the Tug Fork of the Big Sandy River, about 5 miles above Louisa, Ky.

As you will readily understand, a lock without a dam, if you will permit the expression, isn't worth a dam. The Chief of Engineers says, in his annual report, that an appropriation of $235,000 should be made for the completion of Lock and Dam No. 1 in the Tug Fork and No. 1 in the Levisa Fork of the Big Sandy River. His estimate says it will take $117,500 to complete each one of these locks and dams.

While the improvements made in the main river have been of a great deal of value to the people living along the Big Sandy, by giving them an outlet by water from Louisa to the Ohio River during the whole year, the improvements yet to be made are the most valuable ones to be considered. What I mean by this is, Dam No. 1, located in the Levisa Fork of the Big Sandy River, when it is completed, will put back water to the first coal fields of any value on this river, namely, the "Torchlight," "White House," and what is known as the "Warfield territory." The same conditions exist in reference to the other fork, the Tug Fork of the Big Sandy River. The completion of this lock will put us in like fields on this fork of the river.

Now, it would seem to me that on matters of this kind the appropriation should be made from a thorough business under-

standing of the situation. This being the case, if the business nature of my proposition were thoroughly understood—and I am endeavoring to make myself clear in that particular—I am firmly convinced that there would not be a solitary vote in this House against this amendment. If you will permit an illustration. If you were boring an oil well and you had gone down the greater part of the way, say, 1,600 feet, and at this distance you had every possible indication that 200 feet more would put you in "pay sand" and it would cost you very little additional to go down that extra 200 feet, would you, or any man with a good, keen appreciation of the business side of the situation, say, "We will stop this work here and not go any farther?" Now, this is exactly the position you are taking in this case. With the improvements that have been made on the Big Sandy River, we are just now striking the "pay sand." If you give us nothing more, give us what the engineer recommends, which is $361,300. With this little amount we could finish the two locks and dams already begun, one in the Tug Fork and the other in the Levisa Fork of the Big Sandy River, which are now only half finished. This will allow us to make the necessary improvements in Dam No. 1, at Catlettsburg, Ky., and will give us a sufficient amount for a dredge plant, and at a cost of $17,500; also $1,800 for a lock house at Lock No. 2. Now, this whole appropriation, which will do the Big Sandy and the people living along this stream so much good, will, if appropriated, cost the small and insignificant sum of $361,300.

Now, I have tried to make this plain to you, and sincerely hope that you will sustain this amendment in this bill, and that the chairman of this committee will ask that it be incorporated in the bill. Now, as to the other improvements in which I am interested, I am sorry that your honorable chairman did not feel that he could, in justice to all, make a larger appropriation for the Ohio River; but I know, however, there is to be a stopping place somewhere and, in his good judgment, I am sure he has done what he thought was fair and right, and distributed the amounts in this bill as well and as fairly as could have been done. Therefore I shall say no more on that. Feeling that I have taken up all of your time that I should, I shall kindly ask leave to print the balance of my remarks, as I have some statistics here which show the advantage in the improvement of waterways in other countries as well as our own.

Fiume, the chief port of Hungary, spent $18,000,000 in improving its harbor. Its trade increased from 325,000 tons in 1872 to 2,954,000 tons in 1898. This shows clearly the beneficial result of spending money as they do in Europe. Europe has left us far behind in the matter of improvements of waterways.

The Kaiser William Canal was built for deep-draft ships across the Danish Peninsula to save the distance of 425 miles. It cost $39,000,000 and has increased the trade of Germany's ports on the Baltic Sea—Stettin, Lubeck, and Konigsberg—by leaps and bounds, and is Germanizing Russia and Poland.

The Liverpool and Manchester Canal was built at a time when Manchester was threatened with grass on her sidewalks. The 45-mile haul, with the cost of reloading onto cars at Liverpool, was killing Manchester. Land was dear, but she built a ship canal 45 miles at the highest cost per mile on record, with the exception of the Panama Canal, which was $1,600,000 for each and every mile built. This was just ten times the amount for which American contractors offered to build a ship canal for Russia from the Black Sea to the Baltic Sea, which was $160,000 per mile.

Since 1871 France has spent $368,000,000 on her waterways and she is not quite the size of the Ohio Valley. She had a complete and costly system of canals when she started her heroic waterway measures, and nevertheless she has spent as much in thirty-five years, lacking $2,000,000, as the United States has spent in all for her rivers and harbors.

The Ohio River, crippled as it is, has a tonnage of that equal to the whole of the ocean tonnage of Russia, which is from twenty to thirty millions of tons annually. The United States is not only equal to France in size, but is a little larger and much richer in minerals and the efficiency of her capital and labor. France increased the length of the 6-foot stage in thirty-five years from 1,000 to 3,200 miles. Germany is a little larger than France, but a little less than the Ohio Valley in size, yet she built one canal 168 miles long, at $125,000 per mile, for the mere purpose of diverting the Rhine traffic, which goes through Holland at the Rhine's mouth from Holland, and to the new Port Emden, on the River Ems. Ems has done a great business, in addition to having a great growth, but Rotterdam, Holland, on the Rhine, has grown like Chicago.

The city of Hamburg has spent $75,000,000 to improve its harbors and channels on the River Elbe. Austria appropriated $50,000,000 June 11, 1901, to start a work which will cost $250,000,000, viz, to connect the Danube at a six-foot stage with the German rivers, which will be made one by a cross-country canal at a 6-foot stage.

Reverting again to the Ohio River, its shores are the greatest tonnage-producing territory in the world. Pittsburg has greater tonnage than New York, Boston, and Chicago combined, and while Europe is spending money this way and reaping such results as are shown it is the height of folly to leave our waterways unimproved. A policy adopted like that of France, Germany, and every other country in Europe except Turkey, would make the uninhabited wastes of the Big Sandy Valley a human hive of industry and thrift.

House Document 326 of the Fifty-sixth Congress, first session, page 13, says that Prof. C. N. Brown, geologist of the Ohio State University, was sent by the War Department engineers to examine the valley, and that he found 2¾ billion tons of coal, a quantity that would have supplied the then existing demands to the Great Lakes for two hundred years. Professor Brown gave it as his opinion that it would be safe to count on from 3 to 4 billions of tons, with the chances greatly in favor of a considerable excess over the larger figures.

This will be the source of the supply for the Pacific coal trade, which is to be, after the Panama Canal shall have been finished. The same report shows, on the page immediately following, that if there were no coal the improvement of this river after the plan which is now the universal policy of Europe would make the river a great hive of human industry in point of national assets. Iron, clay, glass, sand, salt, oil, Portland cement, lime, and fire brick in vast quantities immediately available are already in sight.

The valley of the Big Sandy is 4,500 miles, almost exactly equal in extent to the great State of Connecticut. This part of our national domain, equal in possibilities to that magnificent State, will remain comparatively valueless, owing to the peculiar topography, as shown on page 20 of House Document 235 of the Fifty-sixth Congress, second session, until the splendid work already begun can be completed in accordance with the plan outlined in Document No. 235, thereby deepening this magnificent river from its headwaters to its mouth, and the establishment of a 9-foot stage of water from Pittsburg to Cairo.

As to the value of a policy of liberal appropriations, I wish to call your attention to the results obtained from those European countries which have set the standard for the world and whose lead in this particular the United States will do well to follow. I wish to invite your attention particularly to the increase in the volume of trade in Germany from the improvement of her waterways.

Having looked at the force "behind and at the making of" the statistics of Germany, let us look at the statistics themselves: Germany in 1871 had forty-one million people, in 1900 fifty-six millions, an increase of from 197 to 270 per square mile. Emigration in 1853, 318 thousand, in five years ending 1901, average, twenty-three thousand. Tonnage of seagoing vessels increased, 1871 to 1903, 250 per cent; the proportion of steam tonnage to the total tonnage increased in the same years 2,000 per cent. Present excess of births over deaths, one million a year. Germany's percentage of deaths is lowest among nations, and falling. In 1895 the world's total export and import trade was eighteen billion dollars; of this Germany had ten per cent; in 1905 the figures were twenty-one billions, and Germany's share was twelve and one-half per cent. Berlin alone among the cities of the world, it is said, surpasses Chicago in the ratio of its increase, growing in thirty years from 750,000 to 2,000,000. Fifty of Germany's cities now are spreading like a prairie fire. In 1886 Germany bought from us twenty-five and a half millions of goods; in 1890 she bought from us 250 millions of goods, an increase in fourteen years of nearly 1,000 per cent. In five years ending in 1901 her postal revenues rose from sixty-eight to ninety-nine millions. In twenty-eight years ending in 1904 her production of pig iron rose from 2 to 10, her production of iron ore from 4¾ to 22; her production of coal from 38 to 121 million tons. When we were boys we used to sing about a "Little German Band." I will sing you a song now about a little German bank, one of ten representative interests reported by a commission to the German Government as being an index of Germany's growth since 1871. It is the Deutsche Bank, of Berlin, privately owned and managed. This bank grew in four periods ending with 1871, 1880, 1890, 1895, by these leaps and bounds: Capital 3¾, 13, 25, 50 millions of dollars. Business, three-fifths, two and a half, seven, thirteen billions of dollars. The Imperial or Reichsbank, of Berlin, did a business in the last year reported of forty-six billions of dollars.

Of capital invested abroad England with her enormous prestige, her financial plant established from of old, her world-wide correspondence had, in 1900, $10,000,000,000. Germany, start-

ing with her empty hands thirty years before 1900, had, in that same year, five billions. I will call your attention later to the deep strategy of some of that investment. A manifest destiny has seemed to guide it in its course. I will merely state at this time that of the five billions of Germany's foreign investment in 1900, two billions were invested in municipal bonds, ice plants, traction systems, and aid of local industrial enterprise in southwestern Russia. Two hundred millions are similarly invested in the unfederated Balkan States, which are to be federated to something some day, and one hundred and twenty millions are invested in Hungary. In Asia, Africa, and the Pacific islands Germany has preempted territory five times her own area, of which she may be expected to make in time what Americans have made of Alaska and Texas.

Germany hastes not and rests not; she will not knock a green apple from the bough which is sure to ripen and fall into her lap. Asia Minor is dotted with German plants manned by the graduates of her technical schools. A German-owned railroad runs down the valley of the Euphrates; a prophet who foreteils the future in terms of events is very likely to be made ridiculous by the course of events; a clergyman enjoys no immunity from this law, but it still remains true that no ambition, no prospect in the horoscope of our America, seems so likely to come to pass as that the Black Sea by the inevitable collapse of Turkey and Austria, the federation of the unfederated States of the Danube, and the disintegration of Russia in the west and southwest will be some day a fresh-water lake in the heart of an expanded Germany. And every American with humanity in his heart and a little history in his head since Uncle Sam has annexed about all of the earth he cares for will welcome such an expansion of the Fatherland, which will lift from the Levant the oriental blight.

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## The Programme for the Interparliamentary Union for the Second Hague Conference.

SPEECH

OF

# HON. RICHARD BARTHOLDT,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

*Monday, March 4, 1907.*

Mr. BARTHODLT said:

Mr. SPEAKER: The Interparliamentary Union, as is now generally known, at its last two conferences held at Brussels in 1905 and at London in 1906, has considered and agreed upon a programme for the next great conference of nations to be held at The Hague in the summer of this year. The Congress of the United States, through its arbitration group, is a member of that great international organization of lawmakers, and American delegations composed exclusively of Members of this House have attended both the Brussels and the London conferences. For this and other reasons I deem it proper to inform the Members of this House and the American people of the nature of that programme, representing, as it does, the wishes, the hopes, the aspirations of the people of this and other countries as to what steps should be taken at the second Hague conference to secure the peace of the world on a more permanent basis.

At the London conference of the Interparliamentary Union, which completed the programme referred to, a resolution was passed calling upon the delegations from the eighteen several countries represented there to bring that programme to the attention of their respective governments, and, pursuant to this action, the American delegates instructed me, as their chairman, to prepare a report for submission to the President of the United States. This task I have endeavored to perform by personally presenting to President Roosevelt a report which, by unanimous consent, I shall insert in the RECORD. It is, as I believe, a full and comprehensive statement of the questions which the Interparliamentary Union expects the next Hague conference to consider. The report is as follows:

THE INTERPARLIAMENTARY UNION
FOR THE PROMOTION OF ARBITRATION,
*Washington, D. C., January 24, 1907.*

MY DEAR MR. PRESIDENT: On March 6, after you had called the second Hague conference, in compliance with your promise made to the Interparliamentary Union, our arbitration group held a meeting and authorized me to propose to the executive council of the Interparliamentary Union:

First. That the parliaments of Central and South America be specially invited to participate in the approaching conference of our union.

Second. That the union formulate a treaty of arbitration worthy of general acceptance, and acceptable both to the United States and to the great powers of Europe.

Third. The determination of the proper basis of representation in a permanent international congress.

I repaired to Brussels in May following and presented these three propositions to the executive council of our union. The result was:

First. The immediate issue of invitations to the Central and South American parliaments and the appearance of four Spanish-American nations at the 1905 conference of our union.

Second. The appointment of a committee, of which I was a member, to prepare and present to the conference to be held at Brussels on the 28th of the following July, a general treaty of arbitration.

Third. A request that I present to the conference in July a basis for a permanent international parliament.

I availed myself of every possible assistance during the short interval allowed me for this important work, and when the conference assembled, on the 28th of July at Brussels, I laid before it two documents, copies of which I take pleasure in attaching hereto. One of them was a proposed treaty of arbitration and the other was an outline of a permanent international congress.

Our brethren of the European parliaments were somewhat surprised at the first view of our propositions, but this was quite natural, because we in America are simply the Europeans who wish most to push forward. But it required only the three days of our session to crystallize the sentiment of the entire conference solidly in favor of the principles:

1. Of a permanent international congress, having power to convene *periodically and automatically*, to discuss such international questions as the current of events may make paramount.

2. Of granting jurisdiction to The Hague court in a clearly defined area, so that the court can become *an integral and self-acting* part of the world's judicial machinery.

Two commissions, composed of twelve of the most eminent parliamentarians of Europe, were appointed to consider the details, with instructions to report prior to the assembling of the second Hague conference.

It may interest you to recall the fact that the members of our union, upon leaving the Belgian parliament house, after taking this stand for securing a more permanent peace among all nations, were rejoiced by the good news that you had succeeded in reestablishing peace in Asia on that very day.

In the preparation of the general treaty of arbitration, which I submitted at Brussels, due consideration was given to the indisposition of the great powers of Europe to agree to the arbitration of all questions, and also to the best means of avoiding the rocks which wrecked the nine treaties negotiated by Secretary Hay, at your request, and which failed to become operative, though ratified almost unanimously by our Senate, on account of the provision requiring the signing of a subsequent agreement (treaty) for each particular question.

I suggested clear definition of the classes of controversies included in the treaty and automatic action in such cases by the Hague court. And to make unity of action possible between advanced and backward nations I proposed permitting each nation to designate the area in which it would submit its action to the court.

Before our union assembled for its fourteenth conference, at London, in July of the present year, both of these commissions had filed reports favorable to the main ideas contained in the propositions submitted at Brussels in 1905.

After full consideration of these reports, copies of which are hereto attached, the London conference adopted the reports, after having made some amendments to the report on treaty of arbitration, which made it more progressive than as reported by the commission.

The Commission had reported in favor of granting jurisdiction to the Hague court, in a large number (seventeen) classes of controversies, so that no further agreement or treaty need be concluded between the contending parties before cases of the designated kind can go to the Hague court for trial and final determination.

Upon motion of Hon. JOHN SHARP WILLIAMS, questions of debt were added to this list by unanimous consent of the executive council and of the conference in full session.

This commission appended to its proposed treaty of arbitration a suggestion that the signatory powers resort to mediation in all the questions reserved from the treaty prior to the commencement of hostilities. Upon motion of Hon. W. J. Bryan, amended by His Excellency von Plener, ex-secretary of the Austrian treasury, this recommendation was enlarged so as to call definitely

in all such cases for either mediation or an impartial investigation of disputed questions of fact, as the one or other method may be the more appropriate, prior to the commencement of hostilities. The clause thus enlarged was carried into the body of the proposed treaty by a unanimous vote of the conference in full session.

This idea was part of the treaty proposed by me at Brussels, and was regarded by the Europeans as too progressive until the matter was thoroughly discussed in the council and in the open conference in London.

You will see that these recommendations, taken together, constitute a complete and scientific proposition.

First. A permanent deliberative body is suggested in which all nations will be represented, to crystallize the best sentiment of the world into rules of international law.

Second. The treaty of arbitration is to empower The Hague court to say when these rules have been violated, *in a clearly defined area.*

Third. Controversies not falling within this area are to be reserved for trial by armed forces. But hostilities are not to commence until the good offices of friendly powers have been asked by the disputants in vain, or until disputed questions of fact have been examined in the light of evidence by an impartial international commission.

Having obtained such progressive action, I did not think it wise to press further for other ideas contained in the treaty I proposed. But I think it appropriate to call your attention to these:

First. That each nation might designate the questions it is willing to surrender up to the jurisdiction of The Hague court, and the treaty to become operative between it and all the other signatories, but only to the extent that others designate the same classes of questions as suitable for obligatory arbitration.

To illustrate: The small powers would designate all questions.

The great powers might designate many questions, some more than others. The treaty would become operative between some nations for all questions, without any right of appeal to arms after the decision of the court.

Between others it would become operative, say, for all the controversies included in the treaty as proposed by the commission and approved by the conference, i. e., in eighteen classes of contentions.

Between others in a still more limited area.

I suggested, also, that the clause requiring mediation or investigation prior to commencement of hostilities in all the questions reserved for forcible settlement might be stricken out by any country unwilling to go so far, thus letting the treaty in all its clauses but this one operate between such a country and all others ratifying it.

In this way the treaty could operate on each country up to the limit of its arbitration sentiment.

It seems to me you are in a position, with this two-edged sword, to cut the Gordian knot of the arbitration problem which has thus far defied statesmanship, even that of your lamented Secretary of State, John Hay.

Other resolutions of the conference were as follows:

Upon motion of Mr. Cremer, as amended by Baron d'Estournelles, the conference declared in favor of national commissions for consideration of the question of armaments, with a view to an international agreement to arrest or reduce them, and also for the placing of this question upon the programme of the approaching Hague conference.

On motion of Signor Brunialti (Italy) and of M. Louis Franck (Belgium), the conference adopted resolutions declaring for:

1. The definition of "Contraband of war" as being restricted to arms, explosives, and munitions of war.

2. Reasserting and confirming the principle that it is not proper to destroy either ships carrying contraband of war or goods on board such ships which are not contraband of war.

3. Universal consent to the inviolability of private property at sea in time of war.

Upon motion of M. Beernaert, ex-prime minister of Belgium, who is now a senator, it was requested that the employment of new types of instruments of war and the bombardment of undefended ports, towns, and villages should be placed upon the programme of the approaching Hague conference.

Upon motion of Dr. Albert Gobat, general secretary of our union (member of the Swiss Parliament), it was resolved that the forthcoming Hague conference should consider and more clearly define the rights and duties of neutrals in time of war.

Upon my own motion, it was unanimously declared that each group of our union should take steps immediately to secure from their government an annual appropriation in aid of the work of the interparliamentary union and of the general movement for the substitution of arbitration for force in international affairs.

You will observe that these far-reaching recommendations divide themselves into two classes:

First. Those that can be effectuated only by general consent of the powers.

Second. Those that any one nation can effectuate by its own individual action.

I will address a separate note to you in regard to the second class, confining myself here to action that should be taken in concert with other powers, either at or after the forthcoming conference at The Hague.

By securing the indorsement of the foregoing progressive ideas by this union, composed of over 2,000 members of national legislative bodies, the arbitration group of our Congress has opened the door for some Chief Executive to take the lead in effectuating these things which are indispensable to the peace, prosperity, and further progress not only of our country but of all nations. The conditions which now confront us seem to make this work appertain more directly to you than to any other Chief Executive.

The forthcoming conference at The Hague was called upon your initiative, and this action was based upon the resolution of our union adopted at its first American session, upon motion of American members of our body. This second conference at The Hague will be participated in by all American nations, and this fact is due to American initiative.

We are therefore upon the eve of what may be correctly called the "American conference at The Hague," and we will not disappoint the world by failing to make that conference produce results proportionate to the possibilities of this hour and to the rightful place of the United States in the politics of the world.

Nothing impractical has been proposed, but simply the attempting of all that is now possible. The hour has struck for realizing these things, and the prestige that you obtained throughout the world by your successful intervention in the war between Russia and Japan and by other acts in bringing The Hague court into operation points to you as the Chief Executive who should lead in espousing ideas which have already found advocates among the most eminent jurists and legislators of every advanced nation.

Happily the political conditions of our country insure your receiving the support of the leaders of all political parties.

The party to which you belong declared for arbitration at its last national convention. The elected leader of the Democratic party in the House is a member of our union, and both he and the acknowledged leader of the Democratic party in the country participated in the recent conference at London. Both of them contributed valuable ideas, which were adopted by the conference, and exerted their influence in causing our union to declare for this progressive platform. Shortly after bringing forward this proposition I declared that it was one upon which good people in every country and of every shade of political opinion could stand together, regardless of the forms of the country's constitution and of the national policies with which their party may be associated. Events have justified my hopes, but in no country more conspicuously than in our own.

Assured that you will be led to do all that is wise and right at this critical moment, I tender you my services to aid in all possible ways, and beg to remain,

Very sincerely, yours,

RICHARD BARTHOLDT,
*President of the American Group.*

THEODORE ROOSEVELT,
*President of the United States.*

Mr. Speaker, it will no doubt be a source of supreme satisfaction to the Members of the House to note from this report that the two main propositions to be submitted to The Hague conference by the Interparliamentary Union are of American origin, and this, I hope, will be an additional reason why they should receive the support of the delegates which, by appointment of President Roosevelt, will represent the United States at The Hague. [Applause.]

In order that the report may be complete, I insert in the RECORD a copy of the resolutions adopted at London. They are as follows:

EXHIBIT B.

Resolutions adopted by the fourteenth interparliamentary conference.

1. That it would be advantageous to give The Hague conferences a more permanent influence in the work of pacification, and that the powers should agree in establishing the periodical meeting of these conferences; that the powers, when appointing their representatives to the second Hague conference, could usefully include in their instructions the duty of endeavoring to find the means of constituting a permanent consultative council intrusted with codifying and developing the law of nations.

2. If a difference should arise between the contracting parties which by the terms of the convention need not be submitted to arbitration, the parties shall not have recourse to any measure of hostility, of whatever nature, before having jointly or separately demanded, according to the circumstances of the case, either the constitution of an international commission of inquiry or the mediation of one or more friendly powers. This requisition shall be made, in case of need, conformably to Article VIII of The Hague convention for the peaceful settlement of international conflicts.

3. The Interparliamentary Conference, considering that the increase of naval and military expenditure, which weighs so heavily upon the world, is universally recognized as intolerable, expresses the wish that the question of the limitation of armaments should form part of the programme of the next Hague conference. The conference decides further that each group of the Interparliamentary Union should, without further delay, bring this resolution before the Government of its own country and press in its own parliament for the appointment of commissions for the study of the question of armaments, with a view to an international agreement to reduce or arrest them, so that the question of the limitation of armaments shall be made the subject of the national study necessary to secure the success of the international discussion.

4. (1) By treaty define contraband of war as being restricted to arms, munitions of war, and explosives.

(2) Reassert and confirm the principle that neither the ship carrying contraband of war, nor other goods on board such ship, not being contraband of war, may be destroyed.

(3) Affirm that even between belligerents private property should be immune at sea as it is on land.

5. It is desirable that the second Hague conference consider the propriety of prohibiting the use of new types of rifles, guns, and marine engines of war; also the bombardment of undefended ports, towns, and villages.

6. The second Hague conference should consider carefully, and if possible clearly define, the rights and duties of neutrals, so that these rights and duties may be clearly understood among all civilized countries.

7. It is earnestly requested that various groups of the Interparliamentary Union should take steps at the earliest possible moment to secure an annual appropriation by their respective Governments in aid of the work which is being done by the Union and in general furtherance of the movement for the substitution of law for war in international affairs.

## Post-Office Appropriation Bill.

### REMARKS

OF

# HON. HALVOR STEENERSON,

OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

*Tuesday, February 19, 1907,*

On the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes.

Mr. STEENERSON said:

Mr. CHAIRMAN: In my speech on the post-office appropriation bill yesterday I was cut short by the lapse of the time allotted me from discussing as fully as I had intended the question of the proposed new divisor to be used in determining the average daily weight of mail carried by railroads and the position taken by the minority report signed by the gentleman from Iowa [Mr. HEDGE].

The provision in the bill on the subject is as follows:

That hereafter the average weight *per day* be ascertained in every case by an actual weighing of the mails for such number of successive days, not less than *one hundred and five*, at such times and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct. (Lines 16 to 22 of the bill.)

The present law is as follows:

The average weight to be ascertained in every case by the actual weighing of the mails for such a number of successive working days, not less than ninety, at such times, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct. (Rev. Stat. 4002.)

I have underscored the words in the new provision which are not in the present law.

It will be observed that the new provision requires the weighing to be done on "successive days" instead of "working days," not less than one hundred and five, and that it is to ascertain the weight per day and not daily weight. Webster defines working day as "a day when work may be legally done, in distinction from Sundays and legal holidays."

The provision in the bill does not propose two divisors—one of seven for the routes that carry mail seven days a week and one of six for the routes that carry mail six days in the week, or to put it in three months' weighing periods, 105 and 90, respectively, which would be equivalent to 365 and 313 for a whole year, but it proposes a new divisor to be used in computing average weight per day on all routes, to wit, 105.

That this new provision is misunderstood by the minority report signed by the gentleman from Iowa, Mr. HEDGE, will be seen by the following extract from his report:

A brief statement of the history of this arrangement is useful: The existing scale of payment to railroads for carrying the mails was originally, in 1873, enacted strictly for a six-day service. If a railroad company, because requested by the Department, is willing to render the service in seven days, what reason does this furnish for actually reducing its compensation? Such companies might, it seems, very properly demand additional pay for Sunday service, but up to this time have not done so. They have accepted the scale of payments established in the original law without demanding an increase because of the increased service they perform. To protect them from being required, through the phrase "average daily weight," to accept one-seventh less than the six-day roads, the words "working days" were incorporated into the original law; that is, the Sunday mails are counted in the Monday weights, and as if carried on Monday.

The Department seems never to have found any intricacy or difficulty in administering the law as it stands, and no substantial result can be conceived to follow the adoption of the change other than an arbitrary reduction of 14 per cent affecting railroads performing the greatest service for the Government, and those only.

The only question to be determined is, "Is the Sunday service worth this addition to the average of the pay for the six working days?"

There is no element of sharp practice or immorality in it. It is a mere question of value received.

As an illustration of what may be properly regarded as compensation for Sunday service, the case is often referred to of western railroads, where a six-day service between Chicago and Omaha was being performed. The Department asked them to add a Sunday train, and to induce this offered an extra payment of $500 per Sunday, or at the rate of $1 per train mile. This offer was accepted, and this bonus of $500 per day for a Sunday service was paid for years.

If the recommendation of the majority is approved and enforced, the strange result will follow that the roads carrying a certain quantity of mail for the six working days (and delaying Saturday's mail until Monday) will receive a larger compensation for it, not relatively or comparatively larger, but a larger actual compensation in dollars and cents than the roads which carry the same quantity on seven days of the week (and not delaying Saturday's mail). To illustrate, or, rather, to demonstrate, take two lines each carrying 365 tons in a year. One runs six days in a week, or three hundred and thirteen days in a year. The other runs seven days in a week, or three hundred and sixty-five days in a year.

| | |
|---|---|
| 365 tons, 730,000 pounds ÷ 313 = 2,332 pounds per day, for (legal rate) | $132.52 |
| 365 tons, 730,000 pounds ÷ 365 = 2,000 pounds per day, for (legal rate) | 128.30 |
| | 4.22 |

The road performing Sunday service receives $4.22 per mile less than the road resting on Sunday.

Take the case of a line 500 miles long. A line that runs six days in the week would render 313,000 miles of service and receive $132.50 × 500 = $66,260 per year. The line that runs seven days in the week would render 365,000 miles of service and receive $128.30 × 500 = $64,150, or $66,260 — $64,150 = $2,110 per year less than the line that runs six times a week.

In other words, if this railroad should abandon its Sunday service, though Saturday mail would be delayed twenty-four hours, it would receive more dollars than if it maintained that service. Is it the object of the majority to provide fair pay for a great service or to punish the Sabbath-breaking incident to that service?

I call attention to these words in the report:

No substantial result can be considered to follow the adoption of the change other than an arbitrary reduction of 14 per cent affecting railroads performing the greatest service for the Government, and those only.

Is Sunday service worth this additional to the average of the pay for the six working days?

It is clear from the above that the minority think that a higher amount is now paid for the same weight carried in a year on a seven day a week route than a six day a week route. This is clearly an error, which is proven by the computation above quoted, for in that computation they show that on the Sunday route 2,000 pounds per day was carried and 2,332 pounds per working day on the other.

The difference in weight is found because two divisors are used; in the first case one equivalent to three hundred and sixty-five days in the year; the other to three hundred and thirteen. But under the present law the Department computes by one divisor, equivalent to three hundred and thirteen, and then the daily average on both routes will be the same.

This is just and equal because the total amount of tonnage moved in the whole year on both routes is the same and the distance is the same. The amount of transportation is exactly the same for the year on both routes. The only difference is that on one 365 loads of 2,000 pounds each was delivered, and on the other 313 loads of 2,332 each; total the same in each case, 730,000 pounds, or 365 tons, moved the same distance. Inasmuch as the six-day route got the same amount of transportation, with as frequent dispatch as the Government and the people served desired, it is just that the pay should be the same. The error lies in supposing that the Government now uses two different divisors in determining the average daily weight on the two classes of routes. The law requires one, equivalent to the number of working days in the year—313—and the Government uses only one. The proposed new provision in the bill only requires one divisor, equivalent to all the days in the year—365.

That is the only difference in the law as it is and the law

proposed. The effect of the present law is to pay the same rate per pound for the same volume of mail the same distance of route upon six-day-a-week and seven-day-a-week routes, and the effect of the proposed law is the same, only it reduces the daily average by one-seventh. The weight per day under the new provision would be diminished one-seventh upon all routes, and consequently the compensation would be reduced to correspond, but the relative compensation on the different routes would not be changed. It seems to me, therefore, that a great deal of time has been wasted over this proposition, for its only object is by indirection to accomplish a reduction of compensation on all mail routes, which can much better be made by a straight percentage reduction. [Applause.]

## The Japanese School Question.

### SPEECH

OF

### HON. GEORGE G. GILBERT,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

*Tuesday, February 12, 1907.*

On the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes.

Mr. GILBERT said:

Mr. CHAIRMAN: On November 26, 1906, President Roosevelt sent a special message to Congress in relation to the refusal of the city authorities of San Francisco to permit Japanese children to attend the schools with the white children in that city. The President in the course of this message makes use of this language:

> I authorized and directed Secretary Metcalf to state that if there was failure to protect persons and property, then the entire power of the Federal Government, within the limits of the Constitution, would be used promptly and vigorously to enforce the preservance of our treaty, the supreme law of the land, which treaty guaranteed to Japanese residents everywhere in the Union full and perfect protection for their persons and property; and to this end everything in my power would be done, and all the forces of the United States, both civil and military, which I could lawfully employ would be employed.

The President seems to proceed upon the idea that if there was a treaty between the United States and Japan which authorized and permitted the Japanese children to attend the same schools side by side with the white children, therefore the treaty must be obeyed by the authorities of the State of California, and that the treaty, ipso facto, is the supreme law of the land. With the permission of the House for a few minutes, I want to animadvert upon the correctness of this legal proposition.

By article 10, section 1662, of the Political Code of California it is provided in the school laws of that State as follows:

> Trustees shall have the power to exclude children of filthy or vicious habits, or children suffering from contagious or infectious diseases, and also to establish separate schools for Indian children and for children of Mongolian or Chinese descent. When such separate schools are established, Indian, Chinese, or Mongolian children must not be admitted into any other schools, etc.

I have very great admiration for the present occupant of the White House, and I am perfectly willing, without any hesitation, to accord to him the best of motives in seeking the enforcement of our treaty relations with Japan. But it is not true that the provisions of a treaty are the supreme law of the land unless the provisions of the treaty are confined to such subjects as may be regulated and controlled by treaty, and not then unless the treaty conforms, or at least does not conflict, with other provisions of the Constitution of the United States. It seems to me to be perfectly absurd to say that the President and two-thirds of the Senate can by treaty make valid some act which is prohibited by the Constitution to be exercised by the Government of the United States in any and all of its departments. Every law writer and every decision of every court has concurred in the statement that the Government of the United States is one of delegated powers. The functions of the United States Government are restricted to the exercise of certain duties, and that limitation extends to the President, and to the Senate, and to the House of Representatives, and to the courts, and to every official and department of the Government. Why does it need any argument to show that the President and two-thirds of the Senate can not do what the President and all of the Senators and all of the Members of the House of Representatives can not do? We are willing to admit that the power to make a treaty is delegated to the President, by and with the advice and consent of the Senate, and that it is expressly prohibited to the States. (Constitution of the United States, Art. I, sec. 10.)

The power is not only prohibited to the States and delegated to the President and Senate, but there is no part of the Constitution which expressly divides the power with any other department or officer of the Federal Government. And still we insist that treaties are not treaties at all in the constitutional sense unless made under the authority of the United States, and this is the full title of the treaty-making power. We go further and acknowledge that the power to make treaties is lodged exclusively in the President and the Senate and that the States have surrendered every vestige of the power to make treaties. And still it remains true that the agency through which the national faith is bound must be authorized to bind it. The power to make some contracts may be exclusive and absolute, but the question still remains, What contracts may be made? When, therefore, it is asserted that the President and Senate alone have authority to make treaties it does not follow that it may by treaty do anything which is a possible subject of contract. It seems therefore beyond question that the treaty is invalid which destroys the Constitution of the nation or the rights of its people thereby secured. A treaty can not violate the Constitution of the United States. Somebody will argue that a foreign nation looks to the United States as a unit, as one nation, and in negotiating a treaty with our Government a foreign power is not required to study our Constitution and to look into the limitations upon the different departments of our Government—that is, between this country and foreign nations.

The foreign nations look at our one flag as one Government and has nothing to do with the forty-five States and the limitations upon the authority existing as between the National Government and the forty-five States. But to this contention there are several sufficient answers. It will not be seriously argued that the President alone can make a treaty with a foreign nation. The treaty to be binding upon this country must at least be made not only by the President, but must be indorsed and approved by and with the advice and consent of two-thirds of the Senate present. So that it is necessary that the foreign nation shall look into the provisions of our Constitution to see whether the treaty has been made by the properly constituted authorities established by our Government to make the treaty. The foreign nation must look to see not only that the treaty has been signed by the President, but that it has been ratified by two-thirds of the Senate present; and that foreign power must not only look into our Constitution, but is required to look into the Journal of the Senate to see how many Senators were present. And being thus required to look into our Constitution and our methods of proceeding for the creation or making of a treaty, it must look further to see whether the Government itself can bind the people of this country by the provisions of the treaty. The Constitution, for example, provides that the legislative powers herein granted shall be vested in the Congress of the United States, which shall consist of the Senate and House of Representatives.

Suppose a treaty should be made with Japan by which the President and the Senate should undertake to exercise legislative powers for the Japanese who saw proper to become residents of this country. Would the provisions of such a treaty deprive Congress of the power of legislation for the Japanese who might reside here? The Constitution provides that Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense, etc. Suppose the President and the Senate should undertake by treaty to collect taxes, lay imposts and excises upon goods imported from Japan. Would the provisions of such a treaty deprive Congress of these duties imposed upon the House and Senate by the Constitution? The Constitution provides that all bills for raising revenue shall originate in the House of Representatives. Suppose the President and the Senate should, by treaty, undertake to usurp this important function in so far as the citizens of some foreign country were concerned. This question need not be pursued any further upon this particular line. The schools of California are created by the laws of that State and are supported by taxation collected from the people of that State. The State of California is under no obligation whatever to the General Government to have any system of common schools at all. The State of California derives not one dollar from the Treasury of the United States to support her school system, and, like every other State in the Union, she exercises the right and authority to control her schools in any way she sees proper. The State of California has a perfect right to prescribe the ages and other conditions and limitations in whatever manner she sees proper.

There is nothing in our political history and certainly nothing in the history of our jurisprudence to intimate that the treaty-making power of the General Government can invade the reserved rights of the States. And if such a treaty should ever

hereafter be formulated which undertakes to invade the vested or reserved rights of the States, certainly the treaty would not be made under the authority of the United States and would have no legal force.

Perhaps the most important decision ever announced by the Supreme Court of the United States was announced by Mr. Justice Miller in what is known as the Slaughterhouse cases. The great controversy between the five judges who concurred in the opinion of the court in that case and the four judges who dissented was over the construction of the first clause of the fourteenth amendment to the Constitution. That first clause reads as follows:

All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside.

The majority of the court in construing that clause reached the conclusion that persons may be citizens of the United States without regard to their citizenship of a particular State, and that the main purpose of that clause in the fourteenth amendment was to establish the citizenship of the negro, and that the distinction between citizenship of the United States and citizenship of a State is clearly recognized and established. The conclusion of the court was that that clause of the fourteenth amendment was for the purpose of protecting the privileges and immunities of the citizen of the United States and did not cover and was not intended to protect the privileges and immunities of the citizen of a State, leaving to the State the exercise of the same general police powers and the same absolute control of its local reserve rights as had existed before the adoption of this fourteenth amendment. And Mr. Justice Miller enumerated some of the privileges and immunities which appertain to the citizens of the United States and which do not appertain to a citizen of a State, and makes use of this significant sentence:

The right to peaceably assemble and petition for redress of grievances, the privilege of the writ of habeas corpus, are rights of the citizen guaranteed by the Federal Constitution. The right to use the navigable waters of the United States, however they may penetrate the territory of the several States; all rights secured to our citizens by treaties with foreign nations, are dependent upon citizenship of the United States and not citizenship of a State.

Here is an express authority that the only privileges and immunities that can be secured under a treaty are the privileges and immunities of a citizen of the United States, and that the privileges and immunities which are secured to a citizen of a State by the constitution and laws of a State are outside of the domain of the treaty-making power and are not protected by any of the provisions of the treaty. The primary trust of all governments is the welfare of the people for which they are created; the interference of a foreign will in internal affairs must be secondary and subordinate. This is modern international law, and must be that upon which a republic will insist. In its nature, therefore, an executive treaty ought not to form or modify municipal law for any people, and can not under our Constitution. A treaty can not disjoin or disturb the equipoise of power fixed by the Constitution. It can not be the mainspring of authority nor derange the constitutional distribution of powers. No treaty can bind the United States to do what Congress alone can do under the Constitution, and certainly no treaty can bind the United States to do what neither Congress nor any other functionary, nor all the functionaries, of the Government can do. Mr. Justice Story, in his work on the Constitution, volume 2, section 1836, has this to say:

This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

Commenting on this provision of the Constitution Judge Story says: "It will be observed that the supremacy of the laws is attached to those treaties only which are made in pursuance of the Constitution," a caution very proper in itself, and in fact the limitation would have arisen by irresistible implication if it had not been expressed. A treaty may supersede a prior act of Congress, and an act of Congress may supersede a prior treaty, citing Taylor *v.* Morton (2 Curtis, 454); Robs *v.* Church (8 Blatch., 304). This supremacy of a treaty is of such treaties only as are made or caused to be made under the authority of the United States—that is, under the authority delegated to the United States by the Constitution. (See Tucker on the Constitution, vol. 1, p. 376.) And Judge Tucker in volume 2, section 354, puts this pertinent question: "Can a treaty by compact with a foreign nation bind all of the departments of our own Government to do certain matters which are fully confided by the Constitution to some particular department?" If all of these matters are intrusted to Congress by the Constitution, and yet if the treaty-making power is unlimited all these matters may be taken out of the hands of Congress and all the powers of the Government absorbed and usurped by the treaty-making power. Jay's treaty was negotiated during the Administration of President Washington, in which there were general stipulations as to commerce, duties, etc., upon British vessels.

It was then contended that this treaty was complete without any consent of the House of Representatives, and even General Washington refused to communicate to Congress the negotiations leading up to the treaty, and Congress was called upon to vote certain appropriations to carry this treaty into effect; and Congress did this, but still, in order to avoid such a vote being regarded as a precedent thereafter, a resolution was adopted by a vote of 63 to 36 that while the House of Representatives did not arrogate to itself any agency in the negotiation of treaties, still when any treaty contained stipulations which required the voting of money, that, notwithstanding the treaty, the House of Representatives reserved to itself the right and the duty to deliberate and determine for itself whether the treaty shall be effected or not, at least in so far as voting the supplies called for by the treaty. Suppose a treaty contain a stipulation calling for the appropriation of public money. Does the stipulation of the treaty dispense with the necessity of observing that provision of the Constitution that all bills for raising revenue shall originate in the House of Representatives? So in the treaty of 1815 it contained stipulations as to certain duties on articles imported from Great Britain, and President Madison sent the treaty to Congress with a message requesting certain needed legislation. Surely nobody will argue that Congress was bound to vote the stipulations called for, and certainly no lawyer will argue that Congress could do nothing but carry into effect the provisions of the treaty. It was in this debate that Mr. Calhoun took the position announced by the distinguished gentleman from Vermont [Mr. FOSTER] the other day.

Take that provision of the Constitution that Congress is directed to make all laws necessary and proper to carry into effect the provisions of the Constitution. Power therefore is given to Congress to carry into effect the treaty. Can it be argued that Congress must sit, without any will of its own, merely to execute the will of the treaty-making power? In Wheaton's Elements of International Law, page 329, we find this language:

The treaty when thus ratified is obligatory upon the contracting States independently of the auxiliary legislative measures which may be necessary on the part of either in order to carry it into effect. Where, indeed, such auxiliary legislation becomes necessary in consequence of some limitation upon the treaty-making power expressed in the fundamental laws of the State or necessarily implied from the distribution of its constitutional powers, such, for example, as a prohibition against the alienation of the national domain, within which the treaty may be considered as imperfect in its obligation until the national assent has been given in the forms required by the municipal constitution.

So we find another extract in the works of Judge Story, who was never regarded as a States-rights advocate, reading as follows:

The power given by the Constitution can not be construed to authorize the destruction of other powers given in the same instrument. It must be construed therefore in subordination to it, and can not supersede or interfere with any other of its fundamental provisions. Each is equally obligatory and of paramount authority within its scope, and no one impresses a right to annihilate any other. A treaty to change the organization of the Government or to deprive it of its constitutional powers would be void, because it would destroy what it was designed merely to fulfill, the law of the people. (Story's Commentaries on the Constitution, vol. 3, sec. 1502. Also, First Tucker's Blackstone, App., 332, 333.)

Mr. Justice Marshall, speaking of treaties and the treaty-making power, in the case of Foster *v.* Neilson (2 Peters, 314), says this:

In the United States the Constitution declares the treaty to be the law of the land. It is consequently to be regarded in courts of justice as equivalent to an act of the legislature whenever it operates of itself without any legislative provision. But when the terms of the stipulation import a contract, when either of the parties engages to perform a particular act, the treaty addresses itself to the political and not to the judicial department, and the legislature must execute the contract before it can become a rule for the court.

It has been repeatedly decided that an act of Congress passed subsequent to a treaty and in conflict with the provisions of the treaty operates to suspend the treaty and to abrogate its provisions wherever they conflict. It would be strange, indeed, to argue that an act of Congress can abrogate the provisions of a treaty because in conflict with the treaty and that the treaty must stand although in conflict with the provisions of the Constitution. The result would be to make a statute of greater significance in our jurisprudence than the Constitution. So in the case of Turner *v.* The American Baptist Union (5 McLean's Repts.), Mr. Justice McLean said, in speaking of the binding force of a treaty:

It is not operative in the sense of the Constitution, as money can not be appropriated by the treaty-making power. This results from the limitations of our Government. An action of no department of the Government can be regarded as a law until it shall have all the sanctions required by the Constitution to make it such.

As well might it be contended that an ordinary act of Congress without the approval of the President was a law as to argue that a treaty which engages to pay a sum of money is in itself a law until Congress has provided for raising the money, and in such a case the representatives of the people and the States exercise their own judgment in granting or withholding the money. They act upon their own responsibility and not upon the responsibility of the treaty-making power. Observe that the Constitution provides that treaties made "under the authority of the United States" are the supreme law of the land. They are not the supreme law of the land if made under the authority alone of the President and the Senate. They must be made under the authority of the United States. They must be made within the scope of the delegated powers conferred upon the Government of the United States by the Constitution.

Recently a valuable law book has been published entitled "Treaty-making Power of the United States," by Hon. Charles H. Butler. In volume 2, section 425, the author says:

> In the case of Geofroy *v.* Riggs, already referred to, the Supreme Court, speaking through Mr. Justice Field, declared that the treaty-making power of the United States extended to all subjects of negotiation between the Government thereof and the governments of other nations; that the power as expressed in the Constitution is in terms unlimited, except by those restraints which are found in that instrument against the action of the Government or of its departments and from those arising from the nature of the Government itself and that of the States; but that it would not be contended that it exended so far as to authorize what the Constitution forbids, or a change in the character of the Government of the United States or of one of the States, etc. (See Geofroy *v.* Riggs, 133 U. S., 258.)

Mr. Spier, in his book on Extradition, has this to say:

> A second remark is that whether the extradition of a citizen under the stipulated authority of a treaty is or is not consistent with State bills of rights is not a material question, since the Constitution makes all treaties of the United States part of the supreme law of the land, and as such superior to any State constitution or State law. It gives to the President the treaty-making power, and if he makes extradition treaties with the advice and consent of the Senate, and if such treaties are not repugnant to the Constitution it is then and there a part of this supreme law. (Spier's Law of Extradition, pp. 38 and 39.)

Certainly the Constitution does not confer upon the President and the Senate alone the power to legislate, and this point was emphasized by the Supreme Court in 1845, in the case of Pollard's Lessees *v.* Hagan (3 How., 212), where we find this language:

> Every nation acquiring territory by treaty or otherwise must hold it subject to the constitution and laws of its own government and not according to those of the government ceding it.

A case very similar to the Japanese school question in California arose in the case of Soon Hing *v.* Crowley (113 U. S., 703). In this case a municipal ordinance in regard to laundries was under consideration, and it was announced by the Supreme Court that the ordinance prohibiting washing and ironing in public laundries or wash houses within certain defined territorial limits from 10 o'clock at night to 6 in the morning is a police regulation under the control of the city, and that even if there was a treaty between the United States and China in conflict with this municipal ordinance the ordinance remained in full force, notwithstanding the treaty; that the States never surrendered their police powers to the General Government, and consequently no treaty between the General Government and a foreign power can militate against the fullest exercise of the police power upon the part of the State.

So in the case of Cutler *v.* Dibble (21 Howard, 366). The legislature of New York passed an act respecting the intrusions on Indian lands, and the point was made that this act of the legislature was in violation of the treaty between the United States and the Seneca Indians. But the court sustained the statute, and held that the State of New York had the power of a sovereign over these Indians and their property so far as it was necessary to preserve the peace of the Commonwealth and protect these helpless bands of Indians from imposition and intrusion, and the court further stated that the power of a State to make such regulations to preserve the peace of the community is absolute and was never surrendered to the General Government, and consequently could not be controlled by any treaty.

The famous case of Cantini *v.* Tillman (54 Fed. Rep., 969) is eminently in point. In this case certain Italian complainants asserted that they were protected by treaty stipulations between Italy and the United States. This treaty stipulated that the citizens of each of the high contracting parties shall have liberty to travel in the States and Territories of the other, to hire and occupy houses and warehouses, to employ agents of their choice, and generally to do anything incident to or necessary to trade upon the same terms as the natives of the country, submitting themselves to the laws there established, etc. And the citizens of each of the high contracting parties shall receive in the States and Territories of the other the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or shall be granted to the natives, etc. The court proceeded, in construing this treaty, to hold that the provisions of the treaty gave to the complainant the same rights as citizens of the United States, and said it would be absurd to say that they had greater rights. The court uses this language:

> We have seen that the right to sell intoxicating liquors is not a right inherent in the citizens and is not one of the privileges of American citizenship; that it is not within the protection of the fourteenth amendment; that it is within the police power. The police power is a right reserved by the States and has not been delegated to the General Government. In its lawful exercise the States are absolutely sovereign. Such exercise can not be affected by any treaty stipulations.

A multitude of cases can be cited in support of this contention, and it only remains to show that the State of California does not derive its right to maintain a common school system from the General Government, and surrendered none of its control of that question to the General Government. The State of California has the same right to determine for itself the rules and regulations for the conduct of its schools as it has to determine any other question in the multitude of reserved rights of the States. No court has ever decided that the General Government, either by an act of Congress or by the exercise of the treaty-making power, can invade the common school system of the States, the impulsive declaration of the President about sending the Army and Navy to protect the Japanese to the contrary notwithstanding.

In the case of Roberts *v.* The City of Boston (5 Cushing, Mass., 198) it appeared that the plaintiff was denied admission to the primary school for white children and she, by her next friend, claimed damages for exclusion. But the supreme court of that State, in an opinion by one of the greatest of all of America's great lawyers, Chief Justice Shaw, held that the law vested power in the committee to regulate the system of distribution and classification of the pupils and that when the power was reasonably exercised their decision must be conclusive. The court held that the separation of the colored children from the white children was founded on just principles of reason and experience and was the result of an honest discriminating judgment.

So in the case of State *v.* Duffy (7 Nevada, 342) it was held that age and sex have always been marks of classification in public schools throughout the history of our country, and that the trustees of the public schools of Nevada might send colored children to one school and white children to another, or they might make any such classification as they should deem best, whether based on age, or sex, or race, or any other reasonable existing condition.

School privileges in California and in every other State are conferred by the statutes of the State and are subject to such regulations as the legislature of the State may prescribe or authorize. The supreme court of New York decided that the legislature of the State may make from time to time such limitations and alterations in these particulars as they may see fit. (Dallas *v.* Fosdick, 40 Howard (N. Y.), 249.)

The public school system of New York seems to be conducted very much after the fashion adopted in San Francisco. It is regulated by official boards created for that purpose, and it is a settled law in New York that the board may assign a particular school for colored children and exclude them from schools assigned for white children, that such a regulation is not a violation of the fourteenth amendment. (People *v.* Gaston, 13 Abb. (N. Y.) Pr. N. S., 160.)

The case of Hall *v.* De Cuir (95 U. S., 485) contains an interesting and instructive presentation of the authorities upon a question very similar to the one we are considering.

I am very well aware that there has grown up in the last generation a school of politicians who fully realize that we are much wiser than the fathers and have outgrown the Constitution. We are besieged day after day by a thoughtless clamor from every quarter to establish a uniform system of laws upon the subject of marriage and divorce in all States and for a uniform system of laws affecting interest and usury and the settlement of insolvent estates, and for uniform laws affecting child labor, and the eight-hour question, and uniform insurance laws. We are asked in a measure to wipe out State lines and State constitutions and blow the bugle and beat the drum and start onward in the march to glory and an empire. We are asked to trample down the reserved rights of the States, and the President, not being a lawyer and not having thoroughly investigated this question, seems inclined to give encouragement to the doctrine that the General Government may invade the State and can determine by treaty or otherwise how the schools of the States shall be conducted.

People are not surprised therefore when the President's Secretary of State makes a carefully prepared speech to the effect

that as this country has grown older and as its population has become denser and its means of communication have been increased that we have outgrown the old Constitution, and that more and more of the duties and functions of Government in every respect must cluster around the national capital, and as the years go by we must move farther and farther away with the Government from the homes and firesides of the people, as contemplated and explicitly provided for by the founders of the Republic. One of the strangest and most inexcusable of all of the strange statements was made the other day by a young man who was undertaking to advocate a national law against child labor. In this article occurs this extraordinary paragraph:

The first thing we see on studying the child-labor question is that this evil can not be left to the States to remedy. Of course there is not the slightest reason in the world why it should be left to the States to remedy, but we started out one hundred and twenty-five years ago with the notion that each State was a little nation and that this artificial thing called a State had certain rights. At that time the idea of this being a nation, a people living in one land and flying one flag had not thoroughly developed. There were many great men in our constitutional convention who saw this clearly, but there were a lot of little men who wanted to be big men and could be big men only in the narrow borders of their colonies, not being great enough for the country as a whole. These men insisted on the theory of the sovereignty of the State. These little men had the votes, and that is how it has happened that we started out the way we did. I am talking plainly in order to tell the fact, and that is the plain fact, crude though it be.

Now, the truth is that there was not a single delegate in that great Constitutional Convention who was little enough to advocate the abolition of State lines or who made any effort to establish one great consolidated empire with all the powers and functions of the Government concentrated in one central locality. And let me tell you, the most dangerous feature of to-day is the fact that the closer our public men get in touch with this Administration the greater contempt they seem to show for the limitations of the Constitution. And notwithstanding the high authority of Mr. Secretary Root and the Senator from Indiana, it remains true that every age of the world's history has been preeminent in certain pursuits and in achievements along the line of these certain particular occupations. We still go back for more than two thousand years and study the paintings and the statuary of ancient Greece. We study the paintings of men who painted fruits and flowers with such exquisite skill that the bees came to gather the honey and the birds came to gather the berries from the flowers that seemed to grow upon the walls of the city. For a thousand years to come Phidias and Praxiteles will be still the models of the highest excellence. For a thousand years to come the architects of every country will stand and gaze with admiration at the great cathedrals and temples that ornament the cities of the old world.

For centuries to come the students of sculpture and poetry and architecture and other arts will make pilgrimages and sit at the feet of the old masters. For centuries yet to come the dramatic poets of every land will still flock to the Bard of Avon and will still concede that the brightness of every other poet pales before the unrivaled splendor of Shakespeare. For a thousand years to come statesmen of every land will turn to Washington and Jefferson, to Hamilton and Franklin, to Adams and Madison, and the other founders of this Republic as the greatest builders of a free government that the world has ever produced. They will continue to grow in the reputation of statesmen long after the greatest of living statesmen shall have been forgotten. We have not outgrown the Constitution and we are not wiser than the fathers. This old Constitution, with its reserved rights to the States, emphasizing local self-government, protects the schools of California against any invasion by the Federal Government and confers no authority upon the General Government to establish a national law against child labor, however desirable the prevention of the evil may be. Those people in California are right in requiring the Japanese and the Chinese and the negro and other alien races to attend separate schools. That separation of the races is best for every race and for everybody.

Ministers of all our religions proclaim at the marriage altar this divine doctrine: "What God hath joined together let no man put asunder." It is equally a divine doctrine that "What God has put asunder let no man join together." The finger of the Almighty has written in the most unmistakable characters, in differences of color, of caste, of sentiment, of life, of literature, of geographical position, and in every way the necessity of keeping the races of mankind separate. Yet there is danger in these days that we are to have our national history rewritten, our Constitution that has stood for a hundred and twenty-five years overturned and destroyed, and we are now to be taught that we have not only outgrown the Constitution and have become wiser than the fathers, but we have outgrown the wisdom of the Almighty, and are even attempting to profane the very temple of the most high. There are people here in this Capitol willing to trample under their feet what has been demonstrated in every age and in every country to be true, and we are to forget what is written in indelible characters on every tomb and monument of the centuries—that the Ethiopian can not change his skin nor the leopard his spots.

We have by the terms of the Constitution, by statute in almost every State, by all the decisions of all the courts upon that question, by immemorial usage, and in every way recognized and enforced the right of each and every State in this Union to regulate and control its schools in its own way. No President has ever heretofore attempted, by treaty with any foreign power or by conference with any State or city officials, or in any other way attempted, to interfere with the State control of the schools. Nothing can be more unwise than the conference now being held at the other end of the avenue. If the President should fail to have his way in this conference and California officials should stand firm in defense of the unquestioned rights of that State, the danger of a permanent estrangement between our country and Japan will have been increased, first, by reason of the blunder of the President in boosting the Japanese into the belief that they were being unfairly treated and, secondly, by reason of the failure of the President in this pending conference itself.

Whereas if, upon the other hand, the President should succeed in inducing the officials of California to recede from their position we will become the laughing stock in the face of the whole civilized world. Such a position will come home to grieve us, not only in Cuba, but in every State North and South. Besides, every other nation will claim the right under the most-favored nation clause to send their children to the same State schools, side by side with the children of our own schools; or they will insist upon so amending the treaty as to give them the same rights in the schools that have been conceded to the Japanese. Indeed, the negro children and the Chinese children here at home in every State will vehemently demand the same right to send their children to the same State schools that the white children attend, and we will have no good reason left for refusing these demands.

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## The Ship-Subsidy Bill.

### SPEECH

OF

### HON. IRVING P. WANGER,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

*Friday, March 1, 1907,*

On the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. WANGER said:

Mr. CHAIRMAN: It may be truly said that not only one but many mountains have been laboring, lo, these many years, and at last, in the closing days of the Fifty-ninth Congress, what has promise of being a fair hillock has been born!

What was an imperfect and incomplete measure for the encouragement of all classes of ships in the American merchant marine has become a measure to establish fast steamship lines to the Orient and to South America, primarily, to carry the mails, and, secondarily, to encourage commerce by expanding the markets for American products and to promote the national defense by the building of the limited number of ships necessary for this mail service and by the creation of at least a partial naval reserve.

It is useless to discuss the wisdom or folly of a genuine ship subsidy measure, as it is evident this Congress will not go beyond the provisions contained in the amendment reported by the House Committee on the Merchant Marine to the bill (S. 529), and in fact the indications seem pretty strong that the mail lines to the Orient provided for in the bill are not favorably regarded by a very large part of the membership of the House.

Heartily concurring in all that has been said of the importance of oriental trade, and of regular and swift transportation of mails to Japan and China, and more particularly to Hawaii and the Philippines, I greatly regret that my esteemed friend from Minnesota [Mr. STEVENS] endeavored to minimize the importance of better communication with the countries of Central and South America.

While there are not nearly a proportionate number of sailings from our Pacific coast to the Far East as there are from the Atlantic seaboard to South America, there is nearly as rapid,

although not as frequent, mail communications with the Orient as may be secured under the encouragement to be furnished by this bill, as the steamers of the present lines from San Francisco and Seattle to the Orient are generally almost, and in some instances quite, as swift as those to be built to secure the mail contract provided for those lines.

On the other hand the average time for present mail communications from New York to Panama is one week, which may be reduced to four days from New York and to three days from New Orleans if the bill becomes effective.

And the average time from the United States to Brazil and Argentina is twenty-five days when it ought not to exceed nine, and the sailings are irregular and ships wanting in good passenger accommodations, thereby furnishing a complete explanation of the very small percentage of the trade of the United States with those countries and the preference given to European manufactures and other products.

Our consular officers have eloquently portrayed the disadvantages our people labor under in traveling or forwarding merchandise to the South American countries, the almost infinitesimal number of Americans, who go thither, most of whom do so by way of Europe, and the measurably small number of South Americans who visit this country. Frequent reference to the representation of these consular officers and of American manufacturers and merchants has been made, notably by the distinguished chairman of the Committee on the Merchant Marine [Mr. GROSVENOR], and it seems appropriate to submit some sentiments and arguments that have been made by South Americans.

During the proceedings of the International Commercial Congress, held in October, 1899, under the auspices of the Philadelphia (Pa.) Commercial Museum in connection with the National Export Exposition, attended by delegates from the Governments of the Argentine Republic, Austria, Bahama Islands, Belgium, Bermuda, Bolivia, Brazil, Canada, Chile, China, Costa Rica, Cuba, Ecuador, Germany, Great Britain, Greece, Guatemala, Haiti, Hawaiian Islands, Honduras, Jamaica, Japan, Leeward Islands, Liberia, Mexico, New South Wales, New Zealand, Nicaragua, Peru, Paraguay, Queensland, Roumania, Russia, Salvador, South Australia, Uruguay, Venezuela, and Victoria, and by delegates from foreign chambers of commerce from these countries and from Africa, Arabia, British Guiana, Ceylon, Colombia, Denmark, France, Hungary, India, Italy, Madeira, Norway, Portugal, Spain, Sweden, Turkey, and Western Australia, the then distinguished Speaker of the House, the late Hon. Thomas Brackett Reed, presided in the second day's session, and in his brief address in taking the chair, uttered this gem:

* * * We desire to become acquainted with you; we desire that you should become acquainted with us. To this generation and the next are open broader possibilities than were ever open in the history of the world. All the inventions which devour time and place are the harbingers of trade; and trade, when it has its senses, is always the harbinger of peace.

You may receive, perhaps, too many welcomes, but I desire to add one by welcoming you here to-day, and I do it in order to add that it is my full belief that the welcome will become warm with the advancing years.

Hon. Dr. John A. Cockburn, of South Australia:

* * * We in South Australia have a large country. Australia is a continent in itself, and South Australia comprises an area of some 578,000,000 acres, an area so vast you have to look on the map in order to appreciate its significance. * * * At the very earliest dawn of our era a great sentence was pronounced, that no man could live for himself alone. The close of this century has witnessed the further truth of the fact that no nation can live for itself alone. We are bound together by a network of most intimate ties, which consist in more than the circulation of merchandise through the channels of trade and the commerce of the world, and there is nothing more important than the problems concerned in the maintenance and extension of this circulation, which is the lifeblood of our modern world.

Mr. Herbert Gibson, of the Argentine Republic:

* * * The sea of commerce and progress which has spread across Europe and North America has scarcely yet reached with more than gentle ripples the great South American continent. There lies there a vast undeveloped field of both mineral and vegetable resources, and it awaits but the awakening hand of immigration to become a most important productive continent. One might say without any exaggeration, it is more real than a metaphor, that South America lies slumbering awaiting her rediscovery by the northern pioneer. * * * We, as the South American republics, and I more particularly may say the Argentine Republic, are dependent upon foreign markets for every article of daily consumption.

Capt. J. Cordeiro da Graço, of Brazil:

* * * On this occasion I can not forget a tribute to the memory of a great man of this country, that the world feels is dead, Dr. William Pepper, who was president of this institution. * * * My Government, in official letters, told me to do as much as I could to bring the relations of commerce closer with this greater Republic, our largest consumer. We export to this country two-thirds of our production; that means we export to this country over $50,000,000, and we do not import from this country more than $13,000,000. If we do not import more from the United States, it is due to difficulties or lack of communications. Mr. McKinley, the great statesman and magistrate of this nation, said in 1897 that the "maker must find a taker." It is true, but the maker can not find the taker nor the taker the maker without communication. I am advised by my country to say that we will allow a subsidy for encouraging the hoisting of an American flag on an American ship, as we were accustomed to see several years ago. Several things have been exported to this country, as rubber and other goods, but the lack of communication is so great that you can not compete in freight with other nations. These are facts. We want navigation and better facilities, and it is for these two things that I have struggled during the time I have been in this country. * * * It is my duty to fulfill the orders of my Government to close more and more the relations with this great nation.

The governor of Pennsylvania said that the United States can produce cheaply and can compete with any other country.

* * * You can not until you have facilities for navigation.

* * * * * * * *

No other country in the world can offer the United States of North America such a good outlet for her manufactured products, railroad, navigation, and banking enterprises as can the sister nation of Brazil. In order to give you a slight idea of its commerce I might state that Brazil ranks fourth among the nations which export to this country, being outranked only by Great Britain, Germany, and France.

Exports from Brazil to the United States for about ten years showed the following increase: From $45,000,000 it increased in 1892 (during Blaine's reciprocity treaty) to $118,500,000; * * * that our exports of rubber in 1897 amounted to 25,036,628 pounds. * * * To all this must be added hides, furs, skins, sugar, woods, manganese, cacao, crude leaves, shells, raisins, oils, and other articles. If we consider that these hundreds of thousands of tons are shipped in vessels not one of which hoists the glorious Star Spangled Banner; if we consider that these enormous transactions are settled in London, where the people of the United States must pay heavy commissions, in addition to the large amounts paid for freight, insurance, etc., to foreign shipping companies, it is evident that there is a vast opportunity for American enterprise, and that American ships, either sailboats or steamers, bringing goods to Brazil, are certain to find a cargo for the return trip to the United States, where they can find a cargo to Europe upon their arrival. How long, my friends, will you be blind to these facts? Is it possible to compete with European nations in the Brazilian trade if you have no transportation facilities? No; you can never do it.

Mr. Juan Antonio Loredo, of Peru:

Great would be my satisfaction if I were able to make evident the ardent desire existing in Peru for the development of commercial relations with the United States, which, although increasing every year, are yet carried on on a small scale, as, according to statistical data, only 7 per cent of our total exportation comes to this country and only 14 per cent of our purchases are made here.

The United States is looking for new markets for the surplus of its manufactures, which are able in many cases to advantageously compete with similar products of European countries. To acquire those markets it is necessary to make concessions to the industries of the countries with which they want to trade. * * * Something else is necessary, and that is, in the first place, rapidity and economy in transportation, which can be obtained by establishing regular steamship lines. * * *

Mr. Jorge Basadre, of Peru:

So great has been the fame of Peruvian wealth that I feel somewhat uneasy when I say that the volume of our general commerce did not reach $25,000,000 during last year. * * * I confess that what we have accomplished is yet very little, but there are great possibilities in the country as a market for American products.

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Peru is a very rich country in ores and in tropical products, which are found in their almost virgin forests; but to develop our natural resources we need cheap means of transportation.

Mr. Prudencio de Murguiondo, of Uruguay:

Money and enterprise can accomplish wonders in Uruguay. * * * What is needed is first-class American ships of equal size or larger than those put on by the Houston Line and of equal or greater speed. These are about 6,000 tons capacity and have no passenger accommodations. * * * Give us American ships of the best class, making the trip in eighteen days, * * * with first-class passenger accommodations, and they will secure passengers. There are many that go to England and Europe with their pockets full of money, and they will spend it in the United States and then go to Europe by first-class steamers and get there before they could go to Europe from Uruguay and Argentina.

It will be an inducement for South Americans to visit this country, which they do not have if they go direct to Europe, for after spending their money there they do not care to turn this way, as it is to them an out-of-the-way route.

Is not the case well stated by the consul-general of Uruguay, that when their merchants first go to Europe their money is spent there and there is no inclination to visit the United States; and that if they first came to New York and to other American cities and saw how excellent are the products of our factories, they would buy here?

And do not these inspiring addresses cause us to realize how generous are the feelings of South Americans toward us and cause us a feeling akin to shame that we have done so little to manifest our appreciation of their culture, their invincible struggle for stable republican government, and for the development of their exhaustless resources?

Would it not be far better for our country if a reasonable percentage of our well-to-do citizens who annually visit the continent of Europe for recreation and pleasure, no less than for business, traveled to South America instead? And would not there soon be a higher appreciation of Spanish-American character and the millions to be garnered in their countries, if we only became better acquainted?

There is every reason to believe that many Americans would visit the republics south of us if they had anything like nearly

equal traveling facilities thither that are now enjoyed across the Atlantic.

The assertion that the farmers of the country are not interested in the promotion of our trade with South America makes appropriate a reference to some of the remarks made at the said International Commercial Congress by a highly esteemed member of it, Mr. C. J. Whellams, of Minnesota:

The other day a visitor, after listening to the addresses in this hall, remarked to me that a good deal was being said in the interest of the manufacturer and not very much in the interest of the farmer.

It is true much has been said that may only interest the manufacturer, but it is also true a very great deal has been said at this congress bearing on the direct and enlarged benefit to accrue to the farmers of this country through the extension of our export trade to the Orient and other parts of the world. Agriculture and manufacture can not progress or live without each other. Bad harvests cause depression in manufacturing, and closed factories hard times for the farmer. Manufacturing has lightened the labor of the farmer. * * * Manufactures are as much a necessity with the farmer as the farmer's products are to the manufacturer.

* * * * * * *

Now, we must, as a nation, find new people to trade with; we must, as a nation, find people who will buy our products, people who have not heretofore bought our products. We must have more than one customer, and we can. I will briefly suggest how we may. This country must encourage the upbuilding of a merchant marine to carry our products to the markets where they will bring the most money.

Mr. J. J. Hill lately said:

We have the cheapest transportation in the world, but when we undertake to sail ships on the seas under the American flag, as our laws stand at this time, it can not be done. I looked the matter up with the greatest care, and we were forced to make an arrangement with the Japanese Steamship Company, manned by Japanese sailors, to carry our products to Asiatic waters.

In the past the great railway system of this country was built by Government aid. How much more is that aid needed toward the establishment of a merchant marine! In constructing our railways the greatest competition was between ourselves, whereas to build up our merchant marine we have to compete with the most powerful nations of the world. A merchant marine is all important to the farmer and the manufacturer, and in helping to secure it they will help themselves.

It has been asserted that organized labor in the United States is not only against every form of ship subsidy, but that it is against the amendment we are considering. It is true that Mr. Samuel Gompers so declared when discussing the bill as it came from the Senate. But I can not believe that the workingmen of this country are against the upbuilding of the nation, and know that they are generally as ambitious for the development of our resources and the extension of our trade as any other class of citizens. To make more desirable and remunerative the manly employment of the sailor, to multiply labor in the shipyards, and to provide the nation with a fleet of steamers auxiliary to our fighting ships are objects appealing as cogently to labor as to capital, and I am very glad to have in authentic form the evidence of at least one union to that effect, as follows:

AMALGAMATED SHEET METAL WORKERS' INTERNATIONAL ALLIANCE,
*Norristown, Pa., November 17, 1906.*

Hon. I. P. WANGER.

DEAR SIR: The following resolutions were adopted by this local union:

"*Resolved*, That Local Union No. 270, of the Amalgamated Sheet Metal Workers' International Alliance, of the borough of Norristown, Pa., believing that the ships needed for our foreign carrying should be built of American materials by American workmen in American shipyards, and that such ships should be commanded, officered, and manned by Americans, urges the House of Representatives to speedily pass the shipping bill which was passed by the United States Senate on February 14, 1906, as being in the interest of American workmen.

"We believe that with your aid and help the shipping bill as passed by the Senate will become a law. As Americans and union men we most earnestly appeal to you as an American, and as one who desires to see our country in the van of the shipping trade. The thousands of dollars which now go to foreign countries will flow into our business life, thereby benefiting us all. In the event of the passage of this bill it will mean employment at good wages for hundreds of American workingmen."

Hoping you will give this bill your most hearty support, I remain,

Respectfully, yours,

[SEAL.] HARRY E. RICHARDS, *Secretary.*

I hope my esteemed constituent will pardon me for giving publicity to his letter no less than to the resolution. It will be noticed that he is as eloquent and enthusiastic as any manufacturer, shipbuilder, or Member of this body.

Referring to the argument that the farmers of the country will fail of benefits through the acquirement of swift transportation facilities to South America and the Orient, it is to be remembered that Republican protection saves them from disastrous competition with the farm products of those foreign lands, and that as markets are secured for our manufactures a larger home demand is created for the American farmer, and he is given a better market for his products right here in our beloved land. I would like to see a comprehensive measure for the upbuilding and maintenance of our merchant marine, which would encourage the export, especially of dairy products and of other things that American farmers and dairymen produce of a quality superior to any other people, and believe that such a measure may be formulated, and will be, in the comparatively near future. It has been well said that John Bull is the best feeder on earth and that he can never grow on the British Isles the farm products he consumes. Far-off Australia, by the encouragement of ships specially adapted to land Australian products in England, has captured a large part of what was once the market of our agriculturists, and Canada, by similar policy, has taken part of the remainder, and we can only regain our lost foothold by a similar policy. It must be remembered that it is not the quality of butter as it comes from the dairy that establishes its rating in Great Britain, but it is the condition of it upon arrival in the British market. When the cornfields awake to a thorough realization of what may be reaped through properly equipped shipping, they will be no less enthusiastic than are the seaboard cities in behalf of American domination in trade on the high seas.

From the remarks made it appears as if the South and Middle West were united in practically unanimous opposition not only to all the lines provided for in the pending measure to the Orient, but also the other lines, including that from a port on the Gulf of Mexico to Colon on the Isthmus; and it looks as if the strange anomaly would be presented of the Representatives of the districts on the Atlantic seaboard supporting a measure which will give competition from a Gulf port to the Isthmus and possibly imperil the supremacy in trade that other localities enjoy with the Isthmus and that the Representatives of the cities and States and districts that will be benefited by that competition will oppose the measure.

Complaint has been heard from time to time that New York and other places in the East enjoy too much of a monopoly of sending supplies to the Panama Canal, and now the opportunity is presented to test her primacy, and cold water is thrown upon the proposition by the complainants. It was supposed that the Mississippi Valley and States bordering upon the Gulf of Mexico would be the principal beneficiary of building the isthmian canal, but while the representatives of the Pacific slope and of the Northern and Eastern and Middle Atlantic States cordially favor regular steamship communication between a Gulf port and Colon, the proposition is spurned by those who should logically be its enthusiastic champions.

It is to be hoped that when the vote is taken these indications will fail to materialize and that all sections of the country will unite in giving that regular and timely communication between the Mississippi Valley and the Isthmus of Panama which is so desirable and so justly due that productive center and the Gulf States.

Minimized as the measure has been, it is none the less important, and every dollar of expenditure called for will be more than returned to the public Treasury through increased mail receipts, so that no added tax burdens will be imposed upon the people, who will, in addition, reap a rich return in enlarged trade and in the consciousness that a number of ships have been added to the merchant flotilla that will be available for the national defense in the event of war.

It has been said that the measure pays money to private interests. There is not and can not be a dollar disbursed from the public Treasury that does not go to some individual or corporation. We sustain the mail service in our own land, and he would be an idiot who would oppose appropriations for the purpose because, forsooth, railroads and individuals receive the money to render the service. Is there any more reason to fail to provide for communication where the same is urgently needed to enlarge our markets?

Let us rise above the miserable appeals to prejudice, which are unworthy the representatives of the intelligent Americans, and perform the patriotic duty of enacting the pending measure.

## Our New Postal Subventions.

### SPEECH
OF
### HON. GEORGE G. GILBERT,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,
*Tuesday, February 12, 1907.*

On the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes.

Mr. GILBERT said:

Mr. CHAIRMAN: There is such a constant clamor in the press almost every day bewailing the decadence of our merchant marine, and such a lot of cards and pamphlets sent out over the country by the Merchant Marine League, and yet there is an

entire misapprehension as to the facts in relation to this whole subject. A great many people have been led to believe that we have no merchant marine of any consequence and that our flag is scarcely ever seen upon the ocean. These people would be surprised to know the truth. We have the largest merchant marine of any nation on the globe. We have more than 25,000 vessels—ships large and small—engaged in the transportation of our commodities from port to port. No other nation on the globe, not even the British Empire, has as many ships as we have. Not only this, but we have the most profitable sea-going craft of any nation under the sun. Our merchant marine has increased 42 per cent in the last ten years, and on the Pacific Ocean it has doubled in the last ten years. In 1906 in the coastwise trade alone we had 5,735,483 tons of shipping, whereas in 1896 we only had 3,858,927 tons in the coastwise trade. In other words, there has been an increase in ten years in the coastwise merchant marine alone of 1,876,556 tons, or an increase in ten years of 48 per cent. On the Atlantic and Gulf coasts we have 17,477 ships; around the little island of Porto Rico we have 59 ships; up and down the Pacific coast we have 2,787 ships; in the Hawaiian Islands we have 49 ships; on the Great Lakes we have 3,052 ships and boats, and on the great rivers of this country we have 1,582 vessels. Our shipping industry is flourishing and prosperous and is not going to decay, these subsidy grabbers to the contrary notwithstanding.

During the last fiscal year there were built in American shipyards 1,221 vessels of 418,745 gross tons, and the Commissioner of Navigation tells us that during the next year we will build a greater number of vessels, with a greater amount of tonnage, than has been built in any previous year. Here is what he says:

> Unless strikes, delays in furnishing structural steel, or other unforeseen difficulties prevent, the output of steel merchant vessels during the current fiscal year will be greater than ever before in this country, and it is possible that the total tonnage of all the types of vessels for the year will exceed 525,000 gross tons, the largest tonnage built since 1855. Up to November 19 203,000 gross tons have been built and numbered. If that rate be maintained for the rest of the year, the output of our yards will be the largest in our history. Work in progress is more evenly distributed among the shipyards of the seaboard and Great Lakes than for some years. On July 1, 1905, only seven ocean steamships of 1,000 gross tons or upward, aggregating 38,000 tons, were under contract or construction. On July 1, 1906, thirty-two such ocean steamships, aggregating 131,000 gross tons, were similarly reported. While some of these are now in operation, others will not for various reasons be finished by the end of the current fiscal year. So many ocean steamers, however, have never before been under contract in the United States as at the present time.

Why, then, should we go into the Treasury and take out the public funds to assist these shipbuilders in the further prosecution of their private business? But they say that we have not sufficient communication with South America, and that we must subsidize certain lines so that they can compete with foreign nations. No amount of subsidy is going to build up a great trade between this country and the Argentine Republic, or Uruguay, or Paraguay, or any of those countries that are situated on substantially the same latitude south of the equator that we are north of the equator.

This is for the very obvious reason that those countries are engaged in producing a surplus and shipping abroad the same character of products that we are engaged in exporting. Those countries are helping us to feed Europe and Asia. Those countries are raising vast quantities of wheat, corn, cattle, and hogs, and shipping farm products of every kind, and, like us, they are engaged in exporting the very same character of products that we are engaged in exporting. It would be therefore perfectly absurd for us to expect as large a trade between this country and those countries as would naturally exist between those countries and European ports. Those people import manufactured articles and export farm products, and why should we go down there with a shipload of wheat, or corn, or cattle, or why should those countries come here with shiploads of corn, or wheat, or cattle? It is perfectly natural for us to send our ships loaded with farm products to European ports and bring back those ships loaded with manufactured articles; and it is perfectly natural for those South American countries to send their ships loaded with farm products to European ports and come back loaded with manufactured articles. So that all this hue and cry about Germany and England and France having so much larger trade with the Argentine Republic than we have is mere nonsense. Now, when it comes to Brazil, that country exports what we desire to buy and consequently we purchase from Brazil her tropical products to a greater extent than all other countries combined. Brazil exports coffee and rubber and mahogany and things that we need, and we imported from Brazil last year without any subsidy more than all other countries combined. Now, as to the necessity for having ships, you would be surprised perhaps to know that we sent from this country more than three ships a day to South American ports every day of last year. And we would have sent a still greater number of ships if there had been any sufficient quantity of freight to be transported to and from the ports of these countries.

During the first six months of the year 1906, 259 sailing vessels, or 43 sailing vessels every month, went from the ports of the United States to the ports of South America. From January 1 to June 30, 1906, 89 steamers cleared from New York and 35 entered at New York from South American ports, making 124 vessels. Between New York and Chile there were 14 steamers cleared and 17 entered, making 31 for the six months. Between Baltimore and South American ports there were 6 steamers cleared and 10 entered, making 16 in all. And so on down the line. There were 285 steamers in all for the six months stated, and 259 sailing vessels, as above shown, making 544 ships entered and cleared between the ports of the United States and South American ports in six months, making ninety-odd vessels every month and more than 3 ships every day of the year.

It is an easy matter for merchants and shippers in any part of the world to get their goods shipped in these days. The harbors of the world are full of craft that have had to lay up for lack of freight, and steamers of good capacity and sufficient speed and sailing vessels by the thousands are lying idle in the harbors, floating idly in every port and corner of the world waiting for cargoes. These vessels are struggling along, gradually building up a trade between this country and South America, gradually increasing the amount of freight and pulling along and having a hard time of it, it is true, but the proposition now presented in this subsidy bill is perfectly absurd. The proposition is to select a few ships, or have a few ships built, favorites of the Government, and give them out of the public Treasury large sums of money, not to build up cargoes, but to enable them to make trips without cargoes, and this subsidy will be large enough to enable these particular ships to reduce the freight and passenger rate so as to drive the thousands of vessels now employed in that business, and who receive no subsidy from the Government, out of existence. Or if it does not have the effect of driving them out of existence, it will inevitably have the effect of making their success more difficult and making their competition more severe. Suppose you and I are farming side by side, and the Government pays a bounty of 10 cents a bushel on the corn you raise or pays a bounty of 2 cents a pound on the beef and pork you produce and pays me no bounties at all, does it not make the burden of my life harder? Does it not make my efforts to succeed at farming the more difficult?

So here is the absurd proposition that the Government will cause to be built a few ships, pay them enormous sums for every round trip they make regardless of passengers and cargoes. Now, if our ships can not compete under the present status of things with the very small per cent of foreign ships which are receiving subsidies from the foreign governments, how are our thousands of unsubsidized vessels hereafter to compete with these highly-paid favorites of our own Government. Subsidies are the minor factor in all maritime success. Commercial skill and industry are the major factors of the present development of the shipping industry of certain European countries, and notably of Germany. And those who have investigated the effects of subsidies in foreign countries have universally reached the conclusion that subsidies have been disappointing and have not brought the expected results. Besides that, subsidizing a few lines of ships has always had the tendency to restrict free competition and to build up shipping rings and confederations; and certainly no subsidies should be allowed without exercising some control over the freight rates and at least fixing the maximum rates to be charged by the ships receiving the subsidy. There is nothing in this bill to prevent the ships from charging a higher freight rate to our own shippers than they do to foreign shippers, and there is no attempt to exercise any authority or control over the rates to be charged. It is a notorious fact now that notwithstanding the high subsidies paid by France, Germany, and Italy, and the very small subsidies paid by the British Government, that the freight rates between European ports and Australia and Africa and other far-distant ports are uniform. There is a perfectly established shipping rate between the shipowners of the European Governments, so that the freight from Portsmouth to Australia is universally the same as the freight rate from Bremen, or Calais, or Marseilles, or any other European point. We have set here month in and month out legislating and contriving some methods by which we can force the railroads of this country to treat the shippers alike, and we have attempted to punish these railroads for rebates and discriminations.

We want to force the common carriers to give the public a square deal and leave free and open the competition between the public and the carriers. We want them to reduce the freight rates. But here when we come to this subsidy scheme the entire method is reversed. The complaint is that the freight rates are too low and that we must make them higher by continuing to pay the same old rate for freight and passengers on the ships and then paying an additional price by way of subsidies for the privilege of continuing to pay this same old rate. And instead of having these common carriers on the ocean to treat all shippers alike we are insisting upon making Government favorites and pets out of some of these carriers, giving them the cream and benefit of Government support and protection, making them the wards of the nation and turning thousands of other shipowners engaged in the same trade out without any support or assistance or protection. We want in the shipping industry to build up the few and break down the many.

The truth is that the very same high protectionists who are advocating this ship subsidy would hasten to repeal the law if it should have the effect that they pretend to believe it will have. If the ship subsidy should have the effect of enabling us to import large quantities of goods from foreign countries, these very ship-subsidy advocates would hasten to do one of two things: They would hasten either to repeal the law or they would hasten to increase the tariff. They would argue that the tariff is not high enough, because here is a flood of foreign goods coming in over the tariff wall, and we must put the tariff up higher and keep these goods out. Then they would come back and put the subsidy still higher, so as to enable the goods to come in and then put the tariff still higher to keep them from coming in. The effort is to have our cake and eat it, too. The effort of these stand-pat protectionists has been for a generation and more to destroy our ocean-carrying trade, to keep out foreign goods, and we have continued to build the tariff wall higher and higher for the avowed and express purpose of keeping out foreign goods. And if we have succeeded in keeping the goods out it has necessarily resulted in injuring the ocean-carrying trade to that extent.

The President said in his message the other day, in regard to this bill, as follows:

> The bill has been prepared almost exactly in line with Secretary Root's speech at Kansas City. It is not an experimental bill. It is modeled almost exactly on the recent Cunard contract with the British Government, etc.

Now, the President has so many duties to perform and so many things to see after that he has not had time to study the Cunard contract. He has been deceived and misled by somebody upon whom he had a right to rely. There has been no very recent Cunard contract. The last one was made on July 30, 1903, and made good for twenty years, and has not since been changed or modified in any respect whatever. And this Cunard contract or subvention made between the British admiralty and the Cunard Steamship Company is as wholly unlike the terms of this proposed bill as two propositions can possibly be. The Cunard subvention or contract imposes many duties and obligations upon the steamship company, none of which and none similar to which are included or contemplated in the pending bill. For example, the Cunard Steamship Company obligates itself to build forthwith two large steamships and guarantees that they shall make a speed of from 23 to 25 knots an hour. There is no speed provided for in this bill at all. It is true the bill does specify not less than 16 knots speed in some of the sections and not less than 14 knots speed in other sections, but the bill does not require this or any other degree of speed to be made. On the contrary the bill expressly releases the company from making any speed except during the test of four hours. The language of the bill is as follows in this particular:

> The requirements of this section as to the rates of speed shall be deemed to be complied with if said rates are developed during a trial of four hours' continuous steaming at sea in ordinary weather in water of sufficient depth to make the test a fair and just one; and if the vessels are maintained in a condition to develop such speed at any time while at sea in ordinary weather.

So it will be seen that it is the capacity of the ship to make the speed, and not the speed that is actually made, which determines its capacity to receive the subsidy. Now, when we turn to the Cunard contract we will find that the entire subsidy provided by the contract shall be forfeited unless the ships in fact make a speed of 23½ knots an hour, and in lieu of the compensation provided in the contract the steamship company will receive only reasonable compensation for its services, to be fixed by arbitration.

Again, the Cunard contract obligates that company to build these two new ships according to plans and specifications to be submitted by the Board of Admiralty, and all the other ships now in existence of that company are also to be held at the disposal of His Majesty's Government and to be hired or purchased on terms set forth in the contract. There is nothing in this bill that requires these American ships to be built after any particular fashion or to make any particular speed or to do anything else except draw the monthly pay from the Public Treasury. In the Cunard contract that company obligates itself not to increase freight rates and to make no contract for the carriage of persons or goods to the disadvantage of British subjects. Here, by this bill, any ship company can put the subsidy in its coffers and proceed the next day to reduce the freight rate so as to drive its competitors out of business, and live on the subsidy until that has been accomplished. There is nothing in this bill to prevent the shipowners who receive this subsidy from discriminating against American citizens and charging our people a higher price for transporting persons and property than they charge the foreigner. The contract with the Cunard company obligates that company to keep in storage ready for use and to fit them onto the steamers free of charge certain armaments and equipment, which may be called for at any time by the Board of Admiralty, and they must be put on without delay, and contracts for the shipment of merchandise are to be abandoned and every ship of the line turned over to the admiralty at any time at the end of seven days' notice.

Nothing of this kind is intimated in the pending bill. No services are to be rendered in consideration for which this $3,750,000 is to be paid by the Government to the shipowners. Under the Cunard contract that company obligates itself not to let any of its steamers out under a charter party without the consent of the Government, and not then if the Government gives notice that the ships within the time specified may be needed. The Cunard contract specifies that the master and officers and engineers in charge of a watch on board shall always be British subjects, and that three-fourths of the crew also shall be British subjects. Nothing of that sort is provided for in this bill. All of the payments under the Cunard contract are conditioned upon the ships showing an actual speed of not less than 23½ knots, and if any less speed than that is shown the entire £150,000 is forfeited, and the company agrees to accept a reasonable compensation for its services. For these and many other stipulations contained in that contract, all of which are to be performed, and bond and security given that they are performed, the Government agrees to lend that company £2,600,000. This sum is not donated to the ship company, but that company obligates itself to pay back every dollar of the money at 2¾ per cent per annum interest. You have all heard, no doubt, that the British Government has donated this large sum of money to the Cunard Steamship Company. You will find it in the literature of the Merchant Marine League and in reports made to this House ad nauseam. The truth is that the British Government, in lending this £2,600,000 to the Cunard Steamship Company at 2¾ per cent interest, would get $30,000 a year, more than the Government would get if it had taken the same amount of money and invested it in the Government bonds of the United States.

Furthermore, the Cunard Steamship Company obligates itself in that contract to donate stock to two nominees of the Government, and, moreover, those stockholders are authorized to attend all the meetings of the board of directors and to require a poll and a record vote on all important measures of the board and to participate in voting the stock of the company itself to the extent of one-fourth of all the stock of the company. Here is the contract complete, and there have been no amendments to it, as I have stated. Now, take this contract and compare it with this pending bill, and you will see that the President had never read this contract, and the people who are making that statement all over the country are either dishonest or misinformed.

Look at this bill. We are to pay $600,000 a year for a fortnightly service from a port or ports on the Atlantic coast to Brazil. Now, think of that proposition. We already have steamers and sailing ships going to Brazil every day of the year, and we are already bringing here from Brazil more products than every other country of the world put together. What will this line of steamers do? It will draw the subsidy and down the freight rate until it drives out its competitors, and then establish a higher rate and create a monopoly in the traffic between New York and Brazil. Or if it does not put down the freight rate and drive out its competitors then it will take the $600,000 for doing absolutely nothing.

Then the second clause provides for the payment of $800,000 a year for a fortnightly service from some port on the Atlantic coast of the United States to Argentina.

Then, in the third section we are to pay $150,000 a year for

a weekly service from the Gulf of Mexico to Panama. Then, further, this bill provides for three lines from the Pacific: One to Peru and Chile at $400,000 a year; two to the Philippines, Japan, and China, at $700,000 a year each, and one via Hawaii, Samoa, and Australia at $200,000 a year in addition to the $283,000 a year this line is already receiving for carrying the mails. Here are provided princely donations amounting to $3,750,000 to be handed over to three great railroad trusts for nothing. These sums are presents and it is already well known who will get this money. On the Pacific James J. Hill and the Great Northern Railroad Company will get one line, and the subsidy; E. H. Harriman, notorious for having organized the Northern Securities trust, and his combine of railroads will get two of these, and the sugar trust, the Oceanic steamships—Spreckels's line—will get the fourth line of steamers. So that the Government proposes to pay the sugar trust a bounty of $200,000 a year by this bill in addition to the $283,000 it is already receiving for bringing its own sugar from Hawaii to San Francisco, and to pay Hill and Harriman great rewards for organizing railroad combines and throttling competition. On the Atlantic side of this bill it is already known that Morgan and the shipping trust will get all three of the lines and pocket the $1,550,000 a year. For doing what? For carrying the mails? Why, the mails are already being carried under contracts without the payment of a single dollar of this $3,750,000, and hundreds of other vessels stand ready to take the places of these favored ships that have the existing contracts. What are the ships to do for the Government in order to earn this vast sum of $3,750,000 a year? Absolutely nothing at all. The talk about a naval reserve has no connection whatever with this subsidy. Any officer or sailor on any ship is given the opportunity to volunteer into the Naval Reserve, and if they do, certain sums are to be paid them, about equal to one month's wages.

But none of these sums are to be paid out of the $3,750,000. That sum all goes into the pockets of the shipowners. And the ships that get this subsidy do not furnish the men for the Naval Reserve. On the contrary, the bill provides that these naval volunteers are to be enlisted "from the officers and men now and hereafter employed in the merchant marine and fisheries of the United States, including the coastwise trade of the Atlantic and Pacific and the Great Lakes."

So that the proposition is to give all the subsidy to a few fast ships belonging to these rich trust magnates and exact nothing from them in return and then get the naval reserves from the vessels engaged in the coastwise trade and in the over-sea trade.

Why should we pay out that money out of the Treasury to go down to Argentina after cattle and wheat and corn and farm products when we are exporting them ourselves by the millions of dollars a month? The man who expects to build up an active trade between this country and Argentina is just about as reasonable as the man who expects an active exchange of commodities between Ohio and Illinois. Just as much sense in sending our ships down to Argentina after cattle and wheat and corn as it would be for a farmer in Illinois to load up his wagon with corn and go to peddling it out across the border to the farmers in Ohio, every one of whom has as much corn for sale as the farmer engaged in this foolish enterprise. But as between this country and Europe or as between Argentina and Europe there is an immense commerce. Commerce is the interchange of commodities. Argentina is shipping vast quantities of corn and wheat and hogs and cattle and farm products of every kind to the dense populations of Europe and bringing in exchange manufactured articles and machinery from the old country, just as we are doing the same thing and just as both countries will continue to do with or without subsidies.

The truth is that the commerce of no nation in modern times has been built up by a subsidy. France has for years been the largest subsidy-paying people on the globe, and she has made the most complete failure of her maritime enterprises of any first-class power of modern times. Everybody knows, who has looked into the subject at all, that England dominates the seas, that England has a row of fortresses around the globe, and that England pays less subsidies than any other first-class power. Furthermore, all the hue and cry we hear about our not being able to build the ships as cheaply as other nations and not able to man them as cheaply as other nations turns out upon investigation to be mere rot. Everybody knows that England pays higher prices to her sailors and to her seamen generally than any other European nation, and everybody knows that the rate of wages paid in English shipyards and the English laborers generally is higher than the wages paid to the sailors of Germany, or France, or Italy, and higher than the wages paid to the laborers generally in those countries.

We can very easily have the American flag flung to the breeze in every seaport of the world, and all we have to do is to repeal an antiquated statute that prevents capitalists from going where they please and buying ships wherever they can buy them the cheapest and hoisting the American flag at the masthead. This is the only country in Christendom where that old statute still exists. Every country of Europe has abrogated this antiquated law for many years, and every country of Europe permits its citizens to go into any of the shipyards anywhere in the world and buy their ships wherever they can get them upon the most favorable terms, bring them home, and hoist their own national flag. The truth is that more than 250,000 tons of American shipping now engaged in the commerce of the world is to-day being done under foreign flags. The ships are owned by American citizens and American corporations, and they are a part of the American merchant marine, but they float at the masthead the Union Jack, or the flag of Germany or some other country simply because of this statute. There is not much sense about this agitation about the American flag on a merchant ship anyhow.

The flag on a merchant ship does not mean anything more than the American flag stuck to the locomotive of a train or attached to an automobile at Newport. A merchant vessel is a mere chattel, subject to the laws and institutions of the port in which it is located; it is a vessel of that country where its owners are citizens. This is wholly unlike a war ship. The battle ship is a part of the territory of the country, and the flag of the battle ship means as much floating from the masthead at Odessa or Portsmouth or Calais as it does when soaring from the Capitol of the United States. It is the United States which is in legal contemplation. But the merchant vessel means nothing more than that it is a piece of personal property belonging to its owners, subject to the laws of the locality where it may be placed.

Let me repeat this statement. If the high protectionists who are advocating the passage of this subsidy bill believed in good faith that its enactment into law would accomplish what they claim it would accomplish, they would hasten back here to repeal the law. They would come clamoring into this Hall and shouting that we are being ruined by a flood of manufactured goods coming in from the Old World, coming in over the high-tariff wall, and we must repeal this subsidy bill. Or else they would come clamoring for an additional tariff to keep those very goods out. The policy of the high protectionists has been to keep out the importation of foreign goods, to destroy the over-sea trade and commerce. They will deny all this and say that the purpose of the tariff is only to keep out manufactured goods and to prevent them from coming in competition with goods manufactured in this country. But that denial is insufficient. Everybody knows that the over-sea traffic can not be built up without the importation of foreign manufactured goods. The man who expects an over-sea trade by the importation of grain or stock or farm products or the importation of any of those commodities that we are busily engaged in exporting is a first cousin to an idiot. We know, and everybody knows, that if we are to have a valuable over-sea trade we must be able to carry shiploads both ways; and as we are not going to import live stock and farm products, we must of necessity import manufactured goods.

It seems to be a universal fault in the human family to be constantly turning to the Government with the hope and expectation that the Government can do for us so much better than we can do for ourselves. The King—the Lord's anointed—was the fountain head not only of social order, but he was the receptacle of that divine right and unction by which the nation was saved from its enemies both at home and abroad. We tried in the foundation of this Government to cut loose from that universal heresy and to impress upon our people the vast importance of every man being the architect of his own fortune, and we have tried to teach the American citizen to paddle his own canoe, and to look upon the Government merely as an agency by which to transact certain important business for the citizen. Our fathers did succeed in the heroic days of the Revolution in breaking away from this old disease of paternalism, and we have all along insisted that self-reliance and individual effort were the true means of success. We still adhere to that doctrine in the main, and have by reason of adhering to it outstripped every other country in every industry and in every avocation. We pay our laborers, or rather they pay themselves, higher wages and they live in better houses and have greater comforts than any other toilers on the globe. And it is on account of their own superior intelligence and superior comforts that they are the most skilled and ingenious laborers on the globe. Although we are engaged in feeding the crowded populations across the sea, we are also outstripping them in manufacturing articles of every kind. You may go down into the hold of every steamer and every tramp sailing

vessel that crosses the Atlantic or the Pacific and you will find every species of machinery and of manufactured articles of every conceivable kind going into every port and underselling the products of every land in their own market. We make shoes for the Germans of Berlin; we make locomotives for the Englishmen in Australia; we build trolley lines for the Turks in the Ottoman Empire; we build railroads in Persia and China; we build iron and steel bridges for the Czar, and we build sewing machines for the ladies of Tasmania and New Zealand. None of these laborers receive any subsidies from the Government, and the contention that we can not build ships as cheaply as they are built in Europe is not only false, but absurd in the extreme.

All of these other machines are constructed by laborers, who are paid high wages, just as the laborer who builds the ships is paid high wages. This industry of our people, this self-reliance of the American workingman, this skill of the American mechanic have put us in the lead in everything, including the building and manning of ships. Why, we are transporting through the Sault Ste. Marie Canal, which connects Lake Michigan and Lake Huron—through this canal alone we are transporting vastly more freight and passengers than are carried by all the commerce of the world through the Suez Canal. Our coastwise trade, amounting to more than 6,000,000 tons, is the largest and most profitable shipping industry on the globe. Our coastwise trade carries more tonnage, charges higher prices, makes shorter trips, collects more money than any other shipping industry of any country under the sun. And we have less excuse for going into the Treasury of the United States and taking out the public money and paying it into the pockets of these subsidy grabbers than any other country in the world. Japan is subsidizing steamships and sending them broadcast around the globe hunting for something to carry. Germany is subsidizing two steamship lines and forcing them upon every trip to circumnavigate the entire continent of Africa hunting for something to do. England, in the midst of her ocean empire, is subsidizing her ships connecting her insular possessions as a matter of governmental necessity. But even in these countries the effect of the subsidy has been to make the lot of the other shipowners harder and to concentrate the traffic in the hands of the subsidized steamers. From every standpoint this country will be guilty of the extremest folly to subsidize some twenty or thirty steamships and try to concentrate our ocean traffic in the hands of these few ships and make the lot so much harder for the 25,000 vessels that are to receive no subsidy whatever.

This bill ought to be styled "An act to destroy the American merchant marine in the interest of certain railroads and millionaire shipowners." It will be exceedingly difficult for this country ever to become again prominent in the ocean carrying trade, and this fact furnishes not a source of distress, but is one of the greatest compliments that can be paid to our Government and our people. We are too prosperous, and our people are too busy, and they are too well employed at high wages to consent to engage in this scramble at the cheap rates now charged by the ships of other nations engaged in the ocean carrying trade. Thousands of ships of high and low degree are lying idle, rocking on the waves in every harbor of the world, waiting and watching and anxious for freight and passengers. These are cheap steamers and sailing vessels, with crews made up of Chinese, negroes, and Portuguese and Norwegians and other cheap laborers, and therefore our shipowners can not successfully compete with them in this traffic; neither can our laborers successfully compete with the Chinese coolies and Jamaica negroes in the construction of the Panama Canal. There is just as much reason and sense in going down into the Treasury of the United States to pay our rich shipowning corporations the difference between those cheap freight rates charged as there would be to go down into the Treasury and take enough money to pay us for hiring American skilled laborers to go and finish digging the Panama Canal.

We can, if we really are in earnest about it, restore the ocean carrying trade to American vessels, first, by repealing an antiquated statute that prohibits our people from going into foreign shipyards and purchasing ships and floating the American flag, or we can build up the American marine by returning to a time when a successful method was adopted of establishing discriminating duties giving the American vessels a preference in port dues. No treaties need be held up as preventing this method, because as soon as Congress enacts this measure into law all of the treaties that are in conflict with it will be abrogated.

No, gentlemen, these stand-pat Republicans are now up against this proposition—how to keep the tariff walls so high as to keep foreign goods out and at the same time have a ship subsidy so large as to bring the foreign goods in. How are we to destroy foreign commerce with one hand and build it up with the other? How are we to pay more for transporting our commerce across the seas than we pay now and make money in the transaction? How are we to enable our ships to compete with foreign subsidized ships by substituting a new and greater competition? How are our thousands of ships that are to have no subsidy to compete with our new ships that are to be subsidized at much larger prices than the foreign ships?

## Rates and Remedies.

### SPEECH
OF
# HON. GEORGE F. BURGESS,
OF TEXAS,
IN THE HOUSE OF REPRESENTATIVES,

*Wednesday, February 6, 1907.*

On the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURGESS said:

Mr. CHAIRMAN: This bill appropriates for the improvement of the harbors, rivers, and waterways of this Republic, in round numbers, $83,000,000, the largest amount ever carried in any similar bill in the history of the Government. It is my deliberate judgment that, viewed from every proper standpoint, this bill is the best rivers and harbors bill ever offered Congress, and that it will be more universally approved by the people of this country than any other bill ever passed. The widespread satisfaction with which this bill will be received is the result of an increased knowledge of this character of legislation, brought about by the happy conjunction of many causes, some of which I shall briefly mention. One of the main causes of the present popularity of this class of appropriations is due to the persistent, systematic, intelligent, organized education of the country as to the real facts demanding such legislation.

On October 8, 1901, in the city of Baltimore there was held a national rivers and harbors congress, and it was largely attended and many splendid addresses were delivered, and the following resolutions were adopted:

Whereas it is desirable to arouse the sentiment of the people to a fuller appreciation of the value and importance of improving and developing the waterways and harbors of our country, in order to meet the demands of our rapidly increasing internal and foreign commerce for the advantage and benefit of the whole people, and for the purpose of imparting reliable and more complete information upon this important subject, this congress, representing all sections of our country, has been convened: Therefore, be it

*Resolved*, That this congress asserts that the best development of our national resources demands the adequate improvement of our waterways, and therefore it indorses and urges upon the congress of the United States a liberal policy in their improvement through systematic and adequate appropriation therefor. In equally unequivocal terms this congress deplores and condemns any action which leads to the failure of river and harbor legislation.

*Resolved*, That it is the sense of this congress that the improvement of rivers and harbors is of equal importance with the work carried on by any department of the General Government, and for this reason we urge that appropriations therefor be placed upon such a footing as will insure at all times ample funds for a vigorous prosecution of the work, and to this end we indorse the system of continuing contracts.

*Resolved*, That in the judgment of this congress all items should be excluded from the river and harbor bill that do not appertain to the improvement of harbors and waterways for the purposes of water-borne commerce.

*Resolved*, That the wonderful prosperity of our country is largely due to the vast increase in our foreign commerce, and that to advance our position as a great commercial nation all possible facilities must be afforded, deeper and wider channels must be created to meet the requirements of the modern steamships that have revolutionized the commerce of the world.

*Resolved*, That our great systems of internal navigation by the lakes and waterways of our country, besides being so essential as great highways of commerce to the fullest development of our national resources, are natural and effective regulators of freight rates, and we therefore urge their continuous and systematic improvement, with liberal appropriations therefor.

*Resolved*, That an executive committee of seven be appointed by the president of this congress, representing the different sections of the country, who shall have general charge of the affairs of this congress, with power to convene future meetings and to perform such other duties as may be necessary to carry into effect the purposes and objects of its organization.

*Resolved*, That the foregoing preamble and resolutions be formally submitted to the appropriate committees of Congress at its next session by a committee consisting of one delegate from each State, to be appointed by the president of this congress, who shall be ex officio a member of the committee.

This was all the action, practically, that was taken, and nothing further was done until the summer of 1905, when the fact that three years had elapsed between the passage of the rivers and harbors bill of 1902 and that of 1905, together with the fact that the bill of 1905 was totally inadequate to meet the needs of the country, impelled the friends of river and

harbor improvement to bestir themselves, and on the 15th and 16th of January, 1906, there was held another rivers and harbors congress in the national capital. This meeting was much more largely attended than the former one, and at this meeting many splendid addresses were delivered, great enthusiasm was developed, and the following resolutions were adopted:

Whereas there has existed in the past an unjust prejudice against appropriations recommended in river and harbor bills in consequence of lack of information and failure to realize the enormous benefits these improvements confer upon the people of the whole country by reducing and regulating the rates of freight transportation and by creating new and important channels for the transit of the products of the forest, field, mine, and factory; and

Whereas the marvelous growth and development of the resources of the country and the increase of our commerce, domestic and foreign, have been the surprise and envy of all civilized nations, all to be enhanced by the completion of the Panama Canal, and these developments demand for their successful, continuous, and further extension a more liberal policy on the part of the Government; and

Whereas the evolution of our transportation agencies has added to and emphasized other reasons for river, harbor, and waterway improvements, the cogent one being that such improvements exert a natural, proper, and permanent competitive effect on the cost of transportation, which is invaluable to our whole nation: Therefore, be it

*Resolved*, That this congress, recognizing, appreciating, and commending the invaluable work of the Rivers and Harbors Committee of the House of Representatives and of the Committee on Commerce of the Senate, aided by the Engineer Corps of the Army, deeply regrets the limitations resulting from appropriations so small as to seriously embarrass and defeat the proper development of their labors.

*Resolved*, That the National Government, having assumed the improvement and control of the rivers, harbors, and waterways of the country, is unequivocably bound to discharge these obligations promptly, and by sound business methods, and instead of appropriating for the purpose at uncertain intervals of two or three years, should by annual appropriations place river and harbor bills on a parity with other great appropriation bills, and thereby permit all such work to be carried on economically and continuously without the waste incident to intermittent effort.

*Resolved*, That in view of the large number of projects for the improvement of our harbors, rivers, waterways, and canals that have been approved by the engineers and the committee, requiring the expenditure of large sums of money, we not only recommend, but urge, an annual appropriation of at least $50,000,000 confined to works of improvement approved or in progress, and that it is due the country that Congress take whatever steps may be required to provide the sums necessary to promptly, effectively, and economically complete accumulated worthy national projects adopted and recommended by the constituted authorities now delayed only by the lack of available funds.

*Resolved*, That the executive committee be, and is hereby, directed to use all proper means to actively further the purposes of these resolutions in such manner as will assure the completion of these works of national development.

In addition to all this a permanent executive committee was appointed, consisting of fifteen men carefully selected from the different sections of the country and thoroughly representative of each, and was clothed with plenary power to take such steps as it might deem proper to intelligently arouse the sentiment of the American people to the wisdom of carrying out what the convention had declared in the resolutions I have quoted. That distinguished Democrat and splendid gentleman, my colleague and friend, Hon. JOSEPH E. RANSDELL, of Louisiana, was chosen as chairman of this executive committee, and immediately upon the adjournment of that congress he began a practical and systematic effort to arouse public interest in the demands of the congress. He and the secretary of the executive committee, Hon. J. F. Ellison, of Ohio, deserve great credit for their efficient services. The effect of their efforts were seen when in December last year the National Rivers and Harbors Congress was again convened in the national capital.

Mr. Chairman, I gravely doubt if there has assembled a more splendid body of men at any time on any subject in the national capital than those composing this last Rivers and Harbors Congress. Greater in numbers by far than previous congresses and composed of men who thoroughly understood the situation and who came and went away with determination to contribute all in their power to the furtherance of the objects of the convention as expressed in the following resolutions:

Congress has demanded in the past an awakened public sentiment in favor of adequate appropriations for river and harbor improvement. We maintain the awakening has come. Congress must now recognize that public sentiment in favor of increased appropriations, as voiced by conventions and the press, has reached a point where the concern is not the advisability, but only the question of amount and frequency of such appropriation. Present conditions demonstrate that transportation facilities are totally inadequate for the prompt and economical transportation of the products of the country. Within the last ten years the tonnage moved by railroads has increased 47 per cent, while during the same period railway mileage has increased only 20 per cent.

Hundreds of millions of dollars are lost annually to our farmers and other producers by the failure of the National Government to provide the assistance which properly improved natural waterways will give in increased facilities for transporting freight.

We maintain that water competition is the best and surest regulation of freight rates. The improvement of rivers and construction of waterways will afford the most natural, permanent, and effective method of reducing and regulating the cost of transporting both our domestic and foreign commerce.

The saving in the cost of transportation to both the producers and the consumers of the country will, through cheaper and competitive freight rates, more than justify the expense incident thereto.

The opening of the Panama Canal, which will so greatly increase our facilities for trade with the Orient, and the awakened development of closer business relations with South American republics, emphasizes the question of water transportation as one of national and international importance.

All progressive nations have learned by experience the imperative necessity of using natural and artificial waterways for the movement of their products and have adopted a policy of systematic development of such waterways, and the time has now arrived when the United States, with greater natural advantages, must also recognize the function of the waterway system in the economic development of this country.

Events have shown the wisdom of the resolutions adopted at our last meeting, which we now reaffirm.

The National Government having assumed the control of the rivers, harbors, and waterways of the Republic, it owes the people the prompt and efficient discharge of such function: Therefore, be it

*Resolved*, That we urge Congress to appropriate not less than $50,000,000 annually for the improvement of rivers, harbors, and waterways, commencing with the present session of Congress.

I wish to say, Mr. Chairman, in this connection that each of these congresses possessed not a tinge of sectionalism or of partisan politics, but a common purpose in the interest of the whole country, regardless of section or of party adherence, animated all the delegates.

This is really a great nonpartisan, patriotic work in the interest of all sections and classes of citizenship.

The success of this movement has been greatly accelerated by two other causes. The first of these is the fact that for some years, led by the distinguished gentleman from Ohio as its chairman, the Committee on Rivers and Harbors has endeavored, individually and collectively, to so handle its work as to lift these appropriations out of the "pork-barrel" class. Earnest effort has been continually put forth to make the appropriations solely upon the merit of the project proposed, and to equitably apportion the total amount carried in the bill among the various meritorious projects in proportion to their relative importance and value to the country. Happily, this effort has been thoroughly successful, and but rarely has any adverse criticism in this respect been heard from any section of the country. The great press, so powerful in its effect upon public opinion, has almost universally recognized the fairness, the impartiality, the justice, and the wisdom displayed in recent river and harbor appropriation bills. Whether the chairman of this great committee shall continue at its head in the future or not, he has written himself a record in this character of legislation since he became chairman of this committee which shall be a deathless monument both to his ability and fairness.

The second of these causes is chiefly due to the present President of the United States, who precipitated the rate issue, which excited universal thought upon the great question of transportation, and from the question of the regulation of railroad rates the transition in the public mind to that of water transporation was easy, natural, and certain. The people, generally, began to think of the value of the improvement and development of rivers and harbors as a means of furnishing wider and cheaper freight transportation, and the immense productiveness of the country and the inability of existing methods of transportation to adequately handle these products widened and deepened this trend of thought in the public mind. Mr. Chairman, it takes but little investigation and thought to reach the conclusion that the positions taken in these resolutions are abundantly supported by the logic of the facts.

Of the many wise public utterances of President McKinley, perhaps his last public utterance at Buffalo, shortly before the happening of the tragedy which cost him his life, was the wisest and most comprehensive, in that he laid great emphasis upon the ever-increasing importance to this country of *markets*. For the last ten years the great law of supply and demand has been working overtime. The output of American factories, fields, forests, mines, and ranches has been increasing by leaps and bounds, and both the foreign and domestic demand seem to have more than kept pace in growth with this phenomenal increase in production. *Markets are meeting places of supply and demand, and transportation is the essential medium through which supply and demand join hands and work in unison for universal benefit.* Under the operation of this great law, in but little more than a decade this Republic has been changed from a debtor to a creditor people, practically every dollar of foreign indebtedness has been wiped out, and America is able now to loan money to the furtherance of great enterprises not only in its own bounds, but in other countries as well. There seems to be not the slightest evidence of any diminution in the outflow of our foreign commerce; on the other hand, it seems as certain as anything in the future can be that our exports, both in raw and manufactured products, must increase, as well as our domestic commerce. Hence it follows, logically, that transportation—the medium of access to markets, both foreign and domes-

tic—must press upon our attention with ever-increasing importance. Here, as in the whole domain of progressive civilization, the beneficent effect of the law of competition holds. The creation of additional ports, inviting interior competitive lines of railway, joining through these ports with competitive lines of steamships to various markets; competitive lines of boats along improved rivers and waterways, reaching these great ports, as well as market centers in domestic territory, plainly demonstrate not only the importance, but the imperative necessity of a progressive, liberal policy in the improvement of the ports, rivers, and waterways of the Republic.

Let no man doubt, Mr. Chairman, that this organized, educated public sentiment has come to stay. There will be no recession of this great movement, but it shall go on and on, gathering force, until every port, every river, every waterway susceptible of improvement in this great Republic shall be completed, and America will stand in this matter, as in many others, at the very head of the great progressive nations of the world. No money of the people brings so widespread benefit and so great an interest upon investment as the money thus expended. A splendid instance of the value to the whole people of this class of appropriations exists in my own State. A board of distinguished engineers, called upon only a few years ago to report upon the subject, gave it as their deliberate judgment, upon full investigation, that the expenditure of nearly $10,000,000 in the creation of a deep-water port at Galveston, in the State of Texas, saved the people upon their products in territory tributary to that port more each year than the total cost to the Government of the creation of the port. Certainly every business man in the country must be aroused to the importance and value of this character of appropriations when the showing is made of a dividend of 100 per cent per annum upon the investment. The report I have mentioned will be found in the Report of the Chief of Engineers for 1903, on page 1348. In passing I mention the fact that the last engineer's report shows that commerce passed through this port last year exceeding in value $525,000,000.

I wish to call special attention to some matters mentioned in the resolutions of the rivers and harbors congresses which I have heretofore quoted. It will be noted that they have declared for annual river and harbor bills. This demand is prompted by sound business judgment. Practically all other appropriation bills, especially where the work is continuing in character, are annual, for the obvious reason that such would be the course pursued by any business organization discharging such functions. Congress naturally gives attention each session to agriculture, to the Army, to the Navy, to the post-office, to all the great functions of government, and economy and efficiency would be promoted by a similar procedure in rivers and harbors appropriations. Undoubtedly it would be better that Congress should give annual attention and direction to this great work than that two or three years should elapse between the passage of such bills. Twenty-five million dollars appropriated each year for three years would produce, in my judgment, far better results than seventy-five millions appropriated every three years. I can not too strongly press upon the attention of Congress and the country this wise demand in these resolutions which emanated from an organization almost entirely composed of business men from every section of the country. It will be noted also that in the resolutions of 1901 this language occurs:

*Resolved*, That our great systems of internal navigation by the lakes and waterways of our country besides being so essential as great highways of commerce to the fullest development of our national resources are natural and effective regulators of freight rates, and we therefore urge their continuous and systematic improvement with liberal appropriations therefor.

That of January, 1906, declares:

Whereas the evolution of our transportation agencies has added to and emphasized other reasons for river, harbor, and waterways improvements, the cogent one being that such improvements exert a natural, proper, and permanent competitive effect on the cost of transportation, which is invaluable to our whole nation.

And that of December, 1906, declares:

We maintain that water competition is the best and surest regulation of freight rates. The improvement of rivers and construction of waterways will afford the most natural, permanent, and effective method of reducing and regulating the cost of transporting both our domestic and foreign commerce.

Mr. Chairman, these resolutions present a difficult and far-reaching problem. I am one of those who oppose the national ownership and operation of the transportation agencies of the country, whether on the water or on the land, and yet I believe that the sentiment in favor of national ownership and operation of railroads is growing so in the country as that nothing short of efficient governmental regulation of rates through State and national railroad commissions will check it.

I heartily subscribe to this course. I am proud of the fact that I was the first man in this Chamber on either side who gave his hearty approval, in an address to this House, of the first definite rate recommendation made to Congress by the present President of the United States. I gave my vote cheerfully in support of the recent rate legislation, but I believed then, and I believe now, that that legislation does not go far enough to meet the situation and to satisfy the demand of the country for relief.

If, as under the Hepburn bill, Congress can clothe the Interstate Commerce Commission with power to fix a rate on one railroad between two points, it can clothe the Commission with power to fix rates on all roads between all points, and this should be done. If it can clothe the Commission with power to fix a rate, it can also direct the principles and policies upon which this rate fixing shall proceed. More than that, it ought to declare its will under its power and leave as little exercise of power for the Commission as the circumstances will permit. In my opinion, rate legislation ought to be immediately passed, clothing the Interstate Commerce Commission with plenary powers to fix rates—with the power to value the various railroads of the country and to fix rates upon the basis of such valuation, so that a fair interest will be permitted upon the basis of such fair valuation; with the power to fix classification and to prevent any change thereof, so that the rate may not be changed by a change of classification on the part of the railroads, and providing that when such rate is fixed no inferior Federal court shall, by injunction, disturb the operation of the rate. But, Mr. Chairman, when all this shall be done, if it ever be done, still it will be true that under such perfect power, wisely exercised with justice alike to the railroads and to the people, the rate can not be as cheap as a water rate, and hence we can not escape this question in the improvement of rivers and harbors of the Republic: What consideration, if any, shall be given to the effect upon freight rates that will be produced by such improvements?

Here, as in many other instances, extreme views are taken. It is quite common to hear it said if this or that waterway is created, so long as it reduces rates, we don't care whether a single ton of freight is ever water borne or not. On the other hand, you will hear it said that rivers and waterways ought to be improved solely from the standpoint of the actual commerce which will be water borne by the improvement. In my judgment the truth lies between these two extremes. The first would be unjust to the railroads, for when the States have chartered railroads, and acting in good faith their owners have invested millions and built lines and developed the country, it is unjust to create an artificial waterway solely for the purpose of bringing freight rates down to a lower point than they could be forced by effective commissions under the constitutional rights of the railroads to earn legitimate profits upon a fair valuation of their property.

Nor would such action, if taken, be remunerative to the people unless the conditions exist, to which I shall hereafter allude, when I state what I conceive to be the proper basis of action, for the obvious reason that boats could not profitably maintain themselves in a competitive struggle with the railroads, and hence policy unites with justice against such action.

On the other hand, it would be unjust to the people to go to the extent of saying that the improvement of a river or a waterway must solely depend upon the amount of actual commerce to be borne by it, for if when it is improved the country tributary to it develops and the commerce is so augmented as that the railroads could meet the water rate, and do meet it, certainly the people are entitled to this natural, cheaper method of carrying their products, so that the wise, just view appears to me to be this: In the improvement of a river or the creation of a waterway the controlling question should be, Are there along its course quantities of heavy, bulky freight which can be moved slowly and which naturally could be more cheaply water borne than by rail? If so, with due regard to the value of the improvement, viewed from such standpoint and the cost of the improvement, such improvement should be undertaken, and the happy result will follow which has invariably followed the improvement of such rivers and canals not only in this country but in Europe; namely, cheapening the carrying of heavy raw materials, such as coal, iron ore, cotton, wheat, lumber, sand, brick, stone, and building materials, so stimulating the whole section and augmenting its production as that the railroads make up in increased passenger and fast freight traffic more than they lose by the carrying of all this heavy and slow-moving freight by water. In a degree it will be also true that a tendency to lower rates on all commerce carried will be produced, since, if the railroad rate is too high on any given product, the tendency will be to have it carried by

the same boats which carry these heavy, bulky, slow-moving freights.

Thus a happy, natural balance is struck, alike beneficial to the railroads and the people. Such I believe to be the wise middle course to be pursued in appropriating for the improvement of rivers and waterways, one which recognizes a competitive and yet cooperative utilization of all the means of transportation. In this country the waterway through the Great Lakes, the Erie Canal, the Mississippi and Ohio rivers are fine illustrations of this view. I hope ultimately to see the 14-foot channel from the Lakes to the Gulf and a 9-foot channel from the Mississippi River above New Orleans along the coast of Louisiana and Texas to Brownsville added to these.

Mr. Chairman, I have said, and I repeat it now with emphasis, that this class of appropriations should be and is nonsectional and nonpartisan; that they should be made and are made by the present committee upon the merit of each project regardless of the politics of the section contiguous to the proposed improvement; that an appropriation for the improvement of a port, a river, or a waterway should be made, and is made by this committee, alone from the standpoint of sound business judgment, and yet, unfortunately perhaps, there is a controlling factor which in the very nature of things is partisan and which there seems to be no way of avoiding. The great question, as a whole, of the amount of revenues and the amount of expenditures year by year is an administration question, to be determined by the dominant party, which is and should be held responsible by the people for its wise and efficient action. Naturally the leaders of the dominant party from the President down must discuss among themselves the various amounts which the various appropriation bills can be permitted to carry, and seek to bring the appropriations within the estimated revenues of the Government.

In this way the total amount of river and harbor bills, the question of whether they shall be annually passed, becomes a partisan question, and the only remedy I see is to so arouse and unite public sentiment and make it so universal and pressing as that no administration by any party can afford to thwart the will of the people, who, in fact, have no partisan feeling about this matter. This situation, coupled with the fact that when the committee attempts to make up a bill carrying a certain sum total it is confronted with the situation in which the approved and meritorious projects exceed by many times the total amount which can be carried in a single bill, brings up another perplexing and difficult question, which has caused, on the part of the ignorant and unthinking, the selfish and avaricious, many unjust criticisms against the committee and many bitter and groundless attacks upon its distinguished chairman. It must be perfectly obvious to every thoughtful man, who would be just, that under a condition like this the committee, and especially its chairman, must stand like a stone wall for an equitable apportionment of this total amount to be carried in the bill, among the different meritorious projects, regardless of sectional or political situations, and this involves a necessary consideration of the principles and policies upon which said equitable apportionment shall proceed. This is another difficult and perplexing problem, presenting many phases and many extremes. Let me illustrate one of the most common of these extremes; for instance, the lake people, with much pride, boast of their vast tonnage, approaching 50,000,00 tons, while the people of Texas, for instance, reply, "Yes, that's a magnificent tonnage, but its value is less than $500,000,000, while a tonnage flowing through the port of Galveston, of less than 3,000,000 tons, exceeds in value $500,000,000.

It will be seen that this situation, which can be verified by the last report of the Chief of Engineers, naturally suggests the controversy that on the one hand, in the apportionment of this money, it shall proceed upon tonnage and upon the other hand that it shall proceed upon value. The truth is that neither would be a fair method of procedure; that both the value and the tonnage should be taken into consideration, together with a multitude of other facts; for instance, the mere value of the tonnage, made up mainly of iron and coal, coming through the Lakes would not be a fair criterion of the value of the commerce to the whole country, for the bringing together of the raw materials at a cheaper rate so augments manufacturing enterprises as to bring a vastly increased benefit to the whole country not accruing in the case of the exports of wheat and cotton through other ports of far greater value per ton. It is my judgment that the apportionment of $83,000,000 in this bill among the different projects is the finest feature in this particular bill, in which it rises above any other similar bill in the history of the country.

Another question the distinguished chairman has brought forward in his opening address presenting this bill to the House is this: In making up this bill what policy should be pursued as would eliminate, either in amount or in entirety, certain projects; is it better to undertake to finish pending meritorious projects wherever the amount is within reasonable limits, rather than to widely divide and apply the total amount to all possible projects? Without a single dissenting voice the whole committee thought it was wiser business judgment to pursue the course of attempting in this bill to complete pending projects and to refuse to take up new ones except where extreme merit existed and completion was possible. I am thoroughly confirmed in this view myself, and feel certain that every thoughtful man will readily discern that by this method the country will get quicker returns upon its investment than by any other method possible under all the conditions. It is true that this course works here and there a hardship, but the conditions are such as that it is impossible under any method to appropriate the amount of this bill without working many hardships. The gentlemen from Pennsylvania who are clamorous for the construction of Lock and Dam No. 7; the gentlemen from Illinois and Missouri and other States who are so clamorous for the Government to undertake the 14-foot project from the Lakes to St. Louis, will, I feel certain, upon reflection realize that this bill has gone as far upon correct, sensible business principles and policies as could be expected, and that their hardship is one forced by the exigencies of the situation. They must bide their time, as many others are doing, and as many have done for many more years than they have borne their hardship or will likely have to bear them.

Permit me, Mr. Chairman, just here to say to my colleague in this Congress and to the country that heretofore the chief obstacle in the way of increased and annual appropriations for river and harbor improvements has been the narrow, local, sectional view of those interested in the various proposed improvements. This fact, in connection with the want of general information on the part of the public, has vastly retarded the progress of this work. If we are to have larger and annual appropriations, it must come through a wide recognition of conditions and a general union for the common good of all. Selfishness and narrowness must be submerged in a patriotic and businesslike procedure, by which finally all will get more, and get it quicker for each of their local improvements, than can possibly be obtained any other way.

Mr. Chairman, turning from a general view of the subject, I wish to say a few words touching Texas projects. It will be noted that the total of the Texas items, including the $100,000 for upper Red River and some other small items partly chargeable to Texas and in the bill under the head of other States, that the sum total for Texas in this bill is a few dollars over three million eight hundred thousand. Some one uninformed may say that Texas is getting more than her share. This is a mistake. The proportion of this amount to the total amount of this bill is considerably less than the proportion for Texas in the last bill and slightly less than in either of the two preceding bills. Not only that, but as a matter of fact at least three and possibly four of the Texas items are in no proper sense chargeable alone to Texas. The appropriation of $360,000 for Sabine Pass benefits more territory outside of Texas than in it. This situation is still more true of the port of Galveston, and Aransas Pass looks to far more territory outside of the State than in it.

Undoubtedly the improvement of the Trinity and Red rivers to Dallas and Denison, respectively, will have a marked beneficial effect upon the new State of Oklahoma. It is true that there are so many other projects which have been liberally treated that the total amount for the State is large, and I fear that Galveston and possibly Buffalo Bayou have suffered by reason of these facts. My own judgment is that more should be carried in this bill for both of these great projects. When the committee was making up this bill the facts touching the extension of the Galveston Harbor channel were not procurable, or I believe a larger appropriation would have been carried in this bill for that project. I trust these facts will be obtainable in time for an amendment increasing the appropriation for this channel to extend it further up the bay, so as to permit of the improvement of additional wharf property owned by the Rock Island–Frisco system of railroads, and which I am informed they would under such conditions immediately improve at great expense.

This is of vast importance because of the great increase of commerce at this port and the congestion of traffic at the busy season of the year. Perhaps no port in the history of the country in the last ten years shows so remarkable a growth. The commerce last year of this port, in and out, foreign and domestic, was in excess of $525,000,000, and, taking the figures to date, it is almost certain that at the end of this fiscal year

there will be a gain of over $100,000,000. This port already is the second in the United States in the value of exports, being exceeded alone by the great port of New York, and last year was fourth in total commerce, and, if my estimate proves correct, it will be a close competitor for second place at the end of this year in total commerce. We hope soon to see the Government undertake to give us 35 feet of water at Galveston, which we deserve upon any proper basis of comparison with Boston, Baltimore, and New Orleans. We have been patient about this matter, but we feel that by the time another rivers and harbors bill is made up that action should be taken along this line.

The appropriation in the bill for Sabine Pass was abundantly justified by the splendid showing of the great increase in commerce at Port Arthur. This furnishes, with the railroads running back into the interior from it, a most serviceable port to a large area of country, and to some extent competitive with the port of Galveston and its tributary lines.

The appropriation for Aransas Pass will be most gratifying, not only to all the people of southwest, west, and northwest Texas, but to those of Arizona, New Mexico, Colorado, and western Kansas and Oklahoma.

It is not generally known that a line drawn due north and south from Dallas would pass within a few miles of Aransas Pass, and that if the line of the Missouri, Kansas and Texas Railroad were extended in a straight line south from Smithville that it would strike within a mile of the town of Rockport, which is almost due north of Aransas Pass on the western shore of Aransas Bay, some 9 or 10 miles from the Gulf. In my judgment, this appropriation for Aransas Pass takes this port out of the domain of experiment and commits the Government to the making of a deep-water port there, and hence of necessity will attract the building of railroads to it and the ultimate establishment of steamship lines to European ports, thus affording another great competitive system of transportation, as against Galveston, Sabine Pass, and New Orleans, and cooperating with them competitively against all other ports to the immense benefit of a large territory with increasing population, engaged almost exclusively in the production of export products. No appropriation in this bill is more uniformly and emphatically sustained by the reports of the engineers of the United States, local, district, and Chief, as well as every board ever called upon to report upon it. With absolute unanimity all these officers and all these boards have said that Aransas Pass is the ideal place on the Gulf of Mexico for the creation of a great port. One board went even so far as to italicize their emphatic statement that the port was "worthy of immediate improvement." The board of review in its last report, under which this appropriation was made, specifically said that the commercial and industrial situation justifies the creation of a port on the Texas coast west of Galveston, and that Aransas Pass presents the most feasible place for the creation of such deep-water port.

The appropriations in this bill for the Red River, the Trinity, the Brazos, and the Guadalupe are gratifying, undoubtedly, to all persons interested in these improvements. I look to see immense benefit produced by their completion, especially of the improvement of the Trinity and the Brazos rivers. The head of navigation proposed, under the plan of improvement on the Trinity, is the city of Dallas, a splendid progressive city in the northern part of the State, and in the very heart of the richest agricultural section on the American continent. It is the distributing center as well as market of, perhaps, as many as two million people. Under present conditions freight rates both to and from Dallas are excessively high. Undoubtedly the establishment of navigation by water from Dallas to Galveston, via the Trinity River, will have a far-reaching effect upon these rates. Not only that, along the river are quantities of coal, lumber, and cotton, and facilities for the manufacture of brick and the quarrying of stone. These will maintain boats, locally, alone. With the exception of coal, the same situation is as emphatically true of the Brazos River, certainly as far north as Waco, which is a thriving, prosperous city near the geographical center of the State, and possibly much farther up the river than Waco.

The value of the improvement of the Guadalupe River is largely dependent upon the accomplishment of deep water at Aransas, or the extension of the inland waterway from Matagorda Bay to the Brazos River, so as to connect with the Brazos-Galveston channel, and thus give access to the port of Galveston. Undoubtedly the local advantages of this improvement, in connection with access to the bays south, east, and west, will justify the expenditure, but far greater benefits will accrue when connection with a deep-water port is established by one or both of the two ways I have mentioned. I confidently hope in the near future to see this inland waterway improved all the way east from Matagorda Bay to a connection with the Mississippi River through Bayou Plaquemine.

Such a waterway runs through the heart of as rich a country in both States as exists on the Western Hemisphere, or perhaps in the world. It runs through the very heart of the lumber, oil, rice, and cane sections of both States and reaches great sulphur and salt mines, and affords a tremendous market for the coal of Pennsylvania and West Virginia through the Ohio and Mississippi rivers, which would be not only a benefit to those States and increase the commerce for the great Ohio and Mississippi rivers, but would afford us in Louisiana and in Texas a better and far cheaper fuel than we can now obtain, a growing, pressing necessity for which exists in both States by reason of the increased demand for fuel on the one hand and a decreased wood and oil supply on the other.

In conclusion, Mr. Chairman, I wish to say to the Congress and to the country what few even in my own State realize, namely, the splendid situation in Texas with reference to waterway improvement, better than exists anywhere else within my knowledge; a vast fertile territory, lying upon the Gulf of Mexico, and susceptible of cultivation to the very edge of the salt water, with three great ports capable of being connected by the inland waterway, safe from storms, and all connected with splendid rivers, running north and south, reaching up into the interior of the States, of which the Trinity and the Red rivers reach its northern boundaries. What a splendid situation can be produced by the wise expenditure of the necessary money to improve all this possible water situation. When I think of this situation, of the favorable climate, of the splendid people, of the perfect distribution of its population, both in cities and in country, of its varied products, of its fertility, and of its splendid, patriotic history, it makes me proud of the fact that I live in the Lone Star State.

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**The Late Hon. Rufus E. Lester.**

## REMARKS

OF

## HON. CHARLES H. GROSVENOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

*Sunday, February 10, 1907.*

The House having under consideration the following resolutions:

"*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. RUFUS E. LESTER, late a Member of this House from the State of Georgia.

"*Resolved*, That, as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House at the conclusion of these services shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased"—

Mr. GROSVENOR said:

Mr. SPEAKER: I knew our honored friend from the time he came to Congress. He was especially interesting to me because of his relation to an interesting portion of the great South, a portion where I had served as a soldier at the close of the war and where I had many acquaintances.

RUFUS E. LESTER was a true type of the southern gentleman. He was affable, pleasant, always amiable, always genial. I did not become intimately acquainted with him until his service had ripened into a considerable experience. I found him to be a liberal man. I found him to be a man of more than average ability as a business man, a man of good judgment, and a man of pure character. He served in the Confederate Army, but he had become a loyal citizen of the United States. I have often thought, when considering such men as LESTER, what a tremendous sacrifice they made for what they believed to be the true principle of American manhood. I differed with them most earnestly. I was a young man at the beginning of the rebellion and looked upon the action of the people of the South as the most shocking and criminal which had ever occurred in our country. I had the true feeling of the average northern soldier, however, and came early to recognize the chivalry and manhood of the men who went to war for a principle which I believed to be criminal and which they believed to be patriotism. How they suffered, what they sacrificed, will never be adequately understood by the present and coming generations of man.

Once in my early experience as a soldier there came into my hands as an officer a large mail, many hundreds of letters, that had been captured on a train that was crossing a number of Southern States and carrying mail from place to place. It be-

came my duty to investigate that mail for the purpose of ascertaining as far as possible about the movements of the Confederate troops, and as I read I wondered. There were letters from wives to husbands, there were letters from mothers to sons, there were letters from sweethearts to lovers, and there were all kinds of business and social communications. They laid bare the sufferings of the people of the South. They laid bare the record of their sacrifices, their losses, their courage, their patriotism, their perseverance. I never hesitated to respect those people from that day to this; and I think that among the men most zealous then we have the men most loyal and faithful now.

It is a great thing to have lived from that period of turmoil, blood, and fire to this period of reconciliation, peace, and happiness. Our friend was a worthy type of the southerner then and a worthy type of the loyal American later on. He was intelligent, patriotic, wise, and no man ever came into contact with him who did not separate from him with respect.

I mourn his death. It was untimely, it was sad, it was tragic; but on the other shore he will be rewarded for his patriotism to his country, and no line of demarcation will be drawn between the acts he committed as the result of conscientious belief in the days of war and blood and in the days of peace and loyalty.

## Sundry Civil Appropriation Bill.

SPEECH

OF

# HON. JACK BEALL,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

*Friday, February 22, 1907.*

The House being in the Committee of the Whole House on the state of the Union and having under consideration the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes—

Mr. BEALL of Texas said:

Mr. CHAIRMAN: For many years past Congress has been making an appropriation to cover the cost of transporting silver coins, including silver dollars, from the Treasury to the various sections of the country where silver coins are needed to meet the demands of business. Last year, for the first time, the sundry civil appropriation bill, in which this item has been carried, omitted the silver dollars from the coins to be carried at Government expense, but an amendment was adopted while the bill was being considered in the House which restored the silver dollar. The committee has again omitted the appropriation for the silver dollar, and the gentleman from Ohio [Mr. KEIFER] has offered an amendment which, if adopted, will continue the long-established policy of keeping the silver dollar in circulation at Government expense.

Mr. Chairman, the appropriation last year for this purpose was $120,000, and it has been scarcely sufficient. This appropriation is necessary to keep in circulation among the people the 83,000,000 silver dollars and the $120,000,000 of fractional silver that are now in circulation and needed there to meet the demands of business. The real issue in the amendment is whether we will continue to use the silver dollar. The chairman of the Committee on Appropriations on yesterday stated that the committee would ask that sufficient appropriation be made to care for fractional silver coins. Fractional silver would to a large extent remain in circulation without any appropriation for its transportation at Government expense, but the silver dollar will not. For change less than one dollar the banks are compelled to use fractional silver. Unless we return to the "shinplaster" of the seventies, there is no other kind of money available for small change. For the accommodation of their customers demanding money of a denomination less than one dollar the banks would be compelled to keep a supply of fractional silver coin even though they were forced to pay the charges of transportation. The failure to transport this fractional silver at Government expense would probably result in reducing the amount that would remain in circulation, but it would not retire all of it. With the silver dollar the case is different. It is possible for the banks to meet the demand for dollars by paying out the one-dollar bills. The silver dollar is heavy. One thousand silver dollars weigh a little less than 60 pounds, and the average cost of carrying them is about $2.15. The cost of carrying the same quantity in value of paper money is only a small part of the cost of carrying the silver. If you require the banks to pay the cost of the silver transportation, the inevitable result will be that they will demand the paper money and the silver dollar will remain in the Treasury.

The silver dollar could still be used in certain sections of the country conveniently located to one of the subtreasuries; but it so happens that in these sections the silver dollar is not needed now and is almost entirely out of circulation.

It makes no difference to the people of this city whether or not this appropriation is made, because the silver dollar is not used, and if it should be, the Treasury of the United States is here. The people of New York, Philadelphia, Baltimore, Boston, Chicago, and St. Louis are not concerned about it, because there is a subtreasury in each of these cities, and the silver dollar can always be procured. But the case is different with the West and South. Take the great stretch of country west of the Mississippi River, constituting two-thirds of our entire area, and destined in time to have superiority in wealth and population, and it has but one subtreasury, and that is at San Francisco, upon the shores of the Pacific Ocean. That great section which lies east of the Mississippi and south of the Ohio has but one subtreasury, and that is at New Orleans. A majority of the subtreasuries are upon the Atlantic coast of the New England and Middle States, and there is one within 100 miles of all the people of these States. With some of the Western States it is 1,500 miles to a subtreasury, and with a great part of the South it is several hundred miles to one.

I have recently had occasion to investigate this matter in an attempt to secure a subtreasury at Dallas, Tex., to serve the people of that State and the people of Colorado, New Mexico, Oklahoma, Indian Territory, and Arkansas. I have the indorsement of a majority of the representatives of that great area in both the House and Senate; I have hundreds of letters from bankers and business men of all kinds urging upon the Secretary of the Treasury that he give this proposition his approval, but he has declined to do so. The Secretary bases his refusal upon the statement that the "interests of the Government do not require it." If the Departments here at Washington constitute the Government, if the various agencies forming the governmental machine operating in various sections are alone considered, this may be technically true; but if this is really a government by the people and their interest is the interest of the Government, then the Secretary of the Treasury is entirely wrong. It is not specially in the interest of the "Government" as a "government" that many appropriations are made. The interest of the "Government" does not require the delivery of mail in either city or country, but the convenience and interest of the people demand that this be done. The interest of the "Government" did not require that there should be enacted a law for the inspection of meat products or for the regulation of railway rates, but the interests of the people required both, and Congress has given both.

It is equally true that the West and South need more and better financial facilities for carrying on their vast business affairs. In certain seasons of the year we feel very keenly our remoteness from the centers of money supply. The nation looks to the wheat fields of the West and South for bread and to their herds for meat, but yet the nation furnishes to the West and South no adequate financial facilities for marketing these products. The world looks to the cotton fields of the South and the ranches of the West for the fibers with which it is clothed, but these sections are now denied the conveniences and even the necessities for their proper production and marketing. Present conditions are bad enough, but the defeat of an appropriation to carry the silver dollars from the Treasury to the people who want it will result in its retirement and further inconvenience to the people. It seems that this is the purpose of the majority here. While there has been no avowed determination to destroy the silver dollar as a circulating dollar, this will be the effect of the final defeat of this appropriation. Let me say that the old silver question of ten years ago is not involved in this controversy. The single gold standard is now established, and so long as the supply of gold remains sufficient to afford an increase of circulation proportionate with our increase of population it is not likely to be disturbed. The proposition here is not to coin more silver dollars, but to keep the ones we have in circulation.

Mr. Chairman, the people of the South use the silver dollar in their smaller business affairs. Tradition, interest, and preference all unite in making it a favored servant of trade. The people who labor prefer it to the paper bill. It is cleaner; it is more easily counted, harder to lose, and easier to find. There is a melody about its jingle that soothes our spirits. With enough in our pockets to rattle, we are at peace with all mankind and look with pity alike upon plutocrats and paupers. To the darky in southern cotton fields it is the very breath of existence. To him it is the key that unlocks the door to cakewalks and crap games innumerable. Without a "wheel" in

his pocket he is a social outcast, denied recognition in the inner circles of the dusky four hundred; with one, he is the petted leader of "Coontown" and the champion manipulator of the "come seben and eleben" bones. This argument ought to appeal to certain philanthropic gentlemen of this House.

But the gentleman from Connecticut [Mr. HILL] is overwhelmed with fear lest the banks derive some benefit indirectly from this amendment. My observation has been that the banks are usually able to protect themselves under any conditions. They are not conducted as charitable institutions. If the defeat of this amendment imposes any obligation upon the banks to pay the charges for transporting silver, they will very promptly transfer the burden to the people, and in the end the people who want silver dollars will pay the expense. But this is an unusual and novel rôle for the gentleman from Connecticut to play. It is the first instance within my knowledge of such tender solicitude upon his part. Last year he appeared as one of the champions of a financial measure that proposed to open the Federal Treasury to national banks, and before this session ends he will probably repeat the performance.

There is to-day in the hands of certain favored national banks the sum of $150,000,000 belonging to the people of this country. It is money wrung from them by Federal taxation and loaned to the national banks by the Secretary of the Treasury without interest. It is now proposed to give legal sanction and authority to the Secretary of the Treasury to do that which he has heretofore done without authority. Last year this House adopted an amendment which required the payment of interest upon these deposits. As soon as this amendment was adopted, gentlemen who are now furiously assailing this proposition pigeonholed the Fowler bill, because its passage would have either taken this money out of the vaults of Wall street bankers or it would have required them to pay several million dollars annual interest. The very gentlemen who are now clamorously protesting against the Government serving the interest and convenience of the people by keeping the silver dollar in circulation will probably before this session ends clamor just as vigorously for legislation that will empty the money of the Federal Treasury into the vaults of the national banks. If this is done, it will be the crowning act of infamy of that party whose record is full of infamy.

Fifteen years ago you denounced as anarchists and ridiculed as lunatics the farmers who sought to borrow money from the Government. These farmers were willing to give as security the products wrung from the soil of mother earth by their toil. You are now proposing to give the money belonging to all the people to the gamblers of New York upon security the product of speculation and greed. Populism asked no money of the Government except upon payment of reasonable interest, while you now propose to loan $460,000,000 of the Government money to the sharks of Wall street and you refuse to permit them to pay interest. Democracy then said that it was wrong to loan the money of the people, even to those in need and for fair interest, and it now denounces as infamous this proposal to take money from those who need it to pour it into the laps of those who revel in greed and stink in corruption.

## The Ship-Subsidy Bill.

### SPEECH
OF
### HON. HERBERT PARSONS,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
*Thursday, February 28, 1907,*

On the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce.

Mr. PARSONS said:

Mr. CHAIRMAN: The computations made by the gentleman from Illinois [Mr. WILSON] seem not to have been critically examined by Members, and, therefore, to have astonished them by the great profits which apparently the line to Buenos Ayres would make. An examination of those figures will show that they are greatly in error, and instead of a profit the company that contracts for that route will, after paying expenses and receiving the subvention, have a large deficit, which it must make good from passenger fares and freight receipts.

The basic figures of the gentleman from Illinois [Mr. WILSON] I will not dispute, but, on the contrary, will make use of to prove this point. Before applying them, however, there are several things to consider. The route, as he speaks of it, calls for twenty-six round trips a year with $800,000 subvention. Continuous steaming from New York to Buenos Ayres and back, at the rate of 16 knots an hour, would take thirty-one days. In addition, there must be allowed two weeks a trip for loading and unloading and coaling at the ends of the route. Such fortnightly service would require five ships. The allowance that the Canadian Pacific Railroad Company makes for its *monthly* trans-Pacific service from Vancouver to Japan and Hongkong, which is a 16-knot service, and which is almost exactly the same distance as that from New York to Buenos Ayres, is three ships. The wages on these ships will be continuous. There will not be much lay up for the ships at either end. Coal burning, however, would not be necessary continuously on each ship throughout the twelve months of the year. But if we take the minimum figures, the coal for the twenty-six trips would be twenty-six times thirty-one days' coal.

Something must be allowed annually for depreciation, and I think the gentleman from Illinois and others will admit that 5 per cent is not an unreasonable amount. The ships built in American yards would cost probably $800,000 each, and the five ships would thus cost $4,000,000.

Let us then apply these considerations to the figures of the gentleman from Illinois [Mr. WILSON]:

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|---|---|---|
| The wages for one ship for one month would be | $4,206.30 | |
| The wages for five ships for one month would be | 21,031.50 | |
| The wages for five ships for twelve months would be | | $252,378.00 |
| Food on one ship one month | $2,243.00 | |
| Food on five ships one month | 11,215.00 | |
| Food on five ships twelve months | | 134,580.00 |
| 110 tons of coal per day, at $3.40 per ton, for one round trip of thirty-one days | $11,220.00 | |
| Coal for twenty-six round trips of thirty-one days | | 291,720.00 |
| 5 per cent allowance for depreciation | | 200,000.00 |
| Total | | 878,678.00 |

In addition to the foregoing, allowance must be made for repairs, insurance, port charges, docking facilities, office rent and general expenses, and advertising. The docking charges alone at New York would cost $30,000 a year. The rent of a suitable office would cost half that amount. If we allow half as much in Buenos Ayres for similar expenses, we have a total for dock and office rent of $67,500. Then there are the numerous office expenses to be added. At least an equal amount will be needed for them. The cost of insurance and advertising I do not know. For repairs 1 per cent would seem to be a minimum.

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|---|---|
| Adding to the preceding total of | $878,678 |
| These items, viz: | |
| Rent and dockage charges | 67,500 |
| Office expenses | 67,500 |
| Repairs | 40,000 |
| We get as a total | 1,053,678 |
| But the subvention would only be | 800,000 |
| Leaving a deficit of | 253,678 |

in one year, without having made allowance for insurance, advertising, or for interest on money borrowed or invested.

Instead, therefore, of a profit of $3,398,382 in ten years, as claimed by the gentleman from Illinois, there would in that period, despite the subvention, be a deficit of $2,536,780, which must be made up by passenger fares and freight rates. Let us hope that it will. But such results can not be expected at once. It will probably be several years before both ends are meeting. Even when the deficit already mentioned has been made good there will still be the necessity of earning a return on the investment, which must be made and which will exceed $4,000,000. It would be unreasonable to ask anyone to venture into this business without a profit of at least 6 per cent. Even that rate of profit, considering the risks, could only be risked by those who could afford to lose the money. But assume that 6 per cent is the profit to be made, then the amount that must annually be earned from passenger fares and freight rates is not $253,678, but $493,678. Wherein did the gentleman from Illinois err? He erred in two ways. He mentioned repairs and wear, but did not provide for them, though they are large items. And he assumed that one ship could make all the twenty-six trips.

A great deal is said about free ships. A study of the figures that I have given will show that free ships would be no solution. Admitting, as contended by the opponents of the bill, that the cost of building the ships abroad would be only 60 per cent of what it is here, then the cost of the five ships mentioned before would be not $4,000,000, but $2,400,000. The 5 per cent allowed for depreciation would be $120,000 instead of $200,000; that is, the amount allowed for depreciation would

be $80,000 less than I have allowed above. But the total annual expense would be, as I have shown above, at least $1,053,678, and the saving by free ships would be only $80,000, or less than 8 per cent of the expense. Even if we had free ships then, if the same percentage of subvention were to be allowed, it could only be reduced from $800,000 to $736,000.

The figures given above have been applied only to the monthly route to Buenos Ayres, inasmuch as that was the route upon which emphasis was laid by the gentleman from Illionis [Mr. WILSON] in his speech. But the application will lie to all the routes in the bill.

## Increase of Salaries for Senators and Representatives.

SPEECH

OF

# HON. THOMAS W. HARDWICK,

OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

*Friday, December 14, 1906,*

On the bill (H. R. 21574) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

Mr. HARDWICK said:

Mr. SPEAKER: The proposition of the gentleman from New York [Mr. LITTAUER] ought to be clearly understood both by this House and by the country. It is not the increase of the salaries of the Members of the present House. If it were it would not receive the support of a corporal's guard. It is not to increase the salaries of the Sixtieth Congress, to which many of us have already been elected. If it were there are many of us who would be unwilling to vote to increase our own compensation, and unwilling to put ourselves in the attitude of having been elected to an office at a salary fixed by law and then by our own votes having increased that salary.

The proposition of the gentleman is to increase the compensation of the Members of the Sixty-first Congress, to which none of us belong, to which many of us will not be elected, and to which none of us can be elected until the people have passed not only on this but on every other act of our legislative careers. I assume, then, that we may proceed to discuss and act upon the pending proposition with the certain knowledge that the American people, who, in the main, are always fair and just in their judgment, will acquit us of selfishness, of greed, and of avarice, and will understand that there is nothing of a "salary grab," either past, present, or future, involved in the determination of this question.

The plain question, freed from all personal considerations, is whether or not the present salaries of the Members of Congress should be increased?

I propose by my vote to-day to answer this question in the affirmative, and I wish to briefly state some of the reasons that control my actions.

1. The amendment of the gentlemen proposes to make the salary $7,500 per annum, beginning March 4, 1909, and to cut off all mileage allowances, substituting therefor the actual traveling expenses of the Members in going to and from the capital to their homes once each session. The elimination of the mileage allowance will be a considerable saving, to be credited against the $2,500 increase, exactly how much I have not figured. Most important of all it will c ualize salaries as between Members themselves. To illustrate, the Delegate from Hawaii receives, so I am informed, about $2,300 per annum for mileage. His expenses in traveling to Washington and back from Honolulu, once each session, will not exceed $300, leaving him really with a net compensation of $7,000 per annum. My mileage amounts to $261.20 per annum, and my expenses in traveling from my home to Washington and back, once each session, will not exceed $61.20, leaving me with a yearly compensation of $5,200, as against $7,000 received by the gentleman from Hawaii. This same inequality, in varying degrees, exists between all the Members, and one great merit of the proposed amendment is its abolition.

2. Since the present compensation of Members of Congress was fixed (1874) the expenses of living have increased enormously all over the country, and especially, I think, here in Washington. It is almost impossible for any Member of Congress, who has even a small family, to bring his family with him to the sessions and support them in even moderate comfort upon the salary. Any decent and respectable hotel in this city will take all, or nearly all, of his salary, for board alone. In fact, numbers of the poorer Members are unable to bring their families at all, or, if they do so, find themselves involved in debt, which they must economize and save during all the recess to meet. The American people are both prosperous and generous. They do not desire to see their public servants starve or become laden with burdensome debts. I believe they are not only able, but willing, to pay living wages for honest service.

3. I am unalterably opposed to a niggardly, parsimonious, "penny-wise" policy of paying public salaries, or any other salary for that matter. There is no real economy in it. There in no wise policy back of it. In my judgment, many wealthy corporations and individuals make a great mistake in paying to men whom they trust with large sums of money and with responsible positions such niggardly salaries that first debt and then temptation to the employee comes. In the public service the States and nation must pay reasonably fair living salaries or they will be forced to draw their servants from two, and just two, classes—the rich, leisure class and the practical politician, with his hand always behind him. I am opposed to seeing this Government controlled by either class or by a combination of both. I shall never by my vote or voice aid in closing or keeping closed the gates of a laudable ambition to enter the public service upon any man simply because he is poor, has no money, and can not afford to enter public life and can not honestly make a living in it.

On the contrary, I do now and shall always favor the paying of reasonable compensation to public servants, so that men without financial means, but honest, capable, and clean, can serve in all branches of the public service.

If I had the power to do so, I would gladly couple to this amendment a provision that no Senator, Representative, or Delegate in Congress should be allowed by law to represent, either as agent, officer, employee, or attorney at law any person, firm, or corporation that is asking or receiving any special legislative favor or privilege from the Government of the United States. I would pay the Members enough to live on and then require them by law not to accept employment of the character above specified from anyone. If conditions do not require such a provision, certainly it could do no harm. It could no more be construed as a reflection upon Members of Congress than are the existing laws against bribery or against their making contracts with the Government a reflection on them. If such a provision were added to this bill and the salaries of the Members were increased on that condition, I have not the slightest doubt that our action would be enthusiastically approved by a great majority of the people of the United States.

## Legislative, Executive, and Judicial Appropriation Bill.

SPEECH

OF

# HON. JAMES O. PATTERSON,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

*Friday, December 14, 1906,*

On the bill (H. R. 21574) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

Mr. PATTERSON of South Carolina said:

Mr. SPEAKER: I have listened with much interest to the gentlemen who have addressed this House upon the pending question of increasing the salaries of the Members of Congress, and while I have enjoyed listening to the able and forceful arguments delivered by the distinguished gentlemen who have preceded me, I must say that I am not convinced that it would be right or proper for me to vote for the amendment increasing our salaries.

I was opposed to, and voted against, the amendments passed by this House to-day increasing the salaries of the Speaker, Vice-President, and Cabinet officers from $8,000 to $12,000. I voted against the increase of these salaries because, in my opinion, the present salaries as now provided for these officials are sufficient and should not be increased.

The question now before the House to increase the salaries of Congressmen is one affecting personally each individual Member of this House who hopes or expects to be elected to the Sixty-first Congress, and there are, in my opinion, but a few who have not the laudable desire and ambition to come back here and continue to serve their constituents in the Sixty-first Congress. To me it is a very delicate matter, that of fixing and increasing my salary as the Representative of the Second Congressional

district of South Carolina. I sought this place for the reason that I desired to have the honor of representing my district on the floor of this House and not for a pecuniary consideration or for any mercenary motive, and at this time to undertake to increase my salary and compensation, even though it be in an indirect manner, by voting for the increase for the Sixty-first Congress, of which I hope and expect to be a Member, would be giving the lie to my actions and utterances and would be doing violence to my conscience and debasing my sense of right and self-respect. Since the time of the constitutional convention of 1787 this question has been debated and discussed, and even the framers of the Constitution debated the question for some time as to whether Senators and Representatives should receive any compensation at all; and, if so, by whom they should be paid, whether by the States or by the United States Government. It was finally decided, after a divided vote, that their salaries should be fixed by Congress and that they should be paid out of the Treasury of the United States. The salary of Congressmen has been changed from time to time, commencing as it did with the First Congress at a small per diem and mileage. It was afterwards changed to a salary, which has fluctuated from $1,500 to $7,500 and mileage. The present law fixing and regulating the salary of Congressmen was passed by the Forty-third Congress, in 1874. In the year 1873 the act commonly called the "back-salary-grab act" was passed. This act increased the salary of Senators and Representatives from $5,000 to $7,500. Although this act was passed during the last hours of the Forty-second Congress, it was made retroactive and covered the two past years of the Forty-second Congress. The so-called "back-salary-grab act" would in this day and generation be called "graft." To some, no doubt, the present amendment will, if enacted into law, have the odor of graft, though I do not believe that any of the honorable gentlemen who advocate the amendment are actuated by any but the best and purest motives.

The next Congress changed the salaries and fixed them at $5,000 per annum. This was in 1874 and is the law now of force. Salaries are either high or low by comparison. The citizens of my district and State are not, and have never been, accustomed to high or exorbitant salaries, and the highest salary paid to a State official in South Carolina does not exceed $3,000, and that includes the governor and supreme court judges, and other States' officers receive even less than that. In my individual opinion these salaries are too low, but the State, as a whole, seems to be satisfied that their officials receive sufficient remuneration, as the legislature has not seen fit to increase them, though suggestions have been made to that end from time to time for several years past, and I have been in sympathy with the suggestion to increase their salaries.

Mr. Speaker, my chief aim and desire is to represent my constituents on the floor of this House—to truly represent them. I realize the responsibilty and will endeavor in this instance, as I have in all others, to act up to the highest standard of right, honesty, and justice, and in doing so I feel it to be my duty to vote against this amendment. I am proud of my position here upon this floor, representing a great and noble people, who in intelligence and progressiveness are second to none in this great Republic; but my district being mostly an agricultural country there are no millionaires and no very rich people, but mostly people of moderate means, who do not indulge in extravagant habits or high living, but are frugal, honest, and industrious, and to them an increase of our present salary would mean an unwarranted and extravagant expenditure of the people's money. Believing, as I do, that the voice of my people would be against this amendment, I, as their Representative, am bound to vote against it, and will hereafter, as I have done in the past, content myself with the salary I am now receiving, which enables me to live economically and modestly, but respectably, with my wife and children with me a part of the time in this city. I prefer the confidence and respect of the good and true people whom I represent to the money and wealth which might come to me by doing what I conceive to be wrong. I cast this vote honestly and conscientiously, believing that in so doing I represent the voice of my constituents, whom I am endeavoring to faithfully serve, and I trust that this amendment will be killed, and that this large sum of money, thus sought to be converted to the private uses of Congressmen and Senators yearly for all time to come, shall be appropriated by this Congress to the improvement and development of our country in such manner that the South shall receive her just and proportionate share, of which she has been so long deprived. I am in favor of but one increase of salary, and that is for the rural free-delivery carriers, whose compensation is entirely too small and not commensurate with the services they perform. I introduced a bill, which is now in the hands of the Committee of this House on Post-Office and Post Roads, providing for an increase of their salaries to $1,000, and I ask the careful consideration of every Member of this House to that bill, and I am satisfied that the fairness and justice of this claim for increased compensation will appeal to all fair-minded men.

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**The Late Representative Hitt.**

## REMARKS

OF

# HON. HENRY D. FLOOD,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

*Sunday, February 17, 1907.*

The House having under consideration the following resolutions:

"*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. ROBERT R. HITT, late a Member of this House from the State of Illinois.

"*Resolved*, That, as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased"—

Mr. FLOOD said:

Mr. SPEAKER: The tradition of Diogenes lighting a lantern at midday in Athens and announcing that he was searching for a man naturally provokes a smile. But Diogenes was by far too profound and earnest a man to be associated with the ridiculous. What the rigid philosopher meant was that he was upon the search of a man who regarded things intrinsically, and shaped his life accordingly.

I believe he would have ended his quest had he met with ROBERT R. HITT.

The entire career of our departed friend and colleague was concerned with large and vivifying and inspiring matters. He was saturated upon the very threshhold of his manhood with that wonderful debate between Lincoln and Douglass—alike dramatic and fraught with tremendous results. His subsequent life got its trend from that season of intimate association with those mighty reasoners.

The congenial studies to such a spirit were large questions with large relation. His varied experience for many years served to sharpen his faculties and to broaden their range.

Mr. HITT served during the momentous revolution in a confidential capacity to that colossal war minister, Edwin M. Stanton. During those exciting years succeeding the downfall of Napoleon the Third he was secretary of the legation to France. Afterwards he was assistant to Blaine in the Department of State.

What a unique and splendid career. One to dazzle and turn the heads of most men—ROBERT R. HITT they only steadied and sobered.

How well qualified he was for the discharge of his difficult duties upon the Committee on Foreign Affairs; how admirably did he discharge those duties; how perfectly, as if by processes of nature, he measured up to all of the requirements exacted of him; how enviable was he throughout his entire career, and yet without ever exciting envy, so true and modest and lovable a gentleman he was.

Mr. HITT was an incessant student of generous and stimulating topics. The value of such studies is inestimable. Cicero declared in a kindred case: "These studies foster our earlier years, afford delight in our later years, adorn us in prosperity, prove a refuge and a solace in adversity. They impart gratification at home; they embarrass not abroad; they are with us during the vigils of the night; they roam with us in foreign lands, and are our companions amid the retirement of rural scenes."

Mr. Speaker, eloquent and touching tributes are being paid to our friend. His long and versatile career is being happily and faithfully delineated. But the highest tribute paid to him is the unvaried testimony to his unselfish and disinterested kindliness. Who that has known it does not cherish its memory with gratitude and admiration?

His unobtrusiveness, his self-poise, his sympathy, his companionableness were based upon the profound intuition of justice. With an ingenuous but not overawing estimate of his own merits he generously responded to those of others, and there was a frankness and simplicity in his greeting and intercourse that stamped the genuineness of the man.

He ever "wore without reproach the grand old name of gentleman."

Mr. Speaker, justice is indeed a high attribute, if not the very highest. The ancient mythologists call it the "offspring of heaven and earth." Its supremacy in any human breast signalizes a noble nature. And when to this exalted quality are added gentleness and modesty, kindliness and sympathy, fellowship and helpfulness, we then indeed recognize a creation "where every god doth seem to set his seal to give the world assurance of a man."

ROBERT R. HITT has fought his fight and finished his course. He did generous service throughout, for which his State and the Republic will always hold his name and memory in high honor.

We will sorely miss him, and the one consolation we have is that his district has sent to this House as his successor one who measures up in so many ways to the high standard set by his predecessor.

Every valuable and earnest career is a long conflict. In this conflict Mr. HITT came off conqueror.

He has laid his armor down, and "fallen upon sleep."

The knight's bones are dust,
And his good sword rust;
His soul is with the saints, I trust.

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**Life and Character of the Late Senator Bate, of Tennessee.**

ADDRESS

BY

## HON. M. G. BUTLER,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

*Sunday, January 20, 1907.*

The House having under consideration the following resolution:

"*Resolved*, That in pursuance of the special order heretofore adopted the House proceed to pay tribute to the memory of the Hon. W. B. BATE, late Senator from the State of Tennessee.

"*Resolved*, That as a further mark of respect to the memory of the deceased and in recognition of his distinguished career and his great service to his country as a United States Senator, the House, at the conclusion of the memorial proceedings of this day, shall stand adjourned.

"*Resolved*, That the Clerk of the House communicate these resolutions to the Senate.

"*Resolved*, That the Clerk of the House be, and he is hereby, instructed to send a copy of these resolutions to the family of the deceased"—

Mr. BUTLER of Tennessee said:

Mr. SPEAKER: In the remarks which I shall submit on this occasion I do not propose to enter in detail into the history of this great and good man, whose death we so much deplore and whose memory we have met to commemorate. His life and character, both civil and military, has been so ably and reliably depicted by gentlemen who have preceded me it would be simply a matter of repetition for me to dwell upon it. But as the distinguished Senator was born and reared in the county of Sumner, in the district which I have the honor to represent in this House, I feel that I should bear testimony of the high esteem in which he was held by those who knew him best and had shared his hospitalities in peace and with him the trials and dangers of war; those who responded to his commands on the bloody historic fields of Shiloh and Chickamauga and who with a fidelity akin to worship have ever rallied to his standard since that time, until they lovingly but sadly laid him to rest on the 13th of March, 1905. Truly those people admired him as perhaps they did no other man; nor was this admiration undeserved, because with them he was as a brother, ever ready to extend a helping hand in time of distress and by his example and influence led them on to a higher and better life.

He was perhaps more widely known than any man in Tennessee, and, on account of his heroic valor, his undaunted courage, his sterling integrity, his patriotic devotion to his country, his self-sacrificing disposition, his loyalty and fidelity to his friends, his unswerving adherence to principle, and his Christian character, none knew him but to love him. I had the honor of an intimate acquaintance with him from my early manhood up to his death, and can say without exaggeration a more courteous, affable gentleman I never met. He was the soul of honor—a true type of genuine southern manhood, with which the country of his nativity so richly abounds. He was ever grateful to his political friends and tolerant of those who chose to oppose him, always conceding to others what he claimed for himself—honesty of purpose.

His heart went out in sympathy to those in distress, especially to those who wore the gray and shared with him the trials, privations, and dangers of that terrible conflict between the States, in which he played such a prominent part, as shown from the records of the War Department and statements of gentlemen on this floor.

It is needless to say those old soldiers loved him as a brother, because they demonstrated their devotion and confidence in him when they rallied to his standard almost to a man in the hottest political campaign Tennessee has witnessed for many years, in which he was triumphantly reelected to the United States Senate only a few months before his death. It was said in that campaign that he was too old to longer make an efficient Senator, but the response came quick and fast, "Let him die in the harness," and so he did.

Tennessee mourns the loss of her distinguished son, and well she may, because with that same courage and patriotism displayed on so many hard-fought battlefields he was ever on the watchtower looking after the interests of his beloved State and the people who so often, but so deservedly, honored him. In the death of Senator BATE Tennessee has lost one of her most gifted and loyal sons and the nation one of its most efficient and trustworthy Senators. As a Senator he was ever at his post of duty, faithful to the trust his people had reposed in him, zealously guarding the interests of the nation with an ability and firmness worthy of the high position.

His ashes rest beneath the sod of Tennessee, and his name and memory will live in the hearts of his people.

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**The Ocean Mail Bill.**

SPEECH

OF

## HON. EDGAR D. CRUMPACKER,

IN THE HOUSE OF REPRESENTATIVES,

*Wednesday, February 27, 1907,*

On the bill (S. 529) to promote the national defense, to create a naval reserve, to establish American ocean mail lines to foreign markets, and to promote commerce—

Mr. CRUMPACKER said:

Mr. CHAIRMAN: The shipping bill is one of much importance to the country, as it bears upon the vital questions of the national defense, the promotion of commerce and the political development of the Western Hemisphere, and, incidentally, the promotion of the American merchant marine. The policy of the bill is not new in the legislation of this country. Many years ago Congress passed laws authorizing the Postmaster-General to enter into contracts with steamship companies for the establishment of regular ocean mail lines between ports in this country and foreign countries. The late President Harrison was an ardent advocate of that policy, and in pursuance of his recommendation Congress passed an act which was approved on the 3d of March, 1891, authorizing the Postmaster-General to contract with steamship lines on a fixed basis of pay for the carrying of mails to foreign countries, and the present bill provides simply for the expansion of the policy contained in that act.

OUR FOREIGN CARRYING TRADE.

Our merchant marine engaged in the foreign trade is in a most unsatisfactory condition. The ocean carrying trade in the export and import business of this country is of the value of about $200,000,000 a year, and 90 per cent of all that trade is carried in foreign bottoms, and only 10 per cent is carried in boats of American register and sailing under the American flag. It is the desire and hope of every citizen of the Republic that some time there will be a rehabilitation of the American carrying trade and that American ships, manufactured in American shipyards, out of American material, by American labor, will carry a large percentage of American export products to foreign markets. In recent years an active interest has been aroused for the upbuilding of our merchant marine, and numerous schemes and propositions have been advocated with that end in view. Most of these propositions have been coupled with provisions for the payment of bounties and subsidies out of the Treasury of the United States to steamship companies either upon a speed or tonnage basis or both. I have always opposed those propositions and am opposed to them now. While I would be glad to have American deep-sea shipping grow into prominence and prosperity, I am not willing to vote money out of the public treasury and pay it to steamship companies simply for the privilege of having American products carried to foreign markets in American ships.

Everyone acquainted with existing conditions knows that whenever the business of ocean transportation becomes sufficiently profitable American capital and American enterprise will engage in it. The reason we have so little over-sea shipping now is that our capital and our labor find more profitable employment on shore than on the sea. All of the propositions for the building up of our foreign carrying trade have been coupled with provisions requiring American ships to be officered by American citizens and a considerable percentage of the crew to be Americans. It is impossible to secure American officers and crews at the low rate of wages commonly paid by foreign steamship companies, and if American wages are paid to officers and crews on American ships those ships will be at a great disadvantage and can not successfully compete on the high seas with foreign lines.

The ocean shipping trade is of stupendous magnitude, and ship companies provide for its accommodation wherever it may be developed. The people of the United States can secure transportation of products to and from foreign countries much cheaper under existing conditions, by engaging in profitable production, than by withdrawing capital and labor from such production and embarking in shipping in the face of disastrous and even destructive competition. If foreign countries see fit to pay a portion of the freight for hauling our products into their markets to compete with their producers, the people of this country ought not to complain. Whenever the ocean trade affords inducements that will justify capital and labor in withdrawing from productive enterprise on shore, our merchant marine will increase in size and importance, and not until then. Foreign ships do not discriminate against American products, and the officers and crews of boats have no more to do with the creation and development of markets for products they carry than the crews of railroad trains have to do with the development of the markets for the products which they haul over the railroads of the country. A hundred years ago merchant ships were international peddlers. The master of a ship would take on cargo and travel about from one port to another and dispose of the cargo by sale or barter to the best advantage. He was the salesman—the market hunter—but with modern methods of communication reaching all the great commercial centers of the world practically all shipments are now made upon mail or cable order, and the ship simply carries under specific directions.

THE COASTWISE TRADE OF THE UNITED STATES.

The United States has the second largest merchant marine of any country in the world, and it does more in the way of legislation to upbuild and promote its merchant marine than any other country. When I speak of the American merchant marine, I include all kinds of shipping—foreign and coastwise. Under the laws of the United States all shipping between domestic ports and between the United States and Porto Rico and Hawaii and Alaska must be conducted in American bottoms. The law provides that if any foreign ship shall carry a passenger or a ton of cargo from one American port to another, the ship and the cargo shall be forfeited. If a foreign ship should carry a passenger or a ton of cargo from New York around Cape Horn to San Francisco, it would be subject to absolute forfeiture. We have now ships aggregating nearly 6,000,000 tons of carrying capacity engaged in the coastwise trade, and every ship that carries the American flag, whether in the coastwise service or in the foreign trade, must be built in an American shipyard. There is no other country, I repeat, on the face of the earth that gives an absolute monopoly of such a vast and profitable trade to its own ships as the United States gives to American ships in its coastwise business. Our total merchant marine has a tonnage of 6,674,000 in round numbers, of which only about 900,000 tons are engaged in the foreign trade; and while it is desirable that more American ships be engaged in the foreign trade, I am opposed to the policy of taking money out of the public Treasury and turning it over to steamship companies for that purpose. If we should subsidize a foreign ship line, the subsidy would need to be perpetual. It would have to continue as long as the wages of American seamen are materially higher than the wages of foreign seamen, and it is the hope of every citizen of this country that our rate of wages will be permanently and substantially higher than wages paid by any foreign country. If subsidized ship lines were authorized and in the course of the years the subsidy should be withdrawn, the ships would have to go out of business, unless conditions should be such that American wages would be reduced to the same level as foreign wages, so that American ships could successfully compete on the high seas with foreign ships.

NOT A SUBSIDY BILL IN THE POPULAR SENSE.

I submit these observations upon the general policy of paying subsidies and bounties to all kinds of vessels simply for carrying the American flag for the purpose of distinguishing that policy from the policy embodied in the bill recently passed by the House. While ocean ships may not create trade, they are necessary to carry it on. Foreign trade, like domestic trade, is conducted purely for profit. It has no sentiment, no patriotism, and the country that is prepared to offer the best bargains in the world's markets is the country that will command the greatest share of the world's commerce. But a country may be able to offer good bargains and yet have but little foreign commerce. It may produce commodities that other countries would very much desire, but it can not hope to find a market for those commodities unless it brings them within reach of those who desire them. Trade does not necessarily follow the flag or steamship lines, but it does in a large measure follow intelligence. Steamship, mail, and cable intercourse with other countries brings to the notice and within the reach of those countries products that are desirable, and by that means foreign markets are created and expanded. It is the chief purpose of the House bill to so unite this country and the South American republics commercially that American products will be brought to the notice and within the reach of the markets of those countries. The purpose of the bill is not, primarily, to build up the American merchant marine, but it is to create and expand foreign markets for our products, and it is hoped that the establishment of the steamship lines proposed in the bill will very materially increase the sale of American products in South America.

The bill authorizes the Postmaster-General to contract for four additional ocean mail lines, all to South America. The bill does not provide subsidies within the popular meaning of that term. The word "subsidy" is an ugly word in the public mind, and it always carries with it the idea of investing public money to build up private enterprise or the granting of public money without any adequate tangible return. This bill requires the Postmaster-General to contract for regular mail service between certain ports in this country and ports in South America, and to pay steamship lines that secure contracts under its terms a fair and reasonable compensation for the service they perform. *It is no more a subsidy than is the money that is paid by the United States to railroad companies for transporting the inland mails. It is predicated upon precisely the same principle.*

The bill has the earnest support of President Roosevelt, Secretary Root, Secretary Taft, Secretary Shaw, and Postmaster-General Cortelyou. They all appreciate the vital importance of the expansion of our commerce and the strengthening of political ties between this country and the South American republics by establishing regular passenger and mail communication between the two continents. The bill that passed the Senate provided for the indiscriminate payment of a tonnage bounty to all boats, steam and sail, engaged in the foreign carrying trade, whether they performed any public service or not. It was a bounty bill to encourage the merchant marine, and nothing more, while the House bill simply authorizes contracts for carrying ocean mails at a reasonable compensation. The steamship companies are supposed to render a full equivalent for every dollar they will receive from the public Treasury.

OCEAN MAIL LINES UNDER THE LAW OF 1891.

There are now eight steamship lines carrying mails from this country to foreign countries under the law of 1891. Five of these lines run from the port at New York—one to Southampton, England; one to La Guaira, Venezuela; one to Maracaibo, Venezuela; one to Tuxpam, Mexico, and one to Habana, Cuba. There is also a contract line running from Boston, New York, and Philadelphia to Port Antonio, Jamaica. There is also a contract line running from San Francisco to Australia by way of the Samoan Islands, and another contract line running from San Francisco to Tahiti. There is no mail or passenger line of American ships running from ports in this country to Brazil, Argentina, Uruguay, Peru, or Chile in South America; nor is there any American mail line running between any port in the United States and any port in Asia or Japan. The lines provided in the bill reach the important countries in South America. The compensation provided by the law of 1891 is not sufficient to induce steamship lines to enter into contracts with the Government to carry the mails regularly to those countries, and that is the reason additional legislation has become necessary. The foreign trade of the Argentine Republic is larger than the foreign trade of any other country in South America, and its chief articles of export are wool, wheat, corn, hides, linseed oil, and cattle and meat, and its chief articles of import are iron, cotton, wood, coal and coke, machinery, and sackcloth. The temperature and climate of the Argentine Republic are very similar to the temperature and climate of the United States, and its products are much like the products of this country, but its manu-

facturing interests are not developed, and it requires a great deal of machinery and farm implements, such as the manufacturers of this country may be able to supply. Our trade with the Argentine Republic is comparatively small. That country buys the bulk of its imports from Great Britain and Germany.

We import from Brazil over $75,000,000 of products a year. The principal products of Brazil are coffee, rubber, hides, cotton, cocoa, and tobacco. Her coffee product for the year 1903 was about $75,000,000, and she shipped and sold over $48,000,000 of that product to this country. Her rubber product was over $48,000,000, of which $22,450,000 was sold to this country. Of an entire export product of $184,000,000 in 1903 the United States imported from Brazil $75,664,000, and of an entire import product for that year of $121,000,000 the United States exported only $13,595,000. In Chile conditions are substantially the same, excepting that the products of that country are largely mineral and chemical. It would seem that, since we buy over $75,000,000 worth of stuff every year from Brazil, we ought to sell to the people of that country more than $13,500,000 worth, and, in my judgment, if there were regular lines of communication between this country and Brazil and the Argentine Republic, and Peru and Chile, the sale of our commodities there would be greatly promoted. While we might not be able to sell much in the way of food products, the market for our manufactured goods ought to be greatly enlarged in South America, and would be if our products could be brought to the attention and within the reach of the South American people.

An increase in the foreign markets for manufactured goods is of as great importance to the farmers of the country as a direct increase in foreign markets for the products of the farms themselves, and even greater. If we had a larger foreign sale for manufactured goods, a greater percentage of our people would be engaged in manufactures, and the home market for foodstuffs would be correspondingly increased. We would feed, clothe, and shelter exclusively all those engaged in supplying the foreign market with manufactures; whereas if our foreign market were contracted, we would have fewer men engaged in manufacturing, the home demand would be decreased in proportion, and we would ship more foodstuff abroad to feed foreign employees in factories where we would meet competition from all parts of the earth. The more of our people that are engaged in factories the greater number the farms would have the exclusive opportunity to supply with food. Any policy that will increase the markets for the manufactured products of this country will redound to the benefit of the American farmer; in fact, he will be its chief beneficiary.

We have already sufficient shipping facilities with Europe, where our principal trade is. Numerous ship lines operate between this country and all ports of that Continent. The purpose of the House bill is to establish steamship lines and develop commerce with countries where commerce is undeveloped at this time. It is true there are a number of foreign boats plying between ports of this country and South America, but they run on no regular schedule; they are small boats, as a rule, and make exceptionally slow time. It is the custom of those traveling between this country and South America to go and come by way of Europe, crossing the Atlantic twice on each trip. If we had the lines contemplated by the House bill, there would be regular communication in first-class high-speed ships between this country and all the principal ports of South America, and that communication would be direct, rapid, and reliable. If trade should be considerably promoted as a result of the establishment of those lines, there would be an abundance of freight boats that would follow in their wake to take care of the trade. Freight lines will go wherever freight has been or may be developed; and whether the boats be domestic or foreign, the rates will be substantially the same. The ethics of foreign commerce are those of the bargain counter; the people of the world will patronize the industries that offer the best bargains. The world's shipping will go to the lines of merchant boats that will carry to the best advantage for the smallest amount of money, without regard to the nationality of the boats or the flag they may carry.

THE MONROE DOCTRINE.

In addition to the importance of mail and passenger communication between this country and South America as bearing upon our commerce, it will have a vital bearing upon the political relations of the two continents. The governments in the Western Hemisphere have a common destiny. The tendency is toward republican institutions, and the policy of the people of the Western Hemisphere is to promote popular government and to discourage any tendency toward the monarchical system. This policy is embodied in what we call the "Monroe doctrine." The Monroe doctrine is the law of the political development of the Western Hemisphere. It is the law of American primacy, and it can not operate to the disadvantage of a single republic in the hemisphere, but its purpose is to unify and harmonize all of the governments in the hemisphere upon the basis of republican institutions—in short, to republicanize all America. It is akin to the policy of the concerted powers of Europe, and its high aim is to preserve in the Western Hemisphere the political equilibrium along republican lines, as the concerted powers of Europe preserve the political equilibrium in the Eastern Hemisphere along monarchical lines. The Monroe doctrine is no more the policy of the United States than it is the policy of Mexico or the South American republics. The governments of both continents are interested in it alike. The doctrine has been asserted perhaps more frequently by the United States because of the commanding position it has achieved in the world's affairs; but if any foreign power should encroach upon the continent of North America with a view of permanently establishing monarchical institutions here, the Republics of Mexico, Brazil, Chile, Argentina, and other South American governments could as well interpose and insist upon the observance of the vital principle of the Monroe doctrine as the United States does now when there is danger of monarchical aggression of foreign powers in the South American Continent. The Monroe doctrine, I repeat, is the doctrine of all the Western Hemisphere. It embodies a policy that is necessary for the growth and prosperity of popular government, and it should be as jealously guarded and as earnestly supported by Mexico and the republics of South America as it is by the United States.

But in view of the fact that it has been the duty of this country to assert the Monroe doctrine and prevent monarchical encroachment upon South American soil in recent years, a vague suspicion has been excited in the minds of some statesmen of that continent, and they seem to entertain the fear that the United States has ulterior designs upon South American territory. The recent visit of our great Secretary of State to the South American republics had a wonderful influence in assuring the people of those countries of our friendship and the honesty and unselfishness of our purposes and intentions, and in order that we may cooperate and stand together in the support of the great and vital law of our mutual political growth it is important to establish, as far as it can be done by reasonable legislation, conditions that will unite the peoples of the two hemispheres in a closer bond of commercial and political fellowship. This aspect of the pending legislation can not be too strongly emphasized. Our country for generations has carried much of solicitude and anxiety over the destiny of the South American republics, and it has had the burden of responsibility of maintaining and enforcing the Monroe doctrine. When the peoples of the two hemispheres come to understand each other better, when they come to realize the overshadowing necessity of standing together for the promotion of policies and institutions that are of vital importance to them all alike, no foreign country will ever raise a voice against the validity and the vitality of the Monroe doctrine as the dominating force in the political progress of the western hemisphere.

AN AUXILIARY TO THE AMERICAN NAVY.

Another vital consideration of the proposed legislation is that it will constitute a powerful support of the American Navy. Our acquisition of the Spanish islands, our responsibility for the construction and maintenance of the Panama Canal, and our conspicuous position in the world's politics and commerce have made it necessary that we materially enlarge and strengthen the American Navy, so that the power and prestige of this Republic shall be respected throughout the civilized world. Our Navy now is assuming formidable proportions. When the war boats are constructed that have been authorized, we will have a navy that is third, and possibly second, in fighting power among the navies of the world. Every citizen of the country realizes the importance of maintaining a substantial naval establishment, and yet the people do not feel disposed to bear the expense of maintaining a navy upon a war footing in times of peace. The policy of the Government is to maintain a navy that will be reasonably adequate for our protection, considering the nature of our interests and the possibilities of war. What that standard shall be is a matter of judgment, but everyone familiar with naval warfare realizes the imperative necessity of having merchant boats that may be utilized without delay as auxiliary naval cruisers and transports in times of emergency. If this bill shall be enacted into law, it will mean the construction of at least twenty high-class ocean steamers, every one of which must be constructed, in a general way, under the direction of the Secretary of the Navy and must be fitted to carry naval armament and to be used as auxiliary cruisers. With such a material addition to the merchant fleet of the country it will not be necessary to construct and maintain as many war boats as it would be without this addition, and, in

my judgment, the Government can save in the ordinary expenses of building and maintaining a navy every dollar that it pays out under the contracts contemplated by the House bill.

When this country entered upon war with Spain it had few merchant ships that it could impress into service, and it was compelled to buy upward of forty ships from foreign owners to round out the naval fleet. The bill provides that the ships which are to have contracts shall be subject to the call of the United States whenever they may be needed for the purpose of naval warfare. It will constitute a material addition to the naval strength of the country, and this addition to the naval resources will save the people as much as it will cost the Government by relieving it of the necessity of an equivalent of direct naval equipment.

THE COST OF THE PROPOSED LINES.

If all of the lines authorized by the pending bill should be established, the possible maximum expenditure would amount to $2,500,000. We are now paying, under contracts made under the law of 1891, about $1,600,000 a year for the lines that are in operation. Last year our receipts from our ocean mails were almost $3,000,000 more than its entire cost, including the contract price paid to the lines established under the law of 1891. If the receipts should continue to be the same in the future as they have been in the past, and every line authorized by the House bill should be established at the maximum rate fixed by the bill, it would still leave a balance in favor of the Government on account of its ocean mail service. But the contemplated lines would doubtless considerably increase the mail communication between this country and the republics of South America. In all probability within a year or two the postage receipts of the ocean mail would yield as large a net surplus as they do under the present policy. The ocean mail business would continue to be more than self-supporting, and, as an incidental result, we would have the impetus given to American shipbuilding that would come from the construction of twenty new high-powered mail and passenger boats that would probably cost a million dollars each, constructed in American shipyards, by American labor, with American material; we would have an important addition to the naval strength of the United States that would come from such a substantial increase of our merchant fleet; we would have the immeasurable good that would result from establishing a closer intercourse between our own country and the South American republics, both commercially and politically. We would doubtless greatly expand foreign markets for our products; and I am sure that the importance of uniting this Republic with the republics of South America in a closer bond of political fellowship, in a stronger tie of political fraternity, would more than compensate for all the money we would pay out under contracts contemplated by the proposed law. So from any standpoint the law would be one of great importance to the people of this country.

All of the Pacific lines were struck out of the bill in the belief that the cost of those lines would be out of proportion to the resulting benefits. Those are the so-called Hill and Harriman and Spreckels lines, and I voted to strike them from the bill. Those lines are run in the interests of great railroad systems; and if no money is made at all on the ocean carriage, a large profit is made by great railroad lines they serve, and they are permanent. I would not have voted for the bill if those lines had remained in it.

NO COMPULSORY ENROLLMENT IN THE NAVAL RESERVE.

The original bill passed by the Senate at the last session of Congress provided for an enrollment of members of crews on American ships in what was termed the "Naval Reserve," and it provided that no boat could participate in the benefits that the bill proposed to confer unless a substantial portion of its crew had enlisted in the Naval Reserve and had become subject to the control of the Secretary of the Navy and subject to call to duty if the country should need them for the purposes of defense. The enrollment feature of that bill was compulsory, because no shipowner could afford to employ anyone in his crew without his agreeing in advance to become enrolled as a member of the Naval Reserve. The bill provided for substantial retainers for members of the Naval Reserve, the same as the House bill does, but the House bill eliminates entirely every compulsory provision. It does not permit compulsory enrollment in the Naval Reserve. It authorizes the voluntary enlistment of sailors on the contract ships and on all other American ships, including those on the Great Lakes, in the Naval Reserve. The enlistment is entirely voluntary and it does not affect the right of the boats to contract or receive compensation under the bill. The compulsory feature of the original bill was very strongly opposed by the American Federation of Labor. That feature is absent from the House bill, and numerous labor organizations in all parts of the country are advocating the bill. There can be no possible objection to the measure from the standpoint of organized labor, but, on the other hand, its tendency will be to increase labor in the shipyards, the mines and factories, and on the farms by requiring the construction of at least twenty first-class modern mail and passenger boats to engage in foreign commerce. It is claimed that the bill is but the entering wedge for an objectionable ship-subsidy scheme. Was the act of 1891 an entering wedge? This bill is only an amendment of that act, and it is in strict harmony with its policy. There is absolutely no merit to that criticism. The policy of this bill has no similarity to the ship subsidy or bounty scheme as it is popularly understood, but it is to establish regular lines of communication in the belief that they will increase the markets for the products of the American farm and factory and bring in closer touch and stronger sympathy the people of all the Americas.

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## River and Harbor Appropriation Bill.

### SPEECH
OF
### HON. GEORGE W. SMITH,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

*Tuesday, February 5, 1907.*

On the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMITH said:

Mr. CHAIRMAN: Living, as I do, in the valley between the Ohio and Mississippi rivers and being profoundly impressed, as are all my people, with the urgent necessity for a deep waterway from the Great Lakes to the Gulf and for ample appropriations to prevent caving banks and to protect from overflows, I desire to offer some general remarks on H. R. 24991. I desire to express some views relative to same and certain projects in connection therewith.

The river and harbor appropriation bill as reported by the committee carries the sum of $35,181,612 in cash appropriations and $48,634,526 in authorizations for expenditures under continuing contracts which may hereafter be made, making a total of appropriations and authorizations of $83,816,138. This is the largest appropriation ever recommended by the River and Harbor Committee for such purposes.

The Committee on Rivers and Harbors is composed of gentlemen of known and recognized intelligence, ability, and integrity, presided over by Mr. BURTON of Ohio as chairman, who, I believe, by the membership of the House, of the Senate, and by the country at large is recognized as the peer of any man in Congress. I have served with Mr. BURTON since he first entered Congress and been associated with him in matters connected with business in the House of Representatives, and have always found him courteous, affable, ready to listen to any legitimate proposition which any Member had to present for his consideration and ready to give a frank and candid opinion on such proposition. I take pleasure in saying the same for every individual member of his committee.

Possibly—yes, probably—the Committee on Rivers and Harbors has the hardest work of any committee of the House. It has to do exclusively with all the great, as well as the small, waterways and harbors of the United States. Every Member of Congress who has a waterway in his Congressional district and whose people desire the improvement of such stream or streams appeals to the Committee on Rivers and Harbors. If he is well supported by sufficient data and facts furnished by his people he may have a reasonable show for success, but if the Member appeals to the committee on a request for an appropriation for some specific point without any data or evidence to support his request it is not strange that he should fail in his efforts to secure same, and in such case it is not the fault of the Member nor of the committee, nor should such failure be charged up as inattention of the Member nor indisposition on the part of the committee to do the right thing or justice to the Member making the request.

The improvement and maintenance of the channel and the depth of water to be secured in the Mississippi River is one of the live issues with all the people living in the Mississippi Valley to-day and of especial interest to the whole country. The Mississippi Valley above Cairo, Ill., contains approximately 15,000,000 inhabitants, representing possibly the most thrifty and prosperous people within the domain of the United States.

This assertion is not made disparagingly of the thrift and prosperous condition of the people of the other portions of our country, but simply as a statement borne out by the facts patent to all that the Mississippi Valley is the great granary of the world and is recognized by all civilized countries as in many respects the garden spot of earth.

The Mississippi River, with its tributaries, from its headwaters to the Gulf, embraces within its territory a constellation of States which, for wealth, mineral resources, agricultural products, soil, and climate, is not excelled by any other like group of States within our domain. What greater or grander area of territory or what more desirable variety of climate than that included in this valley could be desired by any mortal who is not wholly averse to all the favors and choicest gifts which nature, in her most pleasant moods, has conferred upon him? The Mississippi Valley can, under proper conditions and culture, furnish the grain, the meats, and the fruits for the average consumption of the people of the civilized world. Her resources in minerals are but slightly developed and, so far as known, are practically inexhaustible. Her people are healthy, educated, robust, energetic, and capable of accomplishing anything to which they may turn their hand or direct the energy of their body or brain. They are ready and willing at all times to perform their part of the great work devolving upon the people of our day and generation, and cheerfully share in all the burden which advanced civilization may cast upon them. They but want the opportunity of expressing, by act and deed, this inherent thought and desire, which is inborn and is a part of their very nature.

While all our country lying between the Atlantic and Pacific coasts, the Lakes and the Gulf, is the pride of every American citizen, whether native born or naturalized. While this great scope of territory is limitless in its mineral wealth and resources, and is a source of pride to everyone, whether he lives among the hills of New England, the awe-inspiring Rocky Mountains, or mid the sunny climes of the far-away Pacific coast, yet all with one accord cast a loving, lingering look to the great valleys of the Ohio and Mississippi rivers. This valley, in point of extent, population, and future possibilities, is almost incomprehensible. Its broad prairies, its extensive coal deposits, to say nothing of its other mineral resources, its fertile and unexcelled richness of soil, make it, as it should be, the garden spot of the American Continent.

To the people of this valley the question of rates and transportation is a burning issue. With all the vast network of railroads scattered over our country, our transportation facilities are far too small to meet the demands of trade and business generally. From reliable statistics we find that within the last ten years the tonnage moved by railroads has increased 47 per cent, while during the same period railway mileage has increased only 20 per cent.

Railroads have been one source of the great and rapid development of our country. Without them much of our vast territory, now yielding handsome returns to those who own and cultivate it, would still be virgin soil. Without them the farmer would still be cutting his little field of wheat, oats, barley, and rye with the old-fashioned, primitive hand sickle. The railroads have aided in opening markets by furnishing facilities for transporting products to various portions of the country, thereby offering incentives for larger production and the building up of industries along all lines. We give all credit to railroads for the great work they have done in aiding the wonderful development of our vast domain, yet their work has not been of a charitable nature. The Government has been generous to a fault with such companies. Lands amounting in area to empires have been freely and lavishly donated to them from the public domain on the theory that such course was in the interest of the people of our entire land and would result in the advancement and building up of this the greatest of all countries, our beloved United States; but long before the people thought of railroads or steam navigation the Almighty, in His wisdom and for the benefit of His children, dug out and fashioned the various waterways which spread like spiders' webs throughout our land, and were built and fashioned much after the arterial and veinous system of the human body. Our great rivers represent the arteries, while the smaller streams represent the veins. Each is necessary to the other for practical and business purposes.

Since our Government has been so bountiful and generous to railroads, shall it not show its appreciation of the gift of the Almighty in furnishing us with our great waterways by making liberal appropriations for their improvement, thus furnishing additional facilities to shippers and placing in the hands of the people a natural and powerful weapon with which to guard against the greed, avarice, oppression, and extortions of soulless railroad corporations? While the United States stands ahead of all other countries in the development of railroad transportation, it is lamentably far behind some other countries in the matter of the improvement of its natural transportation facilities, the great waterways. Both France and Germany have gone far ahead of us along this line. They, with other governments, learning from experience the imperative necessity of using natural as well as artificial waterways for the movement of their products, have adopted a policy of systematic development and improvement of their waterways. I will not weary the committee with tables detailing the fabulous sums they have expended; such data is easily accessible to all. With the great natural advantages possessed by the United States over those other countries, and standing, as we do, in the sunlight of the greatest prosperity ever achieved by any government on earth, possessing the intelligence to accomplish whatever we undertake and abundant means to successfully carry out any enterprise upon which we embark, is it not time that Congress should call a halt on the parsimonious manner in which they have dealt with our great waterways?

As waterways are improved and facilities for transportation by this means made more available for our people, freight rates to the farmer, manufacturer, and all others desiring to avail themselves of this means of transporting their products will either be reduced or, at least, exorbitant rates will be prevented. This is in the interest of all. The protection of such interests is within the scope and power of the Government and, in my judgment, is one of its highest duties to the citizens at large. Properly and efficiently improve your waterways and then, as has often been said by others, transportation rates will, to a very large extent, regulate themselves.

On the 15th and 16th days of November last there was a deep waterways convention held in St. Louis, Mo., at which I was present. I believe every State in the Mississippi Valley was represented by regular delegates. Those delegates were men of brains and business ability. They were not there with individual axes to grind, but met to discuss, in a cool, level-headed, and business way, the proposition for the construction of a deep waterway from the Lakes to the Gulf by way of the Mississippi River, and to take counsel with each other as to the best means they could adopt to aid their representatives in Congress in securing the necessary appropriation to begin this work. There was no politics in this gathering; no jealousies on account of location. It was simply a business meeting of business men, all having one common end in view—the commercial prosperity of the Mississippi Valley—well knowing that such object when accomplished would affect every portion of our whole country. Every phase of this great question was carefully discussed; the urgent necessity for doing this work clearly set forth; the right of these people of the Mississippi Valley to urge Congress for action at the present session along those lines plainly demonstrated, and at the close of the convention resolutions were unanimously adopted urging the cooperation of all Members and Senators to support, by their influence and vote, legislation looking to the accomplishment of the object sought by the delegates.

I but voice the sentiment of the people in the district I have the honor to represent when I say to this body of distinguished Representatives that my people are earnestly in favor of the deep-waterway project. They know, if accomplished, it will prove a boon and blessing not only to our farmers, but to all our people. I heartily concur in their opinion and am glad of the opportunity to aid in this work. As several of my colleagues have fully discussed every phase of this project and furnished full data and information, I will not occupy the time of the committee in covering the same ground, but will only say it is my earnest desire that every public-spirited, broad-minded Member in this Congress will, when the voting time comes, vote "aye" on this proposition.

I am glad the committee have provided as large an amount for the improvement of the Ohio River as they have, yet that will fall far short of the amount necessary for the work. I am glad the upper Mississippi has been given as much as it has by the committee, but the committee could have still acted wisely and made the appropriation larger. The lower Mississippi has fared better in this bill than many other places, but doubtless the amount provided for them will fall much below their real needs.

I have been a staunch advocate of liberal appropriations for rivers and harbors. They are public highways. The General Government assumes full control over and charge of same. The citizen may not, in any manner, obstruct such waters, even though it should be to prevent the currents from cutting all his land away. If the citizen can not do this, is it not the duty of the Government to appropriate money and take such steps as

may be necessary to protect the property of its citizens? Along the Mississippi River I have seen some of the finest farms on her banks almost completely destroyed within a few seasons. Their owners saw them going, but were powerless to stop the ravages of the mad waters. They would appeal for help to their Member of Congress, but when he would, in turn, appeal to the Government he would be met with the old, old song, "Sorry; but we can appropriate money to be used on the rivers only in the interest of navigation, or the improvement and preservation of a harbor." I am willing to go on record as an advocate of the Government providing means to protect the river banks from cutting, and thereby protecting, the property of the helpless citizen on its shores.

While I am pleased with much which the Committee on Rivers and Harbors have done, yet what shall I say when I see that they have provided the munificent sum of $250,000 for that stretch of the Mississippi River between the mouth of the Ohio and the mouth of the Missouri River? What came over the spirit of your dreams this year? In 1900 you gave us $100,000, in 1902 you gave us $650,000, in 1903 you gave us $650,000, in 1904 you gave us $650,000, in 1905 you gave us $650,000, and the Engineer Department recommended to your committee the sum of $650,000 this year; but, regardless of this recommendation and the fact that $650,000 was not near enough to do the necessary work between St. Louis and Cairo, in this bill you cut us down to $250,000, when the necessities of that stretch require a million. If you are going to give us anything, make it large enough to be of some service. A niggardly appropriation is not economy, but a useless and inexcusable waste of public funds. The district represented by my colleague [Mr. RODENBERG] and that represented by myself cover the whole stretch of the Mississippi River on the Illinois side from Cairo to St. Louis. Two hundred and fifty thousand dollars would not begin to cover the work actually and urgently needed on the Mississippi within my own district, and I understand the same is true of Mr. RODENBERG's district.

We must have more money or much of the work already done will be substantially lost for lack of funds to keep it in repair, and we will be left without anything to provide needed and necessary work for the next year. We along that stretch of the river feel that the paring down of our former appropriations is unwarranted. It will so handicap the engineer in charge that he will practically be unable to do anything. Irreparable damage will occur if this mistake is not remedied here. I am advised that the flood of this season is already partially destroying work done last year, that work being to a large extent only temporary owing to insufficient funds needed to make it permanent. The necessity for a much larger appropriation this time is as great or greater than for some prior years, owing to floods and high waters, and I appeal, in all candor and earnestness, to each member of this committee, at the proper time when we come to vote on the provision for the improvement of the Mississippi River between St. Louis and Cairo, to stand by us and make this appropriation $1,000,000 instead of $250,000 which has been reported. [Applause.]

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## Free Alcohol.

### SPEECH

OF

# HON. THOMAS F. MARSHALL,

OF NORTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

*Thursday, February 7, 1907,*

On the bill (H. R. 24816) to amend an act entitled "An act for the withdrawal from bond tax free of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906.

Mr. MARSHALL said:

Mr. CHAIRMAN: The question of the removal of the tax from alcohol rendered unfit for use as a beverage was agitated by those who were interested in the use of alcohol for manufacturing purposes for more than ten years, practically without result. Those who had made a study of the nature and uses of alcohol believed that it is a commodity that would ultimately come to replace, in a greater or less degree, the use of kerosene and gasoline for heat, light, and power. Taking this view opened a tremendous possibility for this new industrial agent, and once their attention was brought to it the entire agricultural interests throughout the country became intensely interested and made an earnest appeal to their Representatives for free alcohol.

The combination of the farmers and manufacturers gave the movement sufficient friends to secure the passage of the law approved June 7, 1906, entirely removing the tax from alcohol when rendered unfit for beverage, and providing an appropriation for Government supervision of its manufacture and sale.

It was comparatively easy to frame a law which would bring a large measure of relief to the manufacturers and extremely hard, on the other hand, to frame one which would bring a full measure of benefit to the agricultural classes, for the fact must constantly be borne in mind that before denaturized alcohol can be made alcohol proper must be produced, and when regulations are provided for the manufacture of alcohol by an unlimited number of people the door to fraud is opened wide. Remembering that there is a tax of over $2 per gallon on alcohol fit for beverage, you can realize the great temptations there will be on the part of designing persons to dispose of it before it is denatured without paying the tax.

It has taken ten years or more to build up in France, Germany, and England the systems which are used there to prevent fraud against the revenue, and I have been a strong advocate of the theory that we should take advantage of their experience and begin where they have left off. The measure which is now under consideration, in my judgment, does that.

Mr. Chairman, the original free-alcohol bill approved June 7, 1906, when it left the House was believed to be in excellent shape and thought by its friends to be all that was desired, but the interests which fought the legislation so vigorously before the House committee and in the House itself were successful, by direct or indirect means, in securing amendments in the Senate which, while they did not actually prohibit the manufacture of alcohol on a small scale, greatly hampered it.

Since the enactment of the law and the issuance of the regulations these same people who had successfully accomplished their purpose in the Senate at once gave the law and the regulations a bad name before the people, and the publicity bureau of the Standard Oil Company was successful in filling the newspapers with statements which were absolutely untrue and some that were half true, thereby successfully creating a misunderstanding of the law and regulations, and delayed for one year at least the establishment of numerous distilleries throughout the country, and held for themselves that much longer complete control of the market for gasoline and kerosene.

The situation at the time of the passage of the law at the end of the session was such that the friends of the measure did not feel safe in undertaking to do anything but concur in the Senate amendments, thereby making sure of the progress that had been made, thinking it was wiser to wait until another session to undertake to further perfect the law.

The bill under consideration is the outgrowth of a bill introduced by Mr. HILL and another by myself, which bills were both referred by the Committee on Ways and Means to the Treasury Department and by them condensed into one bill, and so changed as to bring the same more in line with similar legislation. I believe the bill as a whole is a good one and ought to accomplish the much-desired results of permitting the establishment anywhere in this country of small farm distilleries, which is the great object sought.

In section 4 I should have preferred a provision made for all distilleries under 200 proof gallons instead of 100, but as the proposition is a radical departure from anything that has ever been undertaken in this country, the Department was loath to go any further than is proposed in the bill, and in this view the Ways and Means Committee concurred. If this provision of the law proves workable, as we all hope and believe it will, it ought to be an easy matter to increase by further legislation the size to meet any reasonable requirements. The original bill as introduced by me placed no limitations whatever on the size of the still, leaving it entirely with the Commissioner of Internal Revenue, which I believe would have been entirely safe and satisfactory, but which would perhaps place a responsibility on the Commissioner which he ought not to be asked to assume.

The last section of the bill, which makes the law operative on September 1, 1907, I strongly opposed, and did everything in my power to prevent the Department from setting the date as late as January 1, 1908, which they desired; and I undertook to get an agreement for July 1, and afterwards for August 1, but was ultimately obliged to compromise on September 1, 1907, as that was what the committee agreed on. However, Commissioner Yerkes assured me that he would get out the regulations approving the size and kind of sealed tanks or cisterns and the valves and locks and other appliances necessary at an early date, possibly as early as May or June of this year, thereby enabling those who desired to commence the manufacture on September 1 to construct their plants beforehand and be ready

for operation when the law becomes effective, and which would be in ample time to take care of this season's crop.

Mr. HILL'S able and exhaustive address has explained the features of this bill so fully, containing as it does such an array of facts and data surrounding this whole question, that it seems superfluous for me to go over the same ground. Volumes might be uttered as to the tremendous possibilities growing out of the use of industrial alcohol.

However great the benefits from its use may be, or however general its consumption may become, neither can come suddenly. It will be by patient and steady growth for years that the ultimate object will be attained.

We have much to learn regarding the economical manufacture of alcohol. Heretofore the manufacture has been confined to alcohol of a high grade made from clean, sound grain for beverage purposes only, and designed to be put on the market at a big price. Now we will have an entirely different condition, which will create a demand for alcohol made from anything that will produce alcohol, without regard to the quality, its flavor, or use for medicinal purposes. The facts are that the worse it tastes or smells and the more disagreeable it may be, so long as it may contain the properties of alcohol, the better it is for changing into a form unfit for use as a beverage. The tremendous demand that must grow up in this country will call for the full exercise and inventive genius of our people.

Ranking alongside in importance of the question of the cheap manufacture of alcohol, is the manufacture of suitable appliances for its use. With alcohol selling at about $2.50 per gallon, there has been no incentive for our inventors to produce lamps, stoves, engines, and other appliances for the use of alcohol; but now that the cheap material will be had, the field is opened, and it will be but a matter of time when these appliances will be produced in this country in the same way that they are in Germany and France; in fact, it is safe to presume that we will outrank them in this branch of the industry. For the time being, however, we will have to rely upon importations of foreign lamps, stoves, etc.

Many are interested in the cost of farmers' stills, and I have been unable to get any reliable information on the subject, but such data as I have gathered here and there lead me to believe that aside from a building (which many farmers would already have) a suitable farm still can be supplied at a cost of from $100 to $200.

It is assumed ordinarily that industrial alcohol can be made cheapest in the southern part of our country from waste molasses, and in the northern part from corn, and in certain portions from potatoes.

It has occurred to me that in the Red River Valley, in our State, where there are immense wheat farms, a new field for the manufacture of alcohol from potatoes will be found. Red River Valley lands are naturally very productive of potatoes, and by the introduction of some new variety of potatoes especially adapted for the manufacture of alcohol the yield of potatoes ought to be nearly doubled, in which case they ought to be profitably grown and made into alcohol, especially in view of the fact that no crop is better to rotate with wheat than potatoes. While I have not gone into the figures involved in the proposition, it appeals to me that the man with a section or less of land who would rotate his wheat crop with potatoes and manufacture the potatoes into alcohol at a still on his farm, feeding the refuse from the still to his live stock, would have a combination that ought to be a money maker. To say the least of it, it is worthy of the consideration of our people.

However, it is not for me to point out the way. I believe if the pending bill becomes a law, we will have all the legislation that we need at this time, and the successful introduction and general use of denaturized alcohol will simply be a question for solution by our ingenious and energetic people. While many are inclined to scoff, I for one am strong in the belief that those who have solved so many difficult and seemingly impossible problems will not fail in finding a solution of this. I have every faith that industrial alcohol will become so general in its use that such farm products as corn and potatoes, which have in the past become frequently a drug on the market, will in the future always have a reasonable marketable value as raw materials from which to make alcohol, thereby giving our farmers every year a comparatively uniform market for their products, which is much better than to have a high price one year and an excessively low price another.

I have an abiding faith, further, that the use of industrial alcohol will ultimately supplant in a great degree the use of kerosene and gasoline for the uses of heat, light, and power. Even at a slightly increased cost the use of alcohol will become very general, because of its safety, superiority, and convenience in handling and using. It does not seem unfair to assume that in any event the use of alcohol will become so general for the purposes mentioned that it will act as a leveler for the price of kerosene and gasoline and at least keep them at the present level instead of advancing tremendously, which is bound to come, owing to the scarcity of kerosene and gasoline, unless some competing material, such as alcohol, is brought into the market.

Much misapprehension has gone abroad relative to the attitude of Mr. Yerkes, Commissioner of Internal Revenue. For more than a year I have been in close touch with Mr. Yerkes, and while he has been hampered by the existing law, I have always found him friendly to the widest possible use of denaturized alcohol. It is barely possible that had some of his interpretations of the law been placed to a test, they might not have been upheld. However, this is no fault of his, but is based upon his understanding of the situation. He is bound, like any other honest man, to be governed by his conception of the law.

He has been severely and unjustly criticised by the newspapers, but through it all has never shown the slightest resentment, and I am of the opinion that there is not in the Government service a more efficient, capable, honest man than Commissioner Yerkes. I feel sure that should this bill be enacted, he will do everything in his power to bring about the greatest possible manufacture of industrial alcohol which is consistent with full protection from frauds against the revenue.

My deep interest in the subject of the extensive use of industrial alcohol has been on behalf of the farmers in the prairie States, where the question of fuel for heat, light, and power is one that confronts every man every hour. Nothing to my mind could be of greater use and benefit than a commodity which can, in a greater or less degree, compete with gasoline and kerosene, this being particularly true when this commodity can be made from the every-day products of the farm and field.

Next in importance to securing the general use of this industrial material is the question of keeping it from the control of combinations and trusts, which now have their greedy hands on so many of the necessities and comforts of our people. I feel that the enactment of this bill will not only result in the widespread use of industrial alcohol, but will result in its manufacture by small distilleries throughout the country, thereby effectually keeping it from the control of the trusts and combinations.

I believe, further, that no one factor of modern civilization will do more to bring home to the prairie farmer the necessities and comforts which will put the conveniences of his home on a par with that of his city brother. The passage of this bill, to my mind, will be one step more in the direction of stopping the exodus from the farms to the cities, a thing greatly to be desired.

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## The Naval Appropriation Bill.

### SPEECH
OF
### HON. HENRY D. FLOOD,
OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

*Friday, February 15, 1907,*

On the bill (H. R. 24925) making appropriations for the naval service for the fiscal year ending June 30, 1908, and for other purposes, and the question being on the motion of Mr. BURTON of Ohio to amend the bill on page 81, lines 7 and 8, by striking out the words "similar in essential characteristics and additional to the battle ship."

Mr. FLOOD said:

Mr. CHAIRMAN: I wish to submit a few reasons why I think the Government should aid in the building of public roads throughout the country.

I think undoubtedly the power of the Government to make appropriations for this purpose is ample and can be defended.

The power is expressly given to Congress by the Constitution "to provide for the general welfare," and the general welfare of this country demands at this time nothing so imperatively as it does a good system of public roads—a thing which we can never have without the aid of the Federal Government.

The exercise of this power to aid in the building of public highways is more than 100 years old. As far back as Jefferson's first Administration Congress made provision for a national road from Georgia to New Orleans, which was completed during Jefferson's last term, and of which there is a map in the Library of Congress.

In 1816 Henry Clay made a speech in advocacy of the construction by the General Government of an extensive system of turnpikes and canals. He was ably seconded by John C. Calhoun.

At the next session of Congress, in 1817, Calhoun took the lead in advocating a bill to set apart and pledge the bonus of the national bank and the shares of the United States as a permanent fund for constructing roads and canals and improving the navigation of water courses.

In 1818 Clay made another speech on the subject of internal improvements, in which, after an elaborate argument upon the constitutionality of the subject, he discusses the great benefit of canals and turnpikes to the country. His remarks would apply to turnpikes at the present time. He said:

I think it very possible that the capitalist who should invest his money in one of these objects might not be reimbursed 3 per cent annually upon it, and yet society in various forms might actually reap 15 or 20 per cent.

And, again, he said:

Of all the modes in which a government can employ its surplus revenue none is more permanently beneficial than that of internal improvement. Fixed to the soil, it becomes a durable part of the land, itself diffusing comfort and activity and animation on all sides.

Mr. Clay was an untiring and strenuous advocate of the Cumberland road—the great national pike to extend from Cumberland, Md., to St. Louis. The bill for the first section of this road passed Congress March 29, 1806, which authorized the President [Mr. Jefferson] to appoint three commissioners to lay out the road from Cumberland to the Ohio River. This road had many ups and downs during successive administrations, but by the time railroads began to loom up it had been completed to Vandalia, Ill., at an expense to the Government of nearly $7,000,000, a sum which meant then many times to the Government what that amount would mean now.

In the Eighteenth Congress Thomas H. Benton fathered the bill to lay out a road from the border of Missouri to the boundary line of the United States, and thence, with the consent of Mexico, to the frontier of New Mexico. In his Thirty Years in the Senate he attributed the waning interest in the subject to the application of steam to boats and railway trains. He uses the following language:

The progress of events has withdrawn the whole subject—the subject of a system of national internal improvements once so formidable and engrossing the public mind—from the halls of Congress and discussion of the people. Steamboats and steam cars have superseded turnpikes and canals.

Even great works accomplished by Congress at vast cost, after long and bitter debates, and deemed national at the time, have lost their character and sunk into the class of common roads. The Cumberland road, which cost $6,700,000 and was a prominent subject in Congress for thirty-four years, from 1802, when it was conceived, to 1836, when it was abandoned to the States. This road, once so absorbing the public money and public attention, has degenerated into a public highway and is entirely superseded by the parallel railway.

There is no real distinction between a turnpike and a railroad in their claims for help from the General Government. But the railroads have been aided to the extent of millions and millions of dollars in land and money by the National Government, while the proposition to secure aid for the highways of the country meets with no favor beyond a respectful hearing.

There is no real distinction, so far as the public good and welfare is concerned, between the aiding of public roads and the aiding of waterways, and yet our waterways and harbors have been aided to so collossal an extent as to dwarf and finally eclipse our equally valuable highways.

The importance of good roads is so apparent it will not be questioned by one and need not be discussed.

We are appropriating this year $83,000,000 for rivers and harbors, $95,000,000 for our naval establishment, $81,500,000 for the Army.

The building of a comprehensive system of good roads is of more importance to the people of this country than any one or all these purposes.

The necessity for better roads in many parts of this country is the greatest need of the hour. The States and counties can not build them. The right kind of roads can only be built, and will only be built, when the National Government lends a helping hand. If we are ever to have a system of roads in this country to compare with those of the other enlightened nations of the world, it has got to be done by the aid of the Federal Government. If the agricultural communities of this country are ever to be thoroughly developed and made desirable as places of abode during all seasons of the year, it can only be done when the Federal Government has determined to aid in the construction of proper highways and turnpikes.

I listened with much pleasure to the speech delivered on this subject in December by the gentleman from Alabama [Mr. UNDERWOOD], and I use some of the statements made by him in that speech:

The cost of transportation is the vital question in all modern commerce. With the world's markets in which to dispose of our products, our success and prosperity is largely dependent on costs of carrying our products to these markets. * * * The cost of carrying a ton 100 miles in England is $2.35; in Germany, $2.25; in France, $2; in the United States, 72 cents, the cheapest freight rates in the civilized world, and we have very properly regulated them. On the other hand, the cost of moving our products from the farms to the railroad stations is from two to four times as much as it is in France or Germany. This part of the cost of transportation to the markets of the world is just as vital to our success and the development of our foreign trade as is the railroad freight.

A circular of the Agricultural Department states that, on an average, it costs 25 cents per ton per mile for hauling farm products over common earth roads.

All the progressive nations of Europe are giving national aid to their highways, while our Government is following the example of the South American nations, thereby imposing a burden of millions of dollars annually upon our producers; and a glance at the condition of the South American countries ought to convince us of the error of our ways. That land, so prodigal in its resources, is still more affluent in the number and availability of its waterways, and yet Brazil, Argentina, and Peru have burdened themselves with railroads, which have weighted them down, while their domestic commerce is largely transported upon the pack saddle.

What a different picture has been presented by the countries of Europe. A splendid system of roads has been inaugurated by those countries. The great Napoleon, following the example set by the Roman Empire, built an extensive system of roads throughout France, and now not less than $7,000,000 each year are expended by the French Government in keeping up these roads and making new roads. This work employs 35,000 persons, and they now have 350,000 miles of well-paved roads. The central Government of England began to improve the roads in that country in 1835, and now $15,000,000 is being expended yearly upon their roads. Macaulay, in writing of the condition of the public roads in England prior to 1835, gives a description of them that is applicable to our roads nearly seventy-five years later. He says:

The fruits of the earth were sometimes suffered to rot in one place, while a few miles distant the supply fell short of the demand. One general cause of the badness of the roads was the defective state of the law. Every parish was bound to repair the roads which passed through it, and thus a sparse and impoverished parish was often compelled to maintain highways between rich and populous towns.

The farming element in the country constitutes about 35 per cent of its population, and it is not fair or equitable to expect it unaided to build and maintain the public highways of the country. It creates the wealth of the nation, which largely finds its way into the pockets of other people, and yet has been required unaided to maintain the highways of the nation. It has produced an amount of wealth within the past ten years equal to one-half of the entire national wealth, and, though but little more than one-third of the population, it has contributed more than two-thirds of the amount needed to support the Government; and yet its just demands for aid in building a good system of thoroughfares go unheeded.

Let the farmer withhold his hand from the plow for two seasons and the grass will grow in your thoroughfares; barnacles and bilge water will rot your ships as they lie idle at your docks; cobwebs will festoon your counting houses; owls and bats will usurp your warehouses; your children will clamor to you for bread, and we will gather in this Chamber with pallor in our faces.

Who are the most trustworthy guardians of the Republic? Why, sir, those whose activities cluster around the home, whose virtues are those of the family, and whose patriotism springs from and is fostered by the rooftree. Such men are not blown about by every wind of doctrine, but are the ultimate and supreme hope for the conservation of our institutions.

It is but just that a class of our population which furnished so much of the greatness of the nation and to the support of the Government, and hitherto has gotten so little from the National Government, should receive all the aid that can be given to it constitutionally.

While the country has advanced in area, in population, and in wealth, and along all lines of science, trade, and industry, no advancement has been made in the condition of our roads in many sections of the country during the past one hundred years.

The statement of the average cost of transportation from the farm to the railroad station, which I referred to a few minutes ago, demonstrates what an immense financial advantage a good system of roads would be to the farmers of this country. And of vital and pressing moment to the national welfare is the

fact that a good system of roads would check the tendency of the people to leave the farm and go to the city. This drift has taken from the farm much of the bone and sinew essential to a successful carrying on of our agriculture. It is producing an unhealthy congestion in large centers of population. The problem of getting young men to go back to the country from the cities and those already there to remain in the country is growing graver every day. The State and nation alike have been wisely contributing to the advantages of the country as a place of residence. A more extensive system of schools is being inaugurated each year. I know this to be true in my own State, and I believe it is true of every other State in the Union. Circulating libraries are doing much to add to the comfort of country life, and the rural free delivery of mails makes a great and permanent inducement to such a life. How these advantages would be enhanced by a system of good roads every intelligent man can see. Every mile of turnpike would secure to the farmers on both sides what political economists call "the unearned increment," just as the proximity to the railroad or the church or the schoolhouse does, and with the main permanent thoroughfares in good condition more time and heart would be given to the farmer to improve the plantation road. The wear and tear of his team, which is his capital, would be greatly lessened. The increase in value of his land would be greatly increased. The development of a neighborhood with such thoroughfares would proceed in geometrical ratio.

With the agricultural interests of the land upon a satisfactory basis we have the real breakwater to financial disaster, for all real value is in the land. With the earth yielding her increase the fluctuations upon the stock market are of no vital moment. The exploitation of railroads, the watering of stock, the artificial showings, the manipulation and even wreckage of railroads are not disasters save to the gamblers, for the railroads never cease to haul the produce to the markets.

Our great cities are augmenting their population in an accelerated ratio. Some day, without warning, they may tell a tale of disaster, and then there will be no escape or refuge save in the immunity, the stability, and the conservatism of the country.

Let the General Government foster this great enterprise not only at the behest of justice but of wisdom. For whatever confirms and strengthens the agricultural interests performs the same for every other interest. Upon the strength and security of the farmer rests the integrity and security of the nation.

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## Appointment of Former West Point Cadets as Second Lieutenants in United States Army.

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SPEECH

OF

# HON. MORRIS SHEPPARD,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

*Saturday, March 2, 1907,*

On the bill (H. R. 23630) authorizing the President to nominate and appoint Birchie O. Mahaffey, John A. Cleveland, and Traugett F. Keller as second lieutenants in the United States Army.

Mr. SHEPPARD said:

Mr. SPEAKER: I desire to submit a brief explanation of the bill (H. R. 23630) which has recently passed both the House and the Senate and received the signature of the President. Under the provisions of this bill Birchie O. Mahaffey, of Texas; John A. Cleveland, of Alabama, and Traugett F. Keller, of New York, are made second lieutenants in the Army of the United States.

On May 3, 1901, the following members of the class of 1902 of the United States Military Academy at West Point, Birchie O. Mahaffey, of Texas; John A. Cleveland, of Alabama; Traugett F. Keller, of New York; Raymond A. Linton, of Michigan, and Henry A. Bowlby, of Nebraska, were dismissed for "taking prominent part in devising, planning, preparing for, instigating, and executing the mutinous demonstration of the 16th of April." I quote the exact language of the order of dismissal in order to show the exact cause of dismissal. The young men were not dismissed for hazing.

The Military Secretary, in his report on this bill, stated that they were dismissed for "insubordination or hazing." On closer investigation The Military Secretary, Gen. F. C. Ainsworth, who is one of the most accurate and obliging officials our Government has ever had, discovered the error, and wrote me the following letter:

WAR DEPARTMENT,
THE MILITARY SECRETARY'S OFFICE,
*Washington, February 28, 1907.*

Hon. MORRIS SHEPPARD,
*House of Representatives.*

DEAR SIR: In response to your personal inquiry of to-day as to the exact cause of the dismissal in 1901 of Cadets Henry L. Bowlby, John A. Cleveland, Traugett F. Keller, Raymond A. Linton, and Birchie O. Mahaffey, I beg leave to advise you that an examination of the official records shows that these cadets were dismissed on charges of "taking a prominent part in devising, planning, preparing for, instigating, and executing the mutinous demonstration of the 16th of April, 1901."

Very respectfully.

[SEAL.]

F. C. AINSWORTH,
*The Military Secretary.*

This demonstration was a mere boyish exuberance and had no serious results. Since the dismissal the careers of these young men have been especially praiseworthy. Four of them were tendered engineering employment of a most difficult character in South America, where they acquitted themselves with distinguished credit both as to engineering skill and gentlemanly conduct. Returning a year or two ago to this country, young Linton was appointed a colonel of Michigan State troops and aid-de-camp on the staff of Governor Warner, of that State. Bowlby on his return became a member of the faculty of the University of Washington. Keller holds a responsible position in the engineering service of New York City. Mahaffey, after an especially successful engineering career in South America, is now in the railroad engineering service in Texas. Cleveland is in Ecuador, where he has risen to the important position of inspecting engineer and road master of the Guayaquil and Quito Railway Company.

Ever since the dismissal the young men, their families, and friends have been naturally very anxious to have the stain of expulsion wiped from their careers. In December, 1904, I wrote Brig. Gen. A. L. Mills, the Superintendent of the Military Academy and the author of the order of dismissal, asking if he would not recommend these young men for commissions in the Army, and whether, in his opinion, their appointment would interfere with the interests of the service or the discipline of the academy. He replied very kindly as follows:

WEST POINT, N. Y., *December 27, 1904.*

Hon. MORRIS SHEPPARD,
*Member of Congress, Washington, D. C.*

MY DEAR SIR: I beg to acknowledge the receipt of your very kind personal letter of the 23d instant, regarding ex-Cadets Henry A. Bowlby, John A. Cleveland, Traugett F. Keller, Raymond A. Linton, and Birchie O. Mahaffey, who were dismissed in May, 1901, and in whose behalf a motion is on foot among the Congressmen representing the districts from which they were appointed to request the President to give them commissions in the Army.

In reply and in answer to the question you ask, I am glad to write that, in my opinion, the appointment of these young men as second lieutenants in the Army would not interfere, either with the best interests of the service, nor do I believe it would in any way reflect upon the Military Academy. No existing law known to me operates to prevent their being commissioned, and I certainly would not initiate any opposition to the movement. On the contrary, if the matter of their proposed appointment should be referred to me officially, I will be glad to recommend the young men to the favorable consideration of the President. Should they be appointed, the law requires they should be examined by a board of officers before being commissioned. At this examination the facts connected with their career at the Military Academy of course would be brought out, but I believe the board would do justice to them and would be little inclined to condemn them now for the trouble in which they were involved as cadets. This would be the stand I would take were I a member of such board, and I believe similar views will be held by most other officers. With kindest regards, I remain,

Yours, very truly,

A. L. MILLS,
*Brig. Gen., U. S. Army, Superintendent.*

This letter of General Mills was presented to President Roosevelt by Congressman HINSHAW, of Nebraska, in February, 1905. The President expressed himself favorably and referred the letter to the Secretary of War, who wrote me on February 25, 1905, suggesting that the young men "file applications with the War Department setting forth all the facts and also a statement of what they have done since they were dismissed."

When the applications were taken up for consideration, it was found that only Bowlby and Linton were still within the age limit for appointment from civil life. Bowlby and Linton were appointed in September, 1906, the Secretary of War stating in reference to Mahaffey, Cleveland, and Keller that but for the disqualification on account of age he would have recommended their appointment also, and that his action would have had the approval of the President.

To remedy the discrimination against Mahaffey, Cleveland, and Keller, arising unavoidably from this situation, the Representatives of the districts in which these young men reside, Mr. TAYLOR of Alabama, Mr. GOULDEN of New York, and I, introduced bills at the beginning of the present session authorizing the President to appoint them to second lieutenantcies. Mr.

GOULDEN's bill was reported by the Military Affairs Committee, and on Saturday last became a law. Mr. GOULDEN, Mr. TAYLOR of Alabama, Mr. FORDNEY of Michigan, Mr. HINSHAW of Nebraska, Mr. SLAYDEN of Texas, and Senator CULBERSON of Texas have rendered invaluable service in pressing this matter to a successful conclusion.

## Life and Character of the Late Russell A. Alger.

REMARKS
OF
# HON. SAMUEL W. SMITH,
OF MICHIGAN,
IN THE HOUSE OF REPRESENTATIVES,
*Sunday, February 24, 1907.*

On the following resolutions:

"*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. RUSSELL A. ALGER, late a Senator from the State of Michigan.

"*Resolved*, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased."

Mr. SMITH of Michigan said:

Mr. SPEAKER: In keeping with a custom of many years in this honorable body, this hour and this day has been set apart to do honor to the memory of the distinguished dead.

I accept this opportunity to pay tribute to one who in life was my friend and in whose death I experienced a personal loss; one whom I hold in affectionate remembrance for his genial and kindly qualities, for his broad love of humanity and his generous soul.

I became acquainted with him while serving in the State senate. He was then governor of Michigan. I there became impressed with his sterling qualities which the exigencies of life had developed in him. He was the soul of honor in politics, the same as in every other relation in life.

RUSSELL A. ALGER was born in Lafayette Township, Medina County, Ohio, February 27, 1836. His parents died when he was but 11 years of age. He was then compelled to provide for himself, laboring on the farm at small wages, attending school winters and until he acquired an education; then, having completed a course in law, he was admitted to the supreme court of Ohio in 1859, and in May, 1885, the degree of LL. D. was conferred on him by Hillsdale College.

He removed to the comparatively new State of Michigan in the latter part of 1859 and engaged in the business of lumbering, then in its infancy, laying the foundation of his fortune.

Events were stirring and destiny was preparing for the noble and distinguished career which he has so honorably filled.

Abraham Lincoln called for volunteers and RUSSELL A. ALGER responded, entering the Army in 1861 as captain of Company C, Second Michigan Cavalry, and rose through successive ranks to brevet brigadier-general, then was brevetted major-general, United States Volunteers, for distinguished bravery and meritorious services during the war.

At the close of the war he became extensively engaged in the lumber business and other industries, and being possessed of those qualities of mind and heart which make for success in the self-made man—courage and sound business judgment—in assuming again the arts of peace he accumulated, by honest means and methods, a large fortune, which he has generously used for the betterment of mankind.

I leave to others more intimately acquainted to tell the story of the thousands of homes and hearts made comfortable and happy by his generous love.

It sometimes happens that commercial relations make political relations expedient and to be desired. General ALGER was always a consistent and devoted Republican.

He was honored as a delegate to the Republican national convention in 1884, and that same year was elected governor. His large business interests forbade his accepting a renomination in 1886. During his term as governor his name was frequently mentioned in connection with the office of United States Senator, but he cast it aside for the time being, saying that he "would like to represent his State in the Senate some time."

He was a candidate for President at the Republican national convention in 1888, Michigan casting her vote solidly for him on every ballot.

In 1889 he was elected commander in chief of the Grand Army of the Republic, and more than once he feelingly expressed his gratitude for this honor bestowed on him by his comrades. He prized it as one of the greatest honors of his life.

President McKinley appointed him Secretary of War in 1897, which portfolio he resigned in August, 1899. He urged President McKinley earlier in the same year to accept his resignation, but the President refused to do so. On the merits of the work performed by the War Department during this period, the War Investigation Commission has said:

> After thirty-three years of peace, during a great part of which the Army did not exceed 26,000 men, it suddenly became necessary to arm, clothe, feed, and equip more than a quarter of a million.
>
> The sudden emergency which called our people to arms after an interval of half a century of peace with all foreign powers was met by the War Department with earnestness and energy. The situation found the country unprepared with any large stock of arms, ammunition, clothing, supplies, and equipments. That they were duly provided and that the numerous demands on the industries of our people were met so promptly will remain one of the marvels of history.

I assert without fear of successful contradiction that when the historian comes to write an unbiased opinion of his conduct of the War Department it will be told that he was one of the best of Secretaries of War.

Upon his retirement from the Cabinet he returned to Michigan, where thousands of citizens gathered to welcome her honored hero as a testimonial of their appreciation of his sincerity of purpose and his ability in administering the affairs of his office, as thousands have so recently gathered to pay the last sad tribute to the man who died brave and true, full of years and full of honors, whose life was was part of the history of his time and, as one has said: "For his gallant conduct upon the battlefield of life he has been promoted to a higher service."

As husband, father, and friend the white flower of a blameless life is left as a priceless legacy of love to the inner circle of home. That life will ever be an inspiration to the youth of our land.



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